“MY WORLD IS FINISHED”

ROHINGYA TARGETED IN CRIMES AGAINST HUMANITY IN MYANMAR

AMNESTY INTERNATIONAL

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Cover photo: *An aerial photograph showing the burned down village of Kha Ru Chaung in Maungdaw Township, Myanmar, 27 September 2017. © Private*

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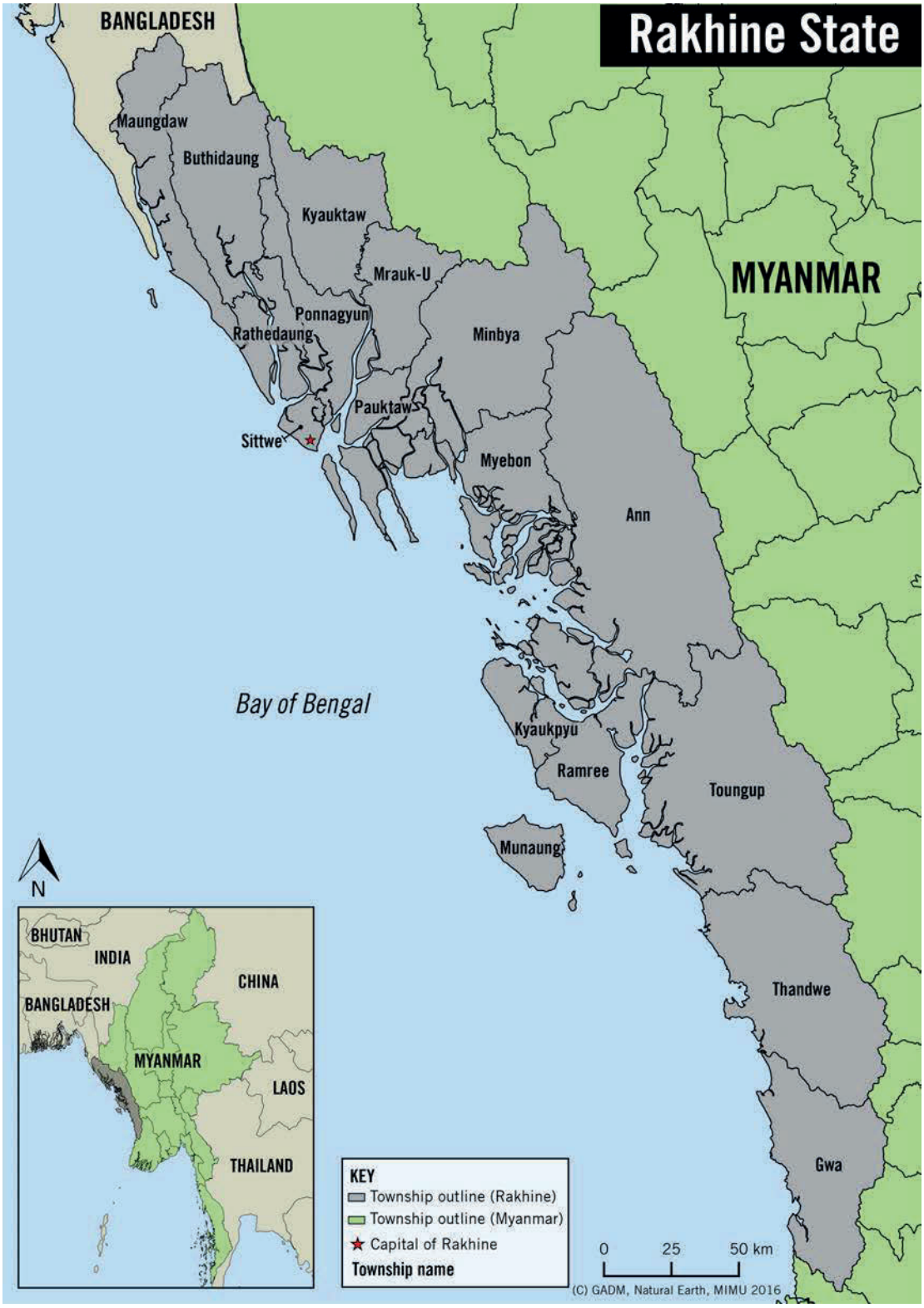
Naypyitaw
LAOS
Rakhine State
Bay of Bengal
Yangon
THAILAND
LEGEND
State capital
City or town
Andaman Sea
Gulf of Thailand
0 100 200 km
(C) GADM, Natural Earth, MIMU 2016


Rakhine State
BANGLADESH
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Maungdaw
Buthidaung
Kyauktaw
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Rathedaung
Minbya
Pauktaw
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Myebon
Ann
Bay of Bengal
Kyaukpyu
Ramree
Toungup
Munaung
Thandwe
Gwa
N
BHUTAN
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CHINA
BANGLADESH
MYANMAR
LAOS
THAILAND
KEY
Township outline (Rakhine)
Township outline (Myanmar)
Capital of Rakhine
Township name
0 25 50 km
(C) GADM, Natural Earth, MIMU 2016

1. INTRODUCTION

Early in the morning of 25 August 2017, members of a Rohingya armed group, the Arakan Rohingya Salvation Army (ARSA), attacked approximately 30 security force outposts in northern Rakhine State.[1] In its response, the Myanmar Army, rather than targeting ARSA, launched an attack on the Rohingya population in northern Rakhine State as a whole. Often working with Border Guard Police (BGP) and local vigilantes, the military has carried out a campaign of violence that has been systematic, organized, and ruthless.

In this briefing, Amnesty International presents evidence that the Myanmar military has killed at least hundreds of Rohingya women, men, and children; raped and perpetrated other forms of sexual violence on Rohingya women and girls; and carried out organized, targeted burning of entire Rohingya villages. This briefing builds on Amnesty International's published findings since the crisis began, including on the Myanmar military's use of anti-personnel landmines. In seven weeks, the relentless human rights violations have forced more than 520,000 Rohingya to flee to neighbouring Bangladesh. More cross the border daily.

The attack on the Rohingya population has been both systematic and widespread, constituting serious human rights violations and crimes against humanity under international law (see text box below). The violations and crimes have been committed within a context of decades of systematic, state-led discrimination and persecution of the Rohingya population and occasional large-scale outbursts of violence. After ARSA attacks on security force outposts in October 2016, the Myanmar military carried out "clearance operations" marked by widespread and systematic human rights violations, including unlawful killings, sexual violence and other forms of torture, enforced disappearances, and arbitrary arrests, which Amnesty International concluded may have amounted to crimes against humanity. The current campaign is an escalation, with the targeted burning of villages on a massive scale seemingly designed to push the Rohingya population in northern Rakhine State out of the country and make it incredibly difficult for them to return.

This briefing is based primarily on more than 150 interviews conducted in person in the Cox's Bazaar region of Bangladesh and by phone with people inside northern Rakhine State. Amnesty International had a consistent research presence in Bangladesh for most of September, interviewing more than 120 Rohingya who have fled since 25 August, as well as medical professionals, aid workers, journalists and Bangladeshi authorities. In early September, Amnesty International also met in Naypyidaw and Yangon with Myanmar government officials as well as foreign diplomats, aid workers, and journalists. Where they have consented, interviewees are referred to using their real names; in other cases, in particular for survivors of sexual violence, interviewees are referred to using initials that do not reflect their actual names.

In addition, this briefing draws on an analysis of satellite imagery and data, as well as dozens of photographs and video footage taken inside Rakhine State and subsequently verified as authentic by Amnesty International. For most incidents described in this briefing, Amnesty International has corroborated events through witness accounts, satellite imagery, and verified photographs or videos from the same location.

Amnesty International has sought access to Rakhine State, including by making a formal request to the Myanmar authorities. At the time of writing, the authorities had yet to respond. Amnesty International also interviewed 12 Hindu men and women from northern Rakhine State who fled to Bangladesh, as part of its efforts to examine allegations of unlawful killings and other abuses by ARSA, including an alleged massacre in Ye Baw Kya village in Maungdaw Township. The accounts Amnesty International received included critical inconsistencies, such that we have not been able to reach a conclusion about the perpetrators at this time. To be able to fully document the violations and abuses by all sides, including ARSA, the Myanmar authorities

[1] Northern Rakhine State is typically understood to refer to Maungdaw and Buthidaung Townships, which collectively comprise Maungdaw District. However, in this briefing, given that the military's campaign of violence has also targeted Rohingya in Rathedaung Township, the term "northern Rakhine State" will be used to refer to all three townships. Rathedaung Township falls administratively under Sittwe District.

need to allow unfettered access to human rights organizations, journalists, and the UN Fact-Finding Mission.

In the coming months, Amnesty International will produce a full report on the current crisis, bringing together the totality of its work and examining more thoroughly the issue of individual criminal responsibility.

THE ARAKAN ROHINGYA SALVATION ARMY (ARSA)

ARSA became known to the public after it launched a series of attacks in October 2016 on three Myanmar border police posts in Rakhine State. The group was then known as *Harakat al-Yaqin*, or "the faith movement," before changing its name to ARSA in 2017.[2]

Established in the aftermath of anti-Muslim violence in Rakhine State in 2012, its core group of trained fighters has been estimated as only in the hundreds.[3] However, in carrying out attacks on Myanmar police outposts, first on 9 October 2016, and then on 25 August 2017, the group has relied primarily on several thousand mobilized or conscripted Rohingya villagers, untrained and armed with little more than bladed weapons and some home-made firearms and explosives.[4]

The International Crisis Group reported in December 2016 that ARSA had received training and support from outside Myanmar.[5] The group's leader, Ata Ullah, denied to CNN any influence from foreign supporters,[6] and has said that ARSA's aims are strictly ethno-nationalist, and in particular about defending the long-persecuted Rohingya population in Rakhine State.[7]

In the months preceding the 25 August attacks, Muslims and Buddhists in northern Rakhine State were reportedly killed for being "suspected of serving as government informants."[8] Amnesty International has independently received information about several dozen such killings allegedly linked to ARSA, which it is working to corroborate.

Then, on 25 August, ARSA launched near-simultaneous attacks across northern Rakhine State on around 30 police outposts and an army base, killing 12 state officials, including 11 members of the Myanmar security forces, according to media reports citing the government.[9] The attacks came just hours after the release of the final report of the Advisory Commission on Rakhine State, led by former UN Secretary-General Kofi Annan, which had been tasked with identifying solutions for peace and development in the troubled region. The scale and level of organization in the attacks showed a more sophisticated ability to plan and mobilize than had the October 2016 attacks.

The Myanmar authorities allege that ARSA has killed civilians in the aftermath of the 25 August attacks, including Hindu men and women, and burned ethnic Rakhine villages.[10] Amnesty International's investigations into these claims remain ongoing.

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[2] Bertil Lintner, "The truth behind Myanmar's Rohingya insurgency," *Asia Times*, 20 September 2017.
[3] See, e.g., Bertil Lintner, "The truth behind Myanmar's Rohingya insurgency," *Asia Times*, 20 September 2017; Jonathan Head, "Rohingya crisis: Finding out the truth about Arsa militants," BBC News, 11 October 2017.
[4] Bertil Lintner, "The truth behind Myanmar's Rohingya insurgency," *Asia Times*, 20 September 2017; Jonathan Head, "Rohingya crisis: Finding out the truth about Arsa militants," BBC News, 11 October 2017.
[5] International Crisis Group, Myanmar: A New Muslim Insurgency in Rakhine State, Report No. 283 / Asia, 15 December 2016.
[6] CNN, "Who are Myanmar's militants? Five questions about ARSA," 12 September 2017.
[7] See, e.g., Bertil Lintner, "The truth behind Myanmar's Rohingya insurgency," *Asia Times*, 20 September 2017; Jonathan Head, "Rohingya crisis: Finding out the truth about Arsa militants," BBC News, 11 October 2017.
[8] Bertil Lintner, "The truth behind Myanmar's Rohingya insurgency," *Asia Times*, 20 September 2017.
[9] Reuters, "At least 71 killed in Myanmar as Rohingya insurgents stage major attack," 24 August 2017.
[10] Myanmar News Agency, "ARSA burns down villages," *The Global New Light of Myanmar*, 5 September 2017; Associated Press, "Myanmar officials: Insurgents killed 45 Hindu villagers," 25 September 2017; Associated Press, "Myanmar says 163 killed in Rohingya attacks in past year," 27 September 2017.

CRIMES AGAINST HUMANITY

Crimes against humanity are prohibited acts committed as part of widespread or systematic attack directed against a civilian population as part of a state or organizational policy. The Rome Statute of the International Criminal Court defines crimes against humanity in Article 7: "For the purpose of this Statute, 'crime against humanity' means any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack…"[11] Article 7(1) lists 11 crimes, or "acts," including "[m]urder"; "forcible transfer of population"; "[t]orture"; "[r]ape"; as well as "[p]ersecution against any identifiable group" on any "grounds that are universally recognized as impermissible under international law."[12]

"Attack directed against any civilian population" is defined in Article 7(2)(a) as "a course of conduct involving the multiple commission of acts referred to in paragraph 1 against any civilian population, pursuant to or in furtherance of a state or organizational policy to commit such attack."[13] The definition in the Rome Statute reflects rules of customary international law[14] binding on all states, regardless of whether or not a state is party to the Statute.

The contextual elements of crimes against humanity require that each individual act be perpetrated in the context of a widespread or systematic attack directed against a civilian population and with knowledge of the attack. Each element of these requirements must be proved before any accused person can be convicted of crimes against humanity. As detailed in this briefing, Amnesty International is of the view that these contextual elements are very likely met in Myanmar and an independent, impartial and effective criminal investigation is needed to establish individual responsibility for these and other crimes.

Crimes against humanity are the subject of universal jurisdiction.[15] Any state may, under customary international law, undertake one of the following actions against suspected perpetrators of crimes against humanity, even where the suspects are neither nationals nor residents of the state concerned, and the crime(s) did not take place in its territory:

- bring such persons before its own courts;
- extradite such persons to any state party willing to do so; or
- surrender such persons to an international criminal court with jurisdiction to try persons for these crimes.

[11] Rome Statute of the International Criminal Court, 2187 U.N.T.S. 90, *entered into force* 1 July 2002, Art. 7(1).
[12] Rome Statute of the International Criminal Court, 2187 U.N.T.S. 90, *entered into force* 1 July 2002, Art. 7(1).
[13] Rome Statute of the International Criminal Court, 2187 U.N.T.S. 90, entered into force 1 July 2002, Art. 7(2)(a)
[14] For a description of customary international law on crimes against humanity, see Report of the International Law Commission: Sixty-seventh session (4 May-5 June and 6 July-7 August 2015), Chapter 7: Crimes against Humanity, UN Doc. A/70/10, p. 54 ("The characterization of crimes against humanity as 'crimes under international law' indicates that they exist as crimes whether or not the conduct has been criminalized under national law.").
[15] On universal jurisdiction over crimes against humanity, see Amnesty International, *Universal Jurisdiction: The duty of states to enact and enforce legislation* (Index: IOR 53/008/2001), 1 September 2001, Chap. 5.

2. WIDESPREAD UNLAWFUL KILLINGS

> **"We lost our children, we lost our husbands."**
>
> Shara Jahan, 40, who was severely burned when soldiers set fire to her house with her still inside. Her husband and 20-year-old son were killed during the military's attack on Chut Pyin village, Rathedaung Township.[16]

In the hours and days following the ARSA attacks on 25 August 2017, the Myanmar security forces, at times working alongside vigilante mobs from non-Rohingya ethnic groups, surrounded Rohingya villages throughout the northern part of Rakhine State.[17] As Rohingya women, men, and children fled their homes, the soldiers and police officers often opened fire, killing or seriously injuring at least hundreds of people in total. Survivors described running to nearby hills and rice fields where they hid until the forces left. However, individuals from particular groups, including the elderly and persons with disability, were often unable to flee. As the Myanmar military set fire to villages, people were burned to death in their homes.

This pattern was replicated in dozens of villages across Maungdaw, Buthidaung, and Rathedaung Townships.[18] But the security forces, and in particular the Myanmar military, appear to have carried out their most lethal response in specific villages near where ARSA carried out its attacks. This section will examine five such villages where Amnesty International believes, based on consistent, mutually-corroborating witness accounts, that at least a dozen people were killed; in two of these five villages, Chut Pyin in Rathedaung Township and Min Gyi in Maungdaw Township, the death toll was substantially higher.

After days or even weeks of trying to escape the violence, hundreds of Rohingya have arrived in Bangladesh with gunshot wounds, suggesting a scale of unlawful killings and serious bodily injury that corroborates victim and witness accounts. Médecins Sans Frontières (MSF) reported that, between 25 August and 12

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[16] Amnesty International interview, Thaing Khali Refugee Camp, Bangladesh, 26 September 2017.

[17] Throughout this briefing, Amnesty International uses the term "non-Rohingya" when talking about local vigilantes who, in many villages, worked with the Myanmar security forces to target the Rohingya population. Rohingya witnesses from different villages described vigilantes from different ethnic groups, even if ethnic Rakhine was most common. The same terminology will be used to describe villages where reside people from ethnic groups other than the Rohingya. Rakhine State is a diverse region, home to around 3.2 million people of different ethnicities and religions. The population comprises several communities, or groups, who self-define in terms of ethnicity, religion, or both. The largest community is Buddhist Rakhine, while the predominantly Muslim Rohingya constitute the second largest group. A small number of other minorities, including ethnic Kaman (another predominantly Muslim group), Chin, Mro and Maramagyi (who are Buddhist, Christian or Animist), live in the state. The state is also home to a small Hindu community. Precise figures for the Rohingya population are not publicly available, as in March 2014 the Government of Myanmar reneged on a promise to allow individuals to self-identify in the forms of the first national census since 1983. Instead, it required Rohingyas to register as "Bengali," a term they reject. As a result, Rohingya refused to register and were not included in the count. According to the final report of the 2014 Population and Housing Census, 1,090,000 people, all believed to be Rohingya/Muslims, were not enumerated out of a total population of 3,188,963 people for Rakhine State. See Republic of the Union of Myanmar, The 2014 Population and Housing Census, Rakhine State, Census Report Volume 3-K, May 2015, p.8.

[18] Maungdaw and Buthidaung Townships comprise Maungdaw District, where there is a particularly large Rohingya population. According to a government commission, "The population in Maungdaw District consists of ethnic peoples and Muslims. Out of a total population of 834,637, 90.50% or 755,371 are Muslims. In Maungdaw Township, 93.8% are Muslims. Among the villages in Maungdaw District, 447 are Muslim villages, 240 ethnic villages, 12 mixed villages and 4 other villages." Summary of the Report of the Investigation Commission for Maungdaw in Rakhine State, on file with Amnesty International.

September, it had treated 147 Rohingya refugees with gunshot wounds.[19] Cox's Bazaar District Sadar Hospital, one of three government-run hospitals receiving patients in the region, had statistics as of 30 September showing that its surgical ward had treated 187 Rohingya patients, including 126 for gunshot wounds. The surgical patients were 87 men, 57 women, and 43 children.[20] Other clinics, including one run by the International Organization for Migration (IOM), have treated additional patients.[21]

During its research in Bangladesh, Amnesty International interviewed 19 Rohingya with gunshot wounds, including nine children. During visits to two clinics and in walking around the camps, delegates were shown gunshot wounds on several dozen more refugees. Delegates also interviewed five Rohingya women and girls with burn wounds, which ranged from covering extremities to almost all areas of their body. Amnesty International sent photographs of some of these wounds to forensic medical experts, who, in each case, said the wounds were consistent with the description provided. In several cases of photographed gunshot wounds, the forensic medical experts said the wounds appeared to indicate that the person had been shot from behind. Medical professionals in Bangladesh similarly told Amnesty International that many of the gunshot wounds they had treated appeared to come from bullets fired from behind,[22] matching victims' and witnesses' descriptions that the Myanmar military opened fire on them as they were running away.

Corroborating witness testimony, medical expert accounts, and statistics together indicate that the Myanmar military carried out widespread unlawful killings in the course of its scorched-earth campaign.

Nur Asha, 56, in her shelter in Kutupalong Refugee Camp, Bangladesh, holding an image of her two sons, 27 September 2017. The military shot and killed her eldest son, Mohamed Rafique, during its attack on the village of Koe Tan Kauk. © Andrew Stanbridge / Amnesty Internation © Andrew Stanbridge / Amnesty International

CHEIN KAR LI AND KOE TAN KAUK

According to the Myanmar authorities, early in the morning of 25 August 2017, ARSA militants attacked a police outpost near Koe Tan Kauk, a village that neighbours Chein Kar Li in Rathedaung Township.[23] In response, the Myanmar military attacked the whole Rohingya population in both villages, first encircling Chein Kar Li, opening fire on it, and burning it down later on 25 August, before carrying out a similar attack on Koe Tan Kauk several days later.

Amnesty International interviewed seven people from Chein Kar Li who fled to Bangladesh. They consistently

[19] Médecins Sans Frontières (MSF), "Ongoing military operations in Rakhine State have resulted in more than 400,000 people fleeing to Bangladesh," 20 September 2017, https://www.msf.org.uk/country/myanmar-burma (last accessed 5 October 2017).
[20] Statistics shared by hospital doctor and spokesperson on the Rohingya patients, 30 September 2017, on file with Amnesty International.
[21] Amnesty International interviews, Cox's Bazaar District, Bangladesh, September 2017.
[22] Amnesty International interviews, Cox's Bazaar District, Bangladesh, September 2017; and email correspondence, September 2017.
[23] Myanmar's Information Committee (formally known as the State Counsellor Information Committee) reported that ARSA attacked the Koe Tan Kauk police station at 4:50 a.m.; "[t]he military columns arrived… at 5:15 a.m. and returned fires [*sic*]," killing six attackers. Information Committee, "Breaking News 2," 25 August 2017, https://www.facebook.com/InfomationCommittee/posts/785202504986191 (last accessed on 10 October 2017).

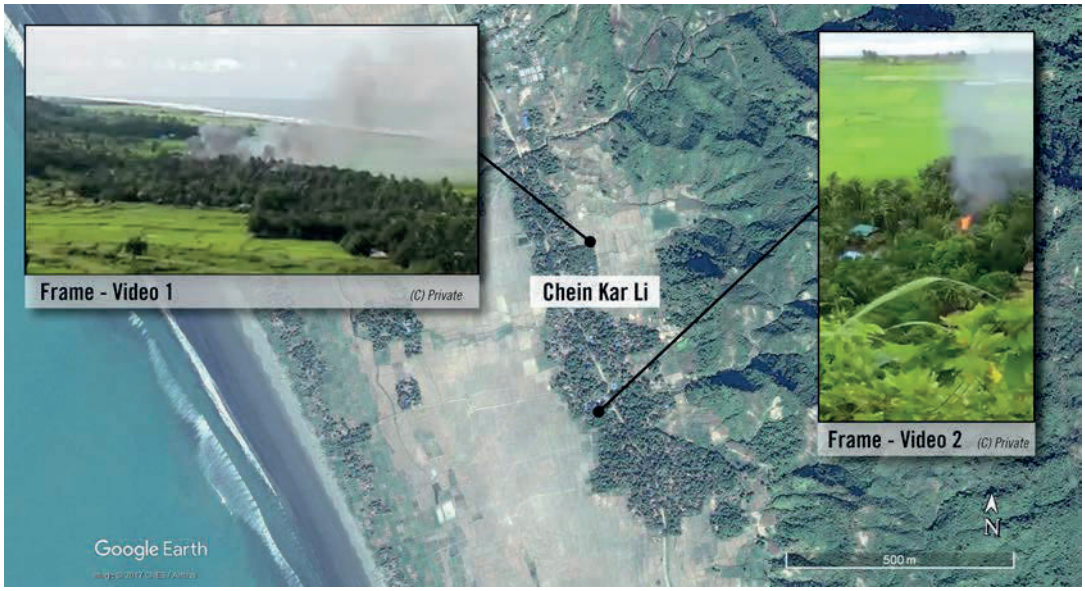
described scores of Myanmar soldiers, dressed in dark green uniforms, descending on the village at around 7 or 8 a.m. Several residents who lived on the far southern side of Chein Kar Li, near the ethnic Rakhine part of the village tract[24]—where the police outpost is located and where soldiers reportedly often stayed in a Buddhist temple—saw through the bamboo siding of their homes when the soldiers arrived. Foyzullah, 37, told Amnesty International:

> *"They entered—they stepped into the village—and they opened fire. When I first heard the gunshots, I came outside near the road. Seeing [the soldiers], I went back into my house, took all of my family, and we fled towards the nearby hill.*
>
> *Many people were running to the hill. Soldiers were coming from a different direction, and we came across them. They opened fire. I saw people get hit. My elder brother's wife, [Zuleka, 70], and daughter, [Mazeda Begum, 25], were both hit by bullets.*
>
> *We came down from the hill [after the military left]. It was near sunset. They were just lying in the place they got shot. I dug a hole with my brother [in the courtyard of a nearby house], and we put in both bodies. We didn't have time to bury them properly."*[25]

Dil Bahar, 36, was also at home when she heard gunfire that morning. She told Amnesty International she fled to the nearby hill with her husband, Badu, and their eight children; upon arriving, they realized their 5-year-old son was missing. "*My husband said let me check*," she recalled. "*When he was looking for him, that's when he got shot."*[26] She first heard the news from neighbours who witnessed Badu's death, then saw his body as she left the hill a day later and began her journey to Bangladesh.[27] Her 5-year-old son survived.

Mohamed Zubair, 26, shared a house with his grandmother, Toyeba Khatun, who was over 90 years old. When the military opened fire, he recalled, "*I spoke with her. I asked her to follow us to the hill. She said, 'I'm old, they won't do anything to me. Go.' I wanted to carry her, but she didn't agree."*[28] After making it to the hill, he watched as soldiers torched the village, including the house where he had left his grandmother. When the military left late in the afternoon, he went back down. "*She was dead,*" he said. "*Her body was burnt very seriously. The house was burned. The small tree [in the courtyard] was burnt. Everything."*[29]

Fire data from remote satellite sensing, reviewed and analysed by Amnesty International, detected a large fire in Chein Kar Li on 25 August, corroborating witness accounts that the village was burned that day. Before and after satellite imagery also shows the complete burning of the village. Finally, Amnesty International received video footage of houses burning, reportedly in Chein Kar Li, and was able, through geolocation, to independently determine that the footage was indeed filmed in Chein Kar Li.



Chein Kar Li (20.41184998, 92.65679169). Date of satellite image: December 2016 (pre-burning). Image © 2017 CNES/Airbus

[24] UN MIMU maps and satellite imagery support the description that the Rakhine part of the village is to the south of the Rohingya part.
[25] Amnesty International interview, Kutupalong Refugee Camp, Bangladesh, 23 September 2017.
[26] Amnesty International interview, Kutupalong Refugee Camp, Bangladesh, 23 September 2017.
[27] Amnesty International interview, Kutupalong Refugee Camp, Bangladesh, 23 September 2017.
[28] Amnesty International interview, Kutupalong Refugee Camp, Bangladesh, 27 September 2017.
[29] Amnesty International interview, Kutupalong Refugee Camp, Bangladesh, 27 September 2017.

The seven Rohingya interviewed from Chein Kar Li identified, in total, six relatives who they said were killed. Amnesty International received a credible report from an independent source that indicated at least 29 Rohingya were killed in Chein Kar Li. Both the Rohingya village and the nearby Rohingya internally displaced persons (IDP) camp were burned down.

Many Rohingya from Chein Kar Li remained hidden on the nearby hill through the night of 25 August, before going to the neighbouring village of Koe Tan Kauk on 26 August.[30] Then, on 27 or 28 August, the military attacked there, again reportedly coming from the south, the direction of Chein Kar Li. In addition to five Rohingya from Chein Kar Li who had taken refuge in Koe Tan Kauk, Amnesty International interviewed six Rohingya residents of Koe Tan Kauk itself, including a 15-year-old boy with a gunshot wound to his wrist.

Nur Asha, 56, was at home with her son and his family when they heard gunfire and saw a mixture of military in green uniforms, BGP in camouflage blue uniforms, and local vigilantes approaching the village. Her son, Mohamed Rafique, pushed Nur Asha as well as his wife and children out the door, telling them to run to the hill. He briefly stayed behind, to pack up clothes and small valuables. Nur Asha told Amnesty International that he never made it to the hill, and the family found his body on the roadside the next day.[31]

Noyem Ullah, 35, was with his mother, wife, and children when they heard the military was surrounding and entering the village. He lived on the west side of Koe Tan Kauk, far from the hill where people fled to hide. He told his wife and children to run there, but knew his mother, Halima Khatum, would never make it, as he said she was overweight and largely immobile. He recalled:

> *"I could not take her to the hillside, so I tried to take her down to the riverbed… It was a struggle. I'd carry her, I'd pull her, then I'd sit when I got tired. We were going slowly, slowly. At the edge of the [next hamlet], I was [taking a break] and heard soldiers. I hid. My mom was in the courtyard of a house, and I heard gunshots."*[32]

He fled to a rice field without the soldiers seeing him, and remained hidden there for several hours, until the burning of Koe Tan Kauk ended. He went back to his mother's body, which he said had bullet holes in the chest and back of her shoulder. He buried her near a canal's edge, and then joined his family on the hill.[33]

The same, independent source cited above for the death toll in Chein Kar Li indicated that around 37 Rohingya men, women, and children were killed in Koe Tan Kauk, either by gunshot or by being burned in a house. (See textbox on page 20, on the impact on particular groups.) Zarina Khatun, a 45-year-old woman whose son's body was found in a rice field, with bullet holes, told Amnesty International, "*There were only a couple green trees left. Everything else was burned down*."[34]

Zarina Khatun, 45 (left), and Nabi Hossain, 50, sit for a portrait in their shelter in Kutupalong Refugee Camp, Bangladesh, 27 September 2017. After surrounding their village of Koe Tan Kauk, the Myanmar military opened fire on people as they fled, killing their 23-year-old son, Rashi. © Andrew Stanbridge / Amnesty International

[30] The Rohingya population refers to Koe Tan Kauk by the name Dhunse Para.
[31] Amnesty International interview, Kutupalong Refugee Camp, Bangladesh, 27 September 2017.
[32] Amnesty International interview, Kutupalong Refugee Camp, Bangladesh, 27 September 2017.
[33] Amnesty International interview, Kutupalong Refugee Camp, Bangladesh, 27 September 2017.
[34] Amnesty International interview, Kutupalong Refugee Camp, Bangladesh, 27 September 2017.

As in Chein Kar Li, fire data from remote sensing detected one or more large fires in the area of Koe Tan Kauk on 28 August, corroborating witness accounts.

Six of the Rohingya from Chein Kar Li and Koe Tan Kauk independently described seeing a patch on the Myanmar Army uniforms that they said looked like a flower and star together. They also drew images that were strikingly similar. An Amnesty International delegate then showed pictures of different units' patches to the interviewees; each of those shown the images chose the patch associated with Western Command, ruling out all others, including the Eastern Command patch that also looks like a flower. As detailed in the text box on page 41, the Western Command patch was repeatedly described or identified as on the uniform of soldiers involved in attacks where large-scale killings and systematic burning occurred.

CHUT PYIN

Myanmar authorities reported that the "Chopyin outpost in Region-11" was attacked on 26 August "with homemade bombs," but the attack was "repulsed by security personnel," with no reported casualties.[35] Amnesty International believes, based on consulting people in northern Rakhine State as well as a review of all villages in that region, that Chopyin is another spelling for Chut Pyin, a village in the north-western corner of Rathedaung Township, near where Buthidaung, Maungdaw, and Rathedaung Townships intersect.

During the afternoon of 27 August, the Myanmar military, joined by BGP and local vigilantes who lived nearby, surrounded Chut Pyin, opened fire on those fleeing, and then systematically burned Rohingya houses and buildings. The pattern was similar to that in Chein Kar Li and Koe Tan Kauk, but the scale of killings in Chut Pyin appears to have been even larger, with at least scores killed.

Amnesty International interviewed 17 Rohingya residents of Chut Pyin. Three of those interviews were carried out by phone in the days immediately following the military's destruction of the village, with Rohingya who had fled Chut Pyin and were being sheltered in a nearby village. The rest of the interviews were conducted in Bangladesh, in several different refugee camps as well as in Cox's Bazaar District Sadar Hospital. Over time and across location, the accounts of what happened were highly consistent.

Many of the Rohingya interviewed from Chut Pyin said the Myanmar security forces had made their lives increasingly difficult in the month before the 25 August attacks. There had long been a police outpost located between the Rakhine and Rohingya parts of Chut Pyin, but, in early August, a military contingent arrived as well, sharing space in the police camp and also sleeping in a school in the village tract.[36] They said that the soldiers and BGP came and stole chickens, cows, and valuables from the Rohingya in the village. The military also called Rohingya community elders together and, according to two people present during these meetings, would tell them that there were "bad people" in the community, and that, if the Rohingya residents did not hand those people over, "you will pay the consequences."[37] The security forces instituted a curfew and ordered the Rohingya residents not to move around outside in groups, including to go to the mosque or madrassa; they said anyone violating those orders would be shot.[38]

After the nearby fighting on 26 August, the tension in the village increased further. Five Rohingya residents who lived in the part of the village closest to the police outpost and ethnic Rakhine area said that, at around 8 or 9 a.m. on 27 August, a small number of Myanmar soldiers entered the village, took some Rohingya livestock and beat a Rohingya man they came across.[39]

Then, around 2 p.m., many more military who had been staying in the nearby school and police camp, joined by local vigilantes and BGP in camouflage blue uniforms, surrounded the village. They entered the Rohingya village from the north-eastern side, where witnesses said non-Rohingya lived.[40] Somi, 53, described what happened next, in language echoed by many other Rohingya residents: "*They came in very suddenly. They didn't say anything. And they just opened fire and set fire to houses… First they surrounded the village. Then many came inside and they opened fire as we ran. I saw it with my own eyes.*"[41] He jumped in a nearby pond, where he hid for several hours until the attackers left.

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[35] Information Committee, "Breaking News 10," 27 August 2017, https://www.facebook.com/InfomationCommittee/posts/786691611503947 (last accessed on 10 October 2017).

[36] Amnesty International interviews, Thaing Khali Refugee Camp, Bangladesh, 26 September 2017. In early August 2017, the Myanmar Army sent hundreds of additional soldiers to Rakhine State following a spate of killings in the area. See Reuters, "Myanmar sends hundreds of troops to Rakhine as tension rises: sources," 11 August 2017.

[37] Amnesty International interviews, Thaing Khali Refugee Camp, Bangladesh, 26 September 2017; and Kutupalong Refugee Camp, 23 September 2017.

[38] Amnesty International interviews, Thaing Khali Refugee Camp, Bangladesh, 26 September 2017; and Kutupalong Refugee Camp, 23 September 2017.

[39] Amnesty International interviews, Thaing Khali Refugee Camp, Bangladesh, 26 September 2017 and 29 September 2017; and phone interview, 4 September 2017.

[40] Satellite imagery from mid-September shows this north-eastern area to be the one unburned part of Chut Pyin (see p. 15).

[41] Amnesty International interview, Thaing Khali Refugee Camp, Bangladesh, 26 September 2017.

Fatima, 12, told Amnesty International that she was at home with her parents, eight siblings, and grandmother when they saw fire rising from another part of their village. As the family ran out of their house, she said men in uniform—"*they were blue and grey, with spots*"—opened fire on them from behind, about 30 metres away.[42] She saw her father, Ahmad Hossain, get hit in the chest and leg, and fall down; then her 10-year-old sister, Rofia, was also shot and fell to the ground. About 20 metres from her house, Fatima, too, was hit by a bullet in the back of her right leg, just above the knee. "*I fell down, but my neighbour grabbed me and carried me*," she recalled.[43] After a week on the run, she finally received treatment in Bangladesh. She was staying with her grandmother and four remaining siblings as, in addition to the father and sister she saw being shot and killed, her mother and older brother had also been killed during the military's attack.

Amnesty International sent two photographs of her injury to a forensic medical expert, who responded: "*The wound would be typical of a 'flesh wound' caused by a bullet travelling at high speed in a straight line… It looks like the bullet would have entered the thigh from behind, travelled through the dermis and exited toward the knee*"[44]—matching Fatima's description of being shot from behind while running away.[45]

Fatima, 12, stands outside her shelter in Kutupalong Refugee Camp, showing a scar from a gunshot wound she received a month earlier, when Myanmar Army soldiers surrounded her village of Chut Pyin and opened fire on those fleeing, Bangladesh, 29 September 2017. © Andrew Stanbridge / Amnesty International

Amnesty International interviewed five other people from Chut Pyin with gunshot wounds. Jarina Khatum, 60, had a gunshot wound in her upper right thigh. She said that she was part of a group of people that came across soldiers blocking a road, as she was trying to run away from the burning village; several people around her were killed by the gunfire that injured her.[46] Hasina Begum, 16, was shot in the left foot by men in "*dark leaf colour*" uniforms as she was running out of the house, after seeing nearby homes on fire.[47] "*I was in so much pain*," she recalled. "*Somehow my mother dragged me to a rice field nearby, [where we hid]… The bullet stayed inside my foot. A doctor took it out here [in Bangladesh]. I still can't even stand.*"[48]

[42] Amnesty International interview, Thaing Khali Refugee Camp, Bangladesh, 26 September 2017. The description of camouflage blue-grey uniforms is consistent with the Border Guard Police.
[43] Amnesty International interview, Thaing Khali Refugee Camp, Bangladesh, 26 September 2017.
[44] Amnesty International email correspondence, 4 October 2017.
[45] Amnesty International interview, Thaing Khali Refugee Camp, Bangladesh, 26 September 2017.
[46] Amnesty International interview, Cox's Bazaar District Sadar Hospital, Bangladesh, 15 September 2017.
[47] Amnesty International interview, Thaing Khali Refugee Camp, Bangladesh, 26 September 2017. The uniform description would fit that of the Myanmar Army.
[48] Amnesty International interview, Thaing Khali Refugee Camp, Bangladesh, 26 September 2017.

Abdul Karim, 19, likewise fled when he heard the sound of gunfire and saw smoke rising. His house was in the village's centre, which made it hard to escape. As he approached a pond, he felt a searing pain in his shoulder and lower leg, the latter of which would later be amputated just below the knee by doctors in Bangladesh, as a result a gunshot wound that went untreated for the next week.[49] Abdul Karim's brother, Osiur Rahman, 24, lived in a separate house with his wife and newborn daughter and had hid within vegetation at the attack's outset. After the soldiers left the burning village at around 7 p.m., he and another brother went looking for members of their family. They found their father, Nabi Hossain, and brother-in-law, Mohamed Taher, shot dead on a road, near their respective houses. Then they found Abdul Karim:

> *"There's a tree near a pond. His head was leaned against it. He was lying down, a bit unconscious. There was blood all down his leg. The bullet had gone through just above his ankle, and then there was another bullet wound in his shoulder. You could see the entry and exit [wounds]… We took him and carried him to [Ah Tet Nan Yar, a village] to the south, and then on to here."*[50]

All 17 people from Chut Pyin described seeing the soldiers, BGP, and local vigilantes deliberately burn large parts of the Rohingya village during the afternoon, using petrol cans and matchsticks for shorter houses and those with corrugated roofs; and, for taller houses that were harder to reach, something shot from a shoulder-fired grenade launcher. They said the non-Rohingya areas of Chut Pyin were left intact. Satellite imagery supports the witness accounts, showing the complete burning of lower-quality structures that are consistent with what Rohingya villages look like across the region, and untouched areas defined by higher-quality and more orderly construction, consistent with non-Rohingya areas. This pattern of targeted burning is described in more detail in Chapter 4.

On 16 September 2017, imagery shows Chut Pyin has been razed. An area with more organized thatch and metal roof structures is intact.

Coordinates: 20.5701, 92.6426°. © 2017 DigitalGlobe, Inc. Source: © 2017 Google

[49] Amnesty International interview, Thaing Khali Refugee Camp, Bangladesh, 29 September 2017.
[50] Amnesty International interview, Thaing Khali Refugee Camp, Bangladesh, 29 September 2017.

Coordinates: 20.5701, 92.6426°. © 2017 DigitalGlobe

Shara Jahan, 40, told Amnesty International that she was at home with her husband and several sons when they saw houses nearby start to burn. The men ran out, but she stayed behind, yelling for her younger children. Her husband, Shabi Ullah, 60, and one of her sons, Ozullah, 20, were shot and killed.[51] She described what then happened to her:

> *"The roof started burning. Pieces of it fell down, and I was burned. The clothes I was wearing were also burned… I escaped. No one was there to save me. I was there [in the burning house] for very little time. I had this fire on my entire body, on my clothes. I was rolling, rolling toward the rice field. [When I got there], that's when the fire was put out. I rolled in the little water there in the rice field.*
>
> *I lay in the rice field, until sunset, when we went to [Ah Tet Nan Yar]. They gave us food. Then we walked [for several days] to the boat point and came to Bangladesh. They took me in a vehicle to a clinic for treatment. I was there for 10 days, maybe more.*
>
> *We lost our children, we lost our husbands. It is very hard."*[52]

Amnesty International shared a photograph of Shara Jahan with a forensic medical expert, who wrote that her appearance was consistent with the description of serious burn injuries. In particular, he wrote that her skin discoloration "*can be seen at one month out in deep 2nd or 3rd degree burns. Essentially the pigment producing cells were damaged and the healing produced a bleached pattern to the skin... Generally referred to as post-inflammatory hypopigmentation of the skin, it can be seen in scar tissue after burns.*"[53]

Like Fatima, Osiur Rahman, and Shara Jahan, other Chut Pyin residents repeatedly described surviving by fleeing to and hiding in rice fields, ponds, or the village's adjacent hill. Juruka, 40, lived on the north side of the Rohingya part of the village. She saw Myanmar soldiers and BGP marching into the village via the main road and fled, along with many others, including young children, from surrounding houses. The military opened fire on them from behind, killing several, but Juruka made it to a rice field.[54]

Mohamed Siddiq, 55, had been at the mosque for prayer when he heard people yelling that the military had entered; he told Amnesty International that the soldiers and BGP moved systematically through the village from north to south. He hid near a house by the mosque, until he saw the burning of structures get closer and closer. He ran to and jumped in a pond, staying mostly submerged except for his mouth. "*I could not see [from there], but I could hear the gunshots for hours*," he recalled. "*After sunset, I was able to leave [the*

[51] Amnesty International interview, Thaing Khali Refugee Camp, Bangladesh, 26 September 2017.
[52] Amnesty International interview, Thaing Khali Refugee Camp, Bangladesh, 26 September 2017.
[53] Amnesty International email correspondence, 4 October 2017.
[54] Amnesty International interview, Thaing Khali Refugee Camp, Bangladesh, 26 September 2017.

pond]. I heard someone yell from the south side of the village that the military was gone and people could come out. I thought I was alone in the pond, but then I saw there were others."[55]

When he left the pond, Mohamed Siddiq saw six bodies, all of men, lying scattered in a nearby rice field. He learned from neighbours that his 22-year-old daughter-in-law, Rozina Begum; her month-old daughter, who hadn't yet been given a name; and his 16-year-old son, Zeabul, had all been killed.[56] Almost all of the 17 Chut Pyin residents interviewed by Amnesty International had lost a family member; many lost more.

As in Chein Kar Li and Koe Tan Kauk, three Chut Pyin residents said they had seen a patch on the soldiers' uniforms that they described as looking like a flower and a star, suggesting the involvement of soldiers from Western Command in the attack. Several other witnesses, however, recalled seeing only the standard Army patch that features two bladed weapons crossed over a helmet.

Somi, who hid in a pond during the attack, had a daughter, two brothers, and two sons-in-law who were killed.[57] After the military left the evening of 27 August, he went to the hill nearby, where he slept that night. The following morning, he said that he and other men spotted from the hill that the military wasn't in the Rohingya part of the village, so they took the opportunity to go down and check for survivors:

> *"We went to see if anyone was still alive… I saw bodies—men, women, and children. We also found some people [who were still] alive. We carried them out, many were seriously injured with [gunshot wounds].*
>
> *Then the military saw us [from their post nearby] and opened fire. We had to run away. We couldn't take more [wounded]… I took a child who was on the ground by his mother's breast. She was dead, but the baby was still alive."*[58]

Shara Jahan, 40, sits for a portrait near her shelter in Kutupalong Refugee Camp, 29 September 2017. She suffered serious burn wounds when the Myanmar military surrounded and torched her village of Chut Pyin. Her roof caught fire with her still inside. © Andrew Stanbridge / Amnesty International

[55] Amnesty International interview, Thaing Khali Refugee Camp, Bangladesh, 26 September 2017.
[56] Amnesty International interview, Thaing Khali Refugee Camp, Bangladesh, 26 September 2017.
[57] Amnesty International phone interview, Ah Tet Nan Yar, Myanmar, 4 September 2017; and interview, Thaing Khali Refugee Camp, Bangladesh, 26 September 2017.
[58] Amnesty International interview, Thaing Khali Refugee Camp, Bangladesh, 26 September 2017.

Abdul Karim, 19, lies down in his shelter in Kutupalong Refugee Camp, with his brother, Osiur Rahman, 24, sitting behind him, Bangladesh, 29 September 2017. Abdul Karim's leg was amputated just below the knee, as a result of a gunshot wound he suffered when the Myanmar military opened fire on men, women, and children in the village of Chut Pyin. © Andrew Stanbridge / Amnesty International

THE RIGHT TO LIFE, THE CRIME OF MURDER

The right to life is enshrined in Article 3 of the Universal Declaration of Human Rights, which reflects a rule of customary international law binding on all nations. It is also provided, among other treaties, in the Convention on the Rights of the Child[59] and the Convention on the Rights of Persons with Disabilities,[60] to which Myanmar is a state party. The killings described in this section all violate the right to life.

The prohibition of the arbitrary deprivation of life is formulated in international criminal law, among other forms, as the crime against humanity of "murder," which involves knowingly killing as part of a widespread or systematic attack on a civilian population.[61] The victims described here belong to a civilian population, so the killings fall under the definition of "murder" as a crime against humanity under international law.

INN DIN

In the pre-dawn hours of 25 August, ARSA also attacked police outposts in Tha Win Chaung and Thin Baw Kwea, villages located directly to the south and north, respectively, of the ethnically mixed village of Inn Din.[62] Amnesty International interviewed seven Rohingya residents of Inn Din, which is located in the far south of Maungdaw Township.[63] In response to the ARSA attacks, Myanmar soldiers, working with BGP and local vigilantes, committed a similar pattern of violations over the course of several days.

After hearing gunfire in the middle of the night, the Rohingya residents interviewed by Amnesty International

[59] UN Convention on the Rights of the Child, adopted by UN General Assembly resolution 44/25 of 20 November 1989, entered into force 2 September 1990, Article 6.

[60] Adopted by the General Assembly resolution 61/106 on 13 December 2006, entered into force 3 May 2008.

[61] Rome Statue, Article 7(1)(a); International Criminal Court, Elements of Crimes, UN Doc. PCNICC/2000/1/Add.2 (2000), Article 7(1)(a).

[62] Myanmar's Information Committee reported that the police outpost in Thin Baw Kwea was attacked at 3:45 a.m., with one attacker killed. It indicated that the outpost in Tha Win Chaung was attacked at 4:50 a.m. Information Committee, "Breaking News 2," 25 August 2017, https://www.facebook.com/InfomationCommittee/posts/785202504986191 (last accessed on 10 October 2017). Inn Din has a NaTaLa village, explained in more detail below in footnote 126.

[63] Inn Din has the same name in Rohingya, though is pronounced and sometimes spelled as An Din.

described soldiers and BGP entering the village late on the morning of 25 August. Several interviewees said they saw these forces loot an aid organization's clinic and feeding centre in the village, carrying away the materials in vehicles marked "police" on the side. They said the security forces also looted Rohingya shops in a nearby market and set fire to a small number of houses and buildings in one corner of the village.[64]

Several days later, the military, BGP, and local vigilantes returned from the southern side of Inn Din and surrounded much of the village. They began systematically burning the remaining Rohingya areas, which Amnesty International corroborated through satellite data that detected large fires in the area on or around 28 August; as well as satellite imagery that shows that only certain parts of the village—those inhabited by the Rohingya—were burned (see Chapter 4). As people ran away, the soldiers and BGP opened fire.

Jamil, a 52-year-old farmer and small trader, said his cousin Zafor Hossain was hit by a bullet in his side as the two men attempted to run to a nearby hill. Jamil went back down to the village late that night, after the military had left, and found Zafor Hossain, near the bodies of three other Rohingya, in the spot where he was shot. Jamil said he buried his cousin in a graveyard on the edge of the village, before going back to the hill.[65]

Hashi Mullah, 40, lived in one corner of the village. As the military and other forces entered, he sent his wife and children to the nearby hill for safety, but stayed home with his mother, Rashida Begum, who was in her 60s and physically unable to flee. *"She was weak and couldn't come out,"* he told Amnesty International. *"I couldn't carry her with me."*[66] When soldiers got close to the area near his house, Hashi Mullah hid in dense vegetation nearby. From there, he watched as the soldiers set fire to his house, with his mother inside. He remained hidden in the bushes for several more hours, until the military left and he was able to join his family on the nearby hill.[67]

Several Inn Din residents said that, in general, the Myanmar military appeared to target Rohingya men in particular. Mabia Khatum, in her 50s, saw the soldiers and local militants surround the village, but did not want to leave her husband, Hasu Ali, who was unable to walk. She recalled:

> *"It was chaos when the military surrounded the houses. [My husband] was a bit crippled… One of my sons had fled but came back and asked him, 'Can I carry you?' That was when the soldiers came. They took both of them and [shot and] killed them. They died right by us… We were traumatized. We came out of the house and went to the hill. No one was able to sleep that night."*[68]

Amnesty International was not able to determine the scale of killings in Inn Din. The seven Rohingya residents interviewed in total identified five family members who had been killed; several, including Jamil, had, in the course of burying their loved ones, also recognized the bodies of other Inn Din residents.

As in Chein Kar Li and Koe Tan Kauk, several Rohingya interviewees from Inn Din said the soldiers who attacked their village wore dark green military uniforms with a patch on one arm that looked like a flower and star, which would fit a commonly given description of the Western Command patch. They also identified the BGP by the distinct camouflage blue uniforms they wear.

[64] Amnesty International interviews, Thaing Kali Refugee Camp, Bangladesh, 24 September 2017.
[65] Amnesty International interview, Thaing Kali Refugee Camp, Bangladesh, 24 September 2017.
[66] Amnesty International interview, Thaing Kali Refugee Camp, Bangladesh, 24 September 2017.
[67] Amnesty International interview, Thaing Kali Refugee Camp, Bangladesh, 24 September 2017.
[68] Amnesty International interview, Thaing Kali Refugee Camp, Bangladesh, 24 September 2017.

SPECIFIC IMPACT ON THE ELDERLY AND ON PERSONS WITH DISABILITIES

In the course of its scorched-earth campaign, the Myanmar security forces have unlawfully killed Rohingya men, women, and children, often while they were running away. The impact on the elderly and people with disabilities has been particularly severe, as they often had a more difficult time fleeing as their villages were surrounded and set on fire.

Mohamed Zubair, whose 90-year-old grandmother was burned to death in the family's house in Chein Kar Li, as described above, told Amnesty International: "*Those who were about to flee, fled. But those who were older, [who were] weak, they could not escape.*"[69]

Sona Mia, 77, sits for a portrait in Kutupalong Refugee Camp, 27 September 2017. His daughter, Rayna Khatun, was burned to death inside a home in Koe Tan Kauk village. She had a disability that left her unable to walk, and, as the family fled in haste from the Myanmar military's attack, she was left behind. © Andrew Stanbridge / Amnesty International

Sona Mia, 77, likewise said, "*Those who were young and strong were able to run out and survive. We struggled, others of us.*"[70] He was at home in Koe Tan Kauk when Myanmar soldiers surrounded the village and opened fire on the morning of 27 or 28 August. He said his 20-year-old daughter, Rayna Khatun, had a disability that left her unable to walk or speak. One of his sons put her on his shoulders, and the family slowly made its way toward the hill on the village's edge. As they heard the shooting get closer and closer, they decided they had to leave Rayna in a Rohingya house that had been abandoned.

"*We didn't think we'd be able to make it*," Sona Mia recalled. "*I told her to sit there, we'd come back… After arriving on the hill, we spotted the house where we left her. It was a bit away, but we could see. The soldiers were burning [houses], and eventually we saw that house, it was burned too.*"[71] After the military left the village in the late afternoon, Sona Mia's sons went down and found Rayna Khatun's burnt body among the torched house. They dug a grave at the edge of that house's courtyard, and buried her there.[72]

Several witnesses described the killing in Chut Pyin of a 30-year-man, named Osman, with a physical disability. Juruka, 40, was running with a crowd that included him. "*He can walk, but only very slowly. He's been like that since birth*," she said. "*He fell behind, and they shot him. The bullet went into his temple. I saw [part of his] brain come out.*"[73]

The deliberate killing of the elderly and of persons with disability, as with the killing of young children during the Min Gyi massacre, discussed below, demonstrates that the military's campaign has been far from a "clearance operation" in the sense of being designed to root out ARSA members. Instead, it has been an attack on the Rohingya population as a whole, with the seeming objective to "cleanse" Rakhine State of that entire population.

MIN GYI

Amnesty International interviewed 10 people from Min Gyi village in Maungdaw Township, referred to as Tula Toli by the Rohingya population. Both *The Guardian* and Human Rights Watch have previously published detailed accounts of the Myanmar military's crimes there, including a massacre and targeted sexual violence. Based on interviews with Rohingya victims and witnesses different from those named in the prior reports, Amnesty International's research further corroborates what appears to be one of the worst atrocities of the Army's ethnic cleansing campaign.[74]

Myanmar authorities have alleged that ARSA attacked an outpost in Net Chaung, a village near Min Gyi, at around 3:35 a.m. on 25 August. [75] They further allege that on 26 August ARSA destroyed a deserted police outpost in Wet Kyein, across the river from Min Gyi, and that fighting continued nearby through 29 August.[76]

At least five Rohingya from Min Gyi told Amnesty International that, around 27 or 28 August, the local village chairman, who is an ethnic Rakhine, came to the Rohingya part of the village, called everyone together, and told them not to leave for Bangladesh. They said the chairman told them that while the military had burned surrounding villages and he couldn't stop soldiers from doing the same in Min Gyi, no one would be killed and their homes could be rebuilt. The chairman reportedly said that, if soldiers came, the Rohingya population should go down to the river, where they would be safe.[77]

On 29 August, several Rohingya from Min Gyi said they saw smoke rising from a nearby village.[78] Mohamed, 46, said he sent his two youngest children that night to another village across the river. "*I was expecting the military to come*," he told Amnesty International. "*But not what happened*."[79]

At least dozens of soldiers then arrived on foot the morning of 30 August. Many Rohingya residents fled to the banks of the river; some cited the chairman's instructions, while others said they would have gone there anyway, believing they would be able to stay out of the military's way.[80] Instead, the soldiers pursued them.

Rohingya witnesses described soldiers wearing dark green uniforms and carrying long guns. Shafiqur Rahman, 29, said the guns were "*part iron, part wood*" and the soldiers' uniforms had a patch on the arm with what looked like a flower or star, a description consistent with the Western Command patch.[81] Several other Rohingya from Min Gyi similarly described to Amnesty International the patch on soldiers' uniforms.

At the riverbank, the soldiers encircled the hundreds of Rohingya men, women, and children who assembled there. C.B., a 15-year-old girl, told Amnesty International that, under the soldiers' instruction, everyone was forced to crouch down, facing forward; she said the soldiers then took many of the women and young children to a nearby ditch, where the water went up to her knees.[82] Every other Rohingya interviewed similarly described the at least partial separation of men and older boys from women and younger children, and of being forced to crouch or lie down with their heads bowed forward.

Soon after the Rohingya were separated by sex, the soldiers opened fire, executing primarily the men and older boys, though also hitting some women and younger children. Several survivors said some people were also killed with knives, used to slash victims across the throat.[83] O.B., 20, was one of the women separated out. She told Amnesty International, "*I saw when they shot the men. I heard the gunshots. We saw the*

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[69] Amnesty International interview, Kutupalong Refugee Camp, Bangladesh, 27 September 2017.
[70] Amnesty International interview, Kutupalong Refugee Camp, Bangladesh, 27 September 2017.
[71] Amnesty International interview, Kutupalong Refugee Camp, Bangladesh, 27 September 2017.
[72] Amnesty International interview, Kutupalong Refugee Camp, Bangladesh, 27 September 2017.
[73] Amnesty International interview, Thaing Kali Refugee Camp, Bangladesh, 26 September 2017.
[74] Oliver Holmes, "Massacre at Tula Toli: Rohingya recall horror of Myanmar army attack," *The Guardian*, 7 September 2017; Human Rights Watch, "Witness to Carnage in Burma's Rakhine State," 22 September 2017; Peter Bouckaert, "The Burmese military is committing crimes against humanity," *Washington Post*, 27 September 2017.
[75] Information Committee, "Breaking News 2," 25 August 2017, https://www.facebook.com/InfomationCommittee/posts/785202504986191 (accessed on 10 October 2017).
[76] Information Committee, "Breaking News 8," 26 August 2017, https://www.facebook.com/InfomationCommittee/posts/786222098217565 (describing 26 August attack); Information Committee, "Breaking News 12," 29 August 2017, https://www.facebook.com/InfomationCommittee/posts/787636841409424 (describing militants setting off a "handmade mine" near Wet Kyein that day) (both accessed on 10 October 2017).
[77] Amnesty International interviews, outside Kutupalong Refugee Camp, Bangladesh, 11 September 2017; Balu Khali Refugee Camp, Bangladesh, 23 September 2017; and Kutupalong Refugee Camp, Bangladesh, 26 September 2017.
[78] Amnesty International interviews, outside Kutupalong Refugee Camp, Bangladesh, 11 September 2017; and Balu Khali Refugee Camp, Bangladesh, 23 September 2017.
[79] Amnesty International interviews, Balu Khali Refugee Camp, Bangladesh, 23 September 2017
[80] Amnesty International interviews, Balu Khali Refugee Camp, Bangladesh, 23 September 2017; Kutupalong Refugee Camp, Bangladesh, 26 September 2017.
[81] Amnesty International interview, Balu Khali Refugee Camp, Bangladesh, 23 September 2017.
[82] Amnesty International interview, Kutupalong Refugee Camp, Bangladesh, 26 September 2017. For survivors of sexual violence, Amnesty International has throughout this report used initials that do not reflect the survivors' real names or initials.
[83] Amnesty International interviews, outside Kutupalong Refugee Camp, Bangladesh, 11 September 2017; Balu Khali Refugee Camp, Bangladesh, 23 September 2017.

people dying. They were shooting for a long time."[84] S.K., 30, said likewise, "*The men were shot dead. They separated us and targeted the men and shot them. Some women and children were also shot*."[85] Each woman had relatives who were killed, either at the riverbank or in houses that were burned after soldiers took groups of women and perpetrated rape and other forms of sexual violence (see Chapter 3).

Mohamed Suleiman, a 40-year-old mullah, broke down crying as he counted off six people in his family who were killed: his wife, Lila Begum, 35; his daughter Nur, 16; his son Saifula, 11; his daughter Thawida Begum, 9; his daughter Hansa, 5; and his son Zahidur Rahman, 3.[86] He, along with three other men and one 14-year-old girl interviewed by Amnesty International, said they had been in the back of the group, near the river, which allowed them to survive by jumping in and swimming across to the village of Wet Kyein; they said it was only about a five-minute swim, but the water's depth and current meant some people drowned.[87]

When Nurul Amin, 47, heard gunshots, he likewise jumped in the river, swimming to a well-vegetated area nearby. "*I was hiding but kept looking, because I left my family behind,*" he told Amnesty International. "*I was in the jungle, but my heart was in the village… I could see the bodies falling as they were being shot.*"[88] He was later told by a niece, one of the many women and girls raped by soldiers, that his wife and seven children, who ranged from 2 to 17 years old, had all been killed. "*My world is finished*," he said.[89]

Amnesty International believes, based on consistent, corroborating witness accounts, that soldiers massacred at least scores of Rohingya women, men, and children from Min Gyi on 30 August.[90] *The Guardian* and Human Rights Watch have independently reached the same conclusion.[91] Several people who swam to Wet Kyein said that, from across the river that afternoon, they could see soldiers burning bodies.[92]

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[84] Amnesty International interview, Kutupalong Refugee Camp, Bangladesh, 26 September 2017.
[85] Amnesty International interview, Kutupalong Refugee Camp, Bangladesh, 26 September 2017.
[86] Amnesty International interview, Balu Khali Refugee Camp, Bangladesh, 23 September 2017.
[87] Amnesty International interviews, Balu Khali Refugee Camp, Bangladesh, 23 September 2017. See also Oliver Holmes, "Massacre at Tula Toli: Rohingya recall horror of Myanmar army attack," *The Guardian*, 7 September 2017.
[88] Amnesty International interview, outside Kutupalong Refugee Camp, Bangladesh, 11 September 2017.
[89] Amnesty International interview, outside Kutupalong Refugee Camp, Bangladesh, 11 September 2017.
[90] Amnesty International has geolocated a video, posted to social media on August 30, showing dozens of people with their belongings crossing a river in San Kar Pin Yin, 2.5km south of Min Gyi. This corroborates the date that Rohingya witnesses consistently described having fled as a result of the military's attack on the population there.
[91] Oliver Holmes, "Massacre at Tula Toli: Rohingya recall horror of Myanmar army attack," *The Guardian*, 7 September 2017; Peter Bouckaert, "The Burmese military is committing crimes against humanity," *Washington Post*, 27 September 2017.
[92] Amnesty International interviews, Balu Khali Refugee Camp, Bangladesh, 23 September 2017; and interview, Kutupalong Refugee Camp, 26 September 2017. See also Human Rights Watch, "Witness to Carnage in Burma's Rakhine State," 22 September 2017; Oliver Holmes, "Massacre at Tula Toli: Rohingya recall horror of Myanmar army attack," *The Guardian*, 7 September 2017.

3. RAPE AND OTHER FORMS OF SEXUAL VIOLENCE

> **"They first hit us in the head, to make us weak… Then they raped us."**
>
> S.K., 30, who was one of five women who Myanmar soldiers raped in a house in Min Gyi, before setting the house on fire.

Amnesty International interviewed seven survivors of sexual violence—six women and one girl—perpetrated by the Myanmar military. Of those, four women and a 15-year-old girl had been raped. The rapes occurred in two villages that the organisation investigated. Soldiers had raped each woman in rooms with between two and five other women and girls, totalling 18 documented rape cases through direct accounts. The sexual violence in August and September 2017 fits a pattern of soldiers targeting Rohingya women and girls in northern Rakhine State, including during the military's "clearance operations" in late 2016.[93]

The scale of sexual violence since 25 August remains unknown. Sexual violence is almost always under-reported; fear, stigma, or cultural attitudes that blame women and girls for the sexual violence they experience often means that survivors do not seek help, even when they require urgent medical attention. Among the refugee population in Bangladesh, this is compounded by the overcrowding of clinics and hospitals, which makes privacy difficult, and by the many other acute needs that exist.[94] One humanitarian organization in Bangladesh reported that, between 25 August and 12 September, its teams in Bangladesh treated 16 survivors of sexual and gender-based violence.[95] Other NGO-run clinics as well as government-run hospitals in Bangladesh have treated additional cases.[96]

As detailed above, after many Rohingya residents of Min Gyi fled to the riverbank, members of the Myanmar military separated women, girls, and young boys from men and older boys. The soldiers proceeded to open fire on and kill at least scores of men and older boys, along with some women and girls who remained mixed in with them. S.K., 30, said she and many other women and younger children were taken to a ditch, where they were forced to stand in knee-deep water:

> *"From there, they took the women in groups to different houses. I was taken to a Rohingya house. There were five of us [women], taken by four soldiers [in military uniform]. They took our money,*

[93] Amnesty International, "We Are at Breaking Point": Rohingya: Persecuted in Myanmar, Neglected in Bangladesh (Index: ASA 16/5362/2016), 19 December 2016; United Nations Office of the High Commissioner for Human Rights, Flash report: Report of OHCHR mission to Bangladesh Interviews with Rohingyas fleeing from Myanmar since 9 October 2016, 3 February 2017.
[94] Amnesty International interviews, outside Thaing Kali Refugee Camp, Bangladesh, 24 September 2017.
[95] MSF, "Ongoing military operations in Rakhine State have resulted in more than 400,000 people fleeing to Bangladesh."
[96] Amnesty International interviews with medical professionals and refugees, Cox's Bazaar District, Bangladesh, September 2017.

our possessions, and then they beat us with a wooden stick. My children were with me. They hit them too. Shafi, my two-year-old son, he was hit hard with a wooden stick. One hit, and he was dead… Three of my children were killed. Mohamed Osman (10) [and] Mohamed Saddiq (5) too. Other women [in the house] also had children [with them] that were killed.

All of the women were stripped naked. I had hid money [in my clothes], and they took it… They had very strong wooden sticks. They first hit us in the head, to make us weak. Then they hit us [in the vagina] with the wooden sticks. Then they raped us. A different soldier for each [woman]."[97]

S.K. said the soldiers then left and closed the door. They set fire to the house, with the women and children who remained alive still inside. S.K. said she didn't see them set the fire, but heard a loud "boom" noise, then saw the house start to burn. Her 7-year-old daughter, Rozia, who had survived the soldiers' beatings, found a weak point in the house's bamboo siding, and S.K. followed her. "*I was burned all over*," she told Amnesty International. "*The flame was so hot. When I ran, the fire was still on me. The clothes we wore, they were all burned*."[98] She said it was around dusk when they escaped; they saw soldiers standing in the distance, and fled unseen to a rice field. She made it with Rozia to Bangladesh partially on foot, and partially by being carried by two Rohingya men making the same forced journey.[99] Four weeks later, S.K. still had bandages wrapped tightly around most of her head, on one hand, and on both feet and lower legs. She pulled up the bandages on one of her legs, exposing bright pink marks consistent with healing burn wounds.

O.B., 20, also from Min Gyi, said that while she was being held in the ditch, soldiers marched off two of her sisters. She has not seen them since. O.B. was then taken with five other women and their children to an abandoned house in the Rohingya part of the village. She said that one soldier raped her, and she saw different soldiers rape a girl and three other women with whom she was held; an elderly woman in the group was the only one not raped. *"The soldiers were talking to each other, but I could not understand,"* she told Amnesty International. *"After we were raped, we were beaten with wooden sticks."*[100]

As with S.K., O.B. said the soldiers then closed the door and set fire to the house:

"From one corner, they set the fire. I looked around and in the other corner, I saw there was some weak fencing in the bamboo. I pushed through. The soldiers were still out there, but a bit away. I went to the hillside. I spent a night on the hill, alone. Then in the morning I came across four other women from [Min Gyi] who had survived. We followed a large group here [to Bangladesh]."[101]

C.B., 15, said soldiers took her along with her mother and 10-year-old sister to another house in Min Gyi. The soldiers first demanded any gold and money they had on them; after she denied hiding anything, soldiers ripped off her clothes and searched her body. C.B. said "*the good-looking [women and girls], the healthy ones*" were then raped.[102] The women and girls were beaten over and over with wooden sticks, as the soldiers left and returned several times: "*They turned on the light, and if anyone moved, they'd beat her again*."[103] As with the other women, she said the soldiers then set fire to the house:

"I was in and out of consciousness, but I was looking outside, and saw [them set the fire]. They used matchsticks and dried hay, I saw it with my own eyes… The roof was falling down – pieces of the roof. A few of us were able to push out of the bamboo [exterior]. [But] my mother and sister were not able to move. They had been beaten so much they were weak. They died that day…

After coming out, there was an outside bathroom. We were there for some time [using the water on burns]. Then we went to the foot of the nearby hill and stayed. When daylight came, some of the houses were not burned down, the Rohingya houses. The soldiers went and set fire to them."[104]

Each of the three rape survivors from Min Gyi spent significant time in a clinic in Bangladesh, and had bandaging and wounds that matched their description of burn injuries. The women's accounts are consistent with separate accounts reported by Human Rights Watch and by media outlets, including Al-

[97] Amnesty International interview, Kutupalong Refugee Camp, Bangladesh, 26 September 2017.
[98] Amnesty International interview, Kutupalong Refugee Camp, Bangladesh, 26 September 2017.
[99] Amnesty International interview, Kutupalong Refugee Camp, Bangladesh, 26 September 2017.
[100] Amnesty International interview, Kutupalong Refugee Camp, Bangladesh, 26 September 2017.
[101] Amnesty International interview, Kutupalong Refugee Camp, Bangladesh, 26 September 2017.
[102] Amnesty International interview, Kutupalong Refugee Camp, Bangladesh, 26 September 2017.
[103] Amnesty International interview, Kutupalong Refugee Camp, Bangladesh, 26 September 2017.
[104] Amnesty International interview, Kutupalong Refugee Camp, Bangladesh, 26 September 2017.

Jazeera.[105] They are also consistent with the accounts of other witnesses from Min Gyi interviewed by Amnesty International. Four men who jumped into the river when soldiers opened fire and swam across to the other side each described having a vantage point from which they could see soldiers taking women in groups toward houses; they later saw flames and smoke rising from the Rohingya part of the village.[106] Satellite images suggests it would be possible for people to observe events in Min Gyi from across the river. They also confirm that the Rohingya areas of Min Gyi were completely burned, as detailed in Chapter 4.

Amnesty International also documented three cases of rape in Kyun Pauk, a village in Buthidaung Township. Whereas the Myanmar military's assault on Min Gyi occurred in the days immediately after ARSA's 25 August attacks, the sexual violence in Kyun Pauk occurred in mid-September, after the 5 September date that State Counsellor Aung San Suu Kyi would later say marked the end of the "clearance operations."[107]

M.L., 55, told Amnesty International that, around two weeks after the Muslim holiday of Eid al-Adha, which was celebrated in northern Rakhine State on 2 September, he was at home around 10 p.m. when he heard yelling that the military was entering the village. He had heard of men in neighbouring villages being taken away, so he quickly ran out and hid in a nearby field. He broke down crying as he recalled watching soldiers and BGP enter houses, including his. After the soldiers left the village, M.L. said he returned home, where his daughter and two daughters-in-law said they had been raped; the young children and elderly women had not been touched, he said.[108] The next day, the family began a week-long journey to Bangladesh.

On the morning after the family finally crossed on foot into Bangladesh, Amnesty International briefly interviewed 16-year-old S.A. and 20-year-old F.K., the daughter and daughter-in-law, respectively, of M.L. Each one said that two soldiers and one BGP entered the house in Kyun Pauk that night in mid-September.[109] They said that they were each raped by one perpetrator, as was another of M.L.'s daughters-in-law, who is around 25 years old.[110] They said the soldiers spoke, but they could not understand what was said, as neither S.A. nor F.K. spoke Burmese. They said they knew other women and girls in the village who had been raped, as different soldiers and BGP entered other houses. By the time they arrived in Bangladesh, S.A and F.K. had not eaten in days.[111]

A trusted contact in northern Rakhine State told Amnesty International that he had likewise received reports from Rohingya from Kyun Pauk about sexual violence that occurred there during the current crisis.[112]

In addition to rape, Amnesty International documented several cases of other forms of sexual violence against women, in which soldiers carried out humiliating body searches to look for and steal hidden money or valuables. Safura, 20, said the military came to her village of Nga Yant Chaung, Buthidaung Township, in mid-September; she couldn't remember the exact date, but thought she'd been walking for about seven or eight days, before crossing into Bangladesh late the night of 23 September. When interviewed the next morning, she recalled how Myanmar soldiers had gone house to house, taking everyone's valuables. She said that, in her house, the soldiers took gold and money, then searched underneath her clothes and her mother-in-law's clothes to see if they had hidden anything else of value.[113] Amnesty International documented similar practices during "clearance operations" in October and November 2016.[114]

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[105] See Peter Bouckaert, "The Burmese military is committing crimes against humanity," *Washington Post*, 27 September 2017; Al-Jazeera, "Rohingya refugees share stories of sexual violence," 29 September 2017.
[106] Amnesty International interviews, outside Kutupalong Refugee Camp, Bangladesh, 11 September 2017; Balu Khali Refugee Camp, Bangladesh, 23 September 2017.
[107] State Counsellor's speech on Government's efforts with regard to National Reconciliation and Peace, *The Global New Light of Myanmar*, 20 September 2017, p.6.
[108] Amnesty International interview, outside between Phalung Khali and Thaing Khali, Bangladesh, 24 September 2017.
[109] Amnesty International interviews, between Phalung Khali and Thaing Khali, Bangladesh, 24 September 2017.
[110] Amnesty International interviews, between Phalung Khali and Thaing Khali, Bangladesh, 24 September 2017.
[111] Amnesty International interviews, between Phalung Khali and Thaing Khali, Bangladesh, 24 September 2017.
[112] Amnesty International communication, 12 October 2017.
[113] Amnesty International interview, between Phalung Khali and Thaing Khali, Bangladesh, 24 September 2017.
[114] Amnesty International, *"We Are at Breaking Point": Rohingya: Persecuted in Myanmar, Neglected in Bangladesh* (Index: ASA 16/5362/2016), 19 December 2016, pp 24-25 and 30-31.

RAPE AND OTHER CRIMES OF SEXUAL VIOLENCE UNDER INTERNATIONAL LAW

Rape is an act of gender-based violence and constitutes "discrimination," prohibited under international human rights law, including under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), to which Myanmar is a state party.[115]

Rape by state officials, which include soldiers and police officers, has been unequivocally defined as torture by international criminal tribunals,[116] as well as by UN and regional human rights bodies.[117] In specific circumstances, rape and other forms of sexual violence are also war crimes and crimes against humanity, including under the Rome Statute of the International Criminal Court.[118]

The rape and other sexual violence described here were committed by soldiers and BGP as part of a widespread and systematic attack on the Rohingya population. As the perpetrators took part in, and therefore clearly had knowledge of, the attack, these acts constitute the crimes against humanity of torture and of rape and other forms of sexual violence.

[115] See Committee on the Elimination of Discrimination against Women, General Recommendation 19, Violence against women (Eleventh session, 1992), U.N. Doc. A/47/38 at 1 (1993), para. 1.
[116] See, e.g., *Prosecutor v. Jean-Paul Akayesu*, Case No. ICTR-96-4-T, Judgment of 2 September 1998, para. 687; *Prosecutor v. Zejnil Delalic*, Case No. IT-96-21, ICTY Trial Chamber II, Judgment of 16 November 1998, paras. 475-496, 943, 965; *Prosecutor v. Anto Furundzija,* Case No. IT-95-17/1-T, ICTY Trial Chamber, Judgment of 10 December 1998, paras. 264-9.
[117] See, e.g., Interim Report of the Special Rapporteur on torture to the General Assembly, UN Doc. A/55/290 (2000), para. 5; Human Rights Council, Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, UN Doc. A/HRC/7/3, 15 January 2008, paras. 34-36; *Aydin v. Turkey*, European Court of Human Rights, Reports 1997-VI (57/1996/676/866), Judgment of 25 September 1997, para. 86; *Fernando and Raquel Mejia v. Peru*, Inter-American Commission on Human Rights, Report No. 5/96, Case No. 10.970, 1 March 1996; para. B(3)(a); *Almonacid Arellano et al. v. Chile*, Preliminary objections, merits, reparations and costs, Inter-American Court of Human Rights, Judgment of 26 September 2006, Series C No. 154, para. 82.4.
[118] Rome Statue, Article 7(1)(g) (on crimes against humanity); and Articles 8(2)(b)(xxii), 8(2)(c)(vi) (on war crimes).

4. BURNING OF ROHINGYA VILLAGES

> **"There were only a couple green trees left. Everything else was burned down."**
>
> Zarina Khatun, a 45-year-old woman from Koe Tan Kauk village, Rathedaung Township.[119]

Since 25 August, Rohingya villages across the northern part of Rakhine State have been burned down, in what appears to be an organized, targeted, and coordinated effort by the Myanmar military to permanently drive the Rohingya population out of their homes. At the time of writing, the burning remained ongoing, more than seven weeks after the military began its campaign.

On 3 October, the UN Operational Satellite Applications Programme (UNOSAT) reported that, since 25 August, it had identified 20.7 square kilometres of destroyed structures in Maungdaw and Buthidaung Townships in areas where it had detected fires.[120] Even that "likely underestimated" the overall scale of destruction and burning, as cloud cover affected what the satellites were able to detect.[121]

Amnesty International's own review of fire data from remote satellite sensing indicates at least 156 large fires in northern Rakhine State since 25 August, which is also likely to be an underestimate, due to the same cloud conditions described by UNOSAT. In the previous five years, no fires were detected during the same period, strongly indicating that the burning has been intentional.

The Myanmar authorities have frequently said the Rohingya population has burned their own homes before fleeing.[122] Although ARSA may have burned particular Rakhine villages, an issue Amnesty International continues to investigate, the government's explanation defies credibility. Satellite imagery and data, as well as photo and video evidence analysed by Amnesty International, show a pattern of burning that is deliberate, organized, widespread, consistent over time and across northern Rakhine State, and targeted at Rohingya homes and other structures. Witness accounts also indicate that in some instances burnings were clearly orchestrated and planned in advance by the military and local government authorities.

All of that points to a systematic attack on the Rohingya population, overseen and generally carried out by the Myanmar security forces, which has had the effect of both killing Rohingya women, men, and children, and forcibly transferring hundreds of thousands of Rohingya from northern Rakhine State to Bangladesh.

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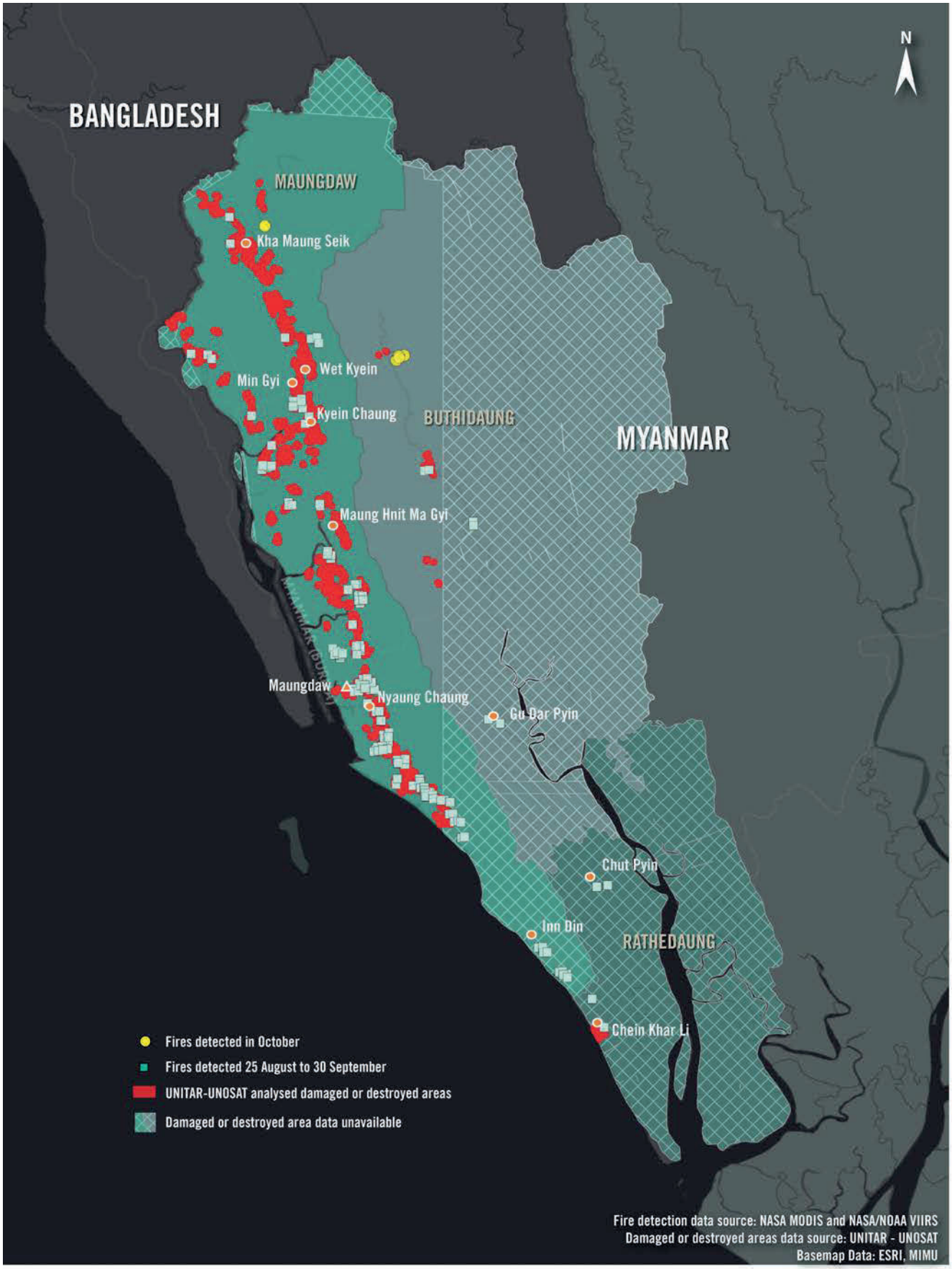
[119] Amnesty International interview, Kutupalong Refugee Camp, Bangladesh, 27 September 2017.
[120] UNITAR/UNOSAT, Myanmar: Maungdaw District / Rakhine State, 3 October 2017, https://reliefweb.int/sites/reliefweb.int/files/resources/UNOSAT_A3_Rakhine_damage_zones_20171001_Portrait_o.pdf.
[121] UNITAR/UNOSAT, Myanmar: Maungdaw District / Rakhine State, 3 October 2017.
[122] Associated Press, "Burmese attempt to show Rohingya torched their own homes unveiled as 'fake news'," *The Star*, 11 September 2017.


N
BANGLADESH
MAUNGDAW
Kha Maung Seik
Wet Kyein
Min Gyi
Kyein Chaung
BUTHIDAUNG
MYANMAR
Maung Hnit Ma Gyi
Maungdaw
Nyaung Chaung
Gu Dar Pyin
Chut Pyin
Inn Din
RATHEDAUNG
Chein Khar Li
Fires detected in October
Fires detected 25 August to 30 September
UNITAR-UNOSAT analysed damaged or destroyed areas
Damaged or destroyed area data unavailable
Fire detection data source: NASA MODIS and NASA/NOAA VIIRS
Damaged or destroyed areas data source: UNITAR - UNOSAT
Basemap Data: ESRI, MIMU

DELIBERATE, ORGANIZED BURNING

Amnesty International has analysed satellite imagery and data from across northern Rakhine State, as well as aerial photographs of specific burned villages. Together, these demonstrate that the destruction has been deliberate and organized in a way to ensure distinct clusters of structures are all burned completely.

First, fires that have destroyed entire villages have not originated in one, initial location, and then spread, as would be expected if these were accidental fires. For example, before and after satellite images in Maung Hnit Ma Gyi, a Rohingya village to the north of Maungdaw town, show no trail demarking the fire's spread from a single point of origin. Instead, different clusters of structures have been burned, with surrounding vegetation separating the structures left intact.

Comparing imagery from 23 May 2017 to 16 September 2017, almost the entire village area of Maung Hnit Ma Gyi appears burned.

Coordinates: 20.9622º, 92.3708º. © 2017 DigitalGlobe, Inc. Source: USG, NextView Licence

Coordinates: 20.9622º, 92.3708º. © 2017 DigitalGlobe, Inc. Source: USG, NextView Licence

Witness accounts from Maung Hnit Ma Gyi corroborate the satellite imagery evidence. Sheik Ahmad, 22, told Amnesty International that there is a police outpost several miles from the village, from which soldiers and BGP, joined by local vigilantes, came in the days just after Eid al-Adha. He said they started burning houses from one end of the Rohingya village, and worked progressively and systematically until the entire area had been set ablaze. Sheik Ahmad fled with his wife when they saw the burning approach their home. Soldiers opened fire, hitting him above the elbow on his right arm; his older brother helped him reach a fish pond, where he hid until the attackers left.[123]

Similarly, in before and after satellite images from Wet Kyein village, Maungdaw Township, it is possible to see large areas of healthy vegetation between different groups of homes and other structures that have been completely burned down. These fires were distinct events; the perpetrators made a deliberate effort to burn down separated structures.

The village of Wet Kyein consists of many clusters of structures dispersed along the rivers and fields. On 16 September 2017, imagery shows most structures have been razed in the area. Areas were not burned between clusters of structures, suggesting the fire did not spread naturally and each cluster was lit on fire independently. Images below show the areas burned and a closer look at the burned structures.

Coordinates: 21.1347°, 92.3408°. © 2017 DigitalGlobe, Inc. Source: USG, NextView Licence

Coordinates: 21.1421°, 92.3382°. © 2017 DigitalGlobe, Inc. Source: USG, NextView Licence

[123] Amnesty International interview, Cox's Bazaar District Sadar Hospital, Bangladesh, 30 September 2017.

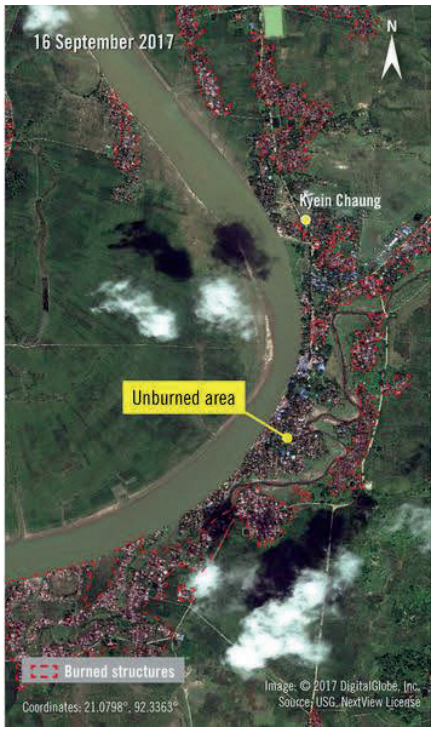
Coordinates: 21.1347°, 92.3408°. © 2017 DigitalGlobe, Inc. Source: USG, NextView Licence

Coordinates: 21.1421°, 92.3382°. © 2017 DigitalGlobe, Inc. Source: USG, NextView Licence

Second, satellite imagery and aerial photographs show structures that have been burned uniformly, suggesting that structures have been burned in the same manner. Witness statements further corroborate this, as discussed below. In most villages from which Amnesty International has reviewed satellite imagery, each structure has been burned such as to be consumed in its entirety.

Third, and finally, the burning often happened over days, as the perpetrators worked to ensure that every last structure in the Rohingya area was torched. Satellite imagery from Kyein Chaung, for example, shows that large areas were set on fire prior to 16 September, but that a particular stretch along the river remained untouched. By 22 September, these areas had likewise been burned down. Amnesty International interviewed several people from Kyein Chaung who described fleeing the first round of the military's burning, which they said occurred at the end of August or the start of September.[124]

On 16 September 2017, imagery shows much of Kyein Chaung has been razed. A small area of unburned structures are visible in the centre of the village. Between 16 September 2017 and 22 September 2017, much of the previously unburned area was razed. Environmental sensors detected fires in the area on 15 September 2017. More recent fires were also detected on 25 September 2017.



Coordinates: 21.0798°, 92.3363°. © 2017 DigitalGlobe, Inc. Source: USG, NextView Licence

[124] Amnesty International interviews, Cox's Bazaar District Sadar Hospital, Bangladesh, 30 September 2017; and Thaing Kali Refugee Camp, Bangladesh, 29 September 2017.

Coordinates: 21.0804°, 92.3344°. © 2017 DigitalGlobe, Inc. Source: USG, NextView Licence

Had the destruction been carried out by the Rohingya, who were often fleeing in haste from military attacks, one would expect far more haphazard burning. It is exceedingly unlikely, for example, that they would have had time to burn down every last structure, including those across natural fire breaks. It's also exceedingly unlikely that the burning would have occurred over separate days in the same village, or be so uniform across such a large stretch of territory. Amnesty International's research and credible media reports also indicate that burning has occurred in villages long after the Rohingya fled them.[125]

TARGETED BURNING

Aerial photographs and satellite imagery also show that extremely targeted burning, affecting specific areas of certain villages while other areas remain untouched. Witness accounts from many of these villages corroborate that it is overwhelmingly the Rohingya areas that have been burned, while non-Rohingya areas are left intact.

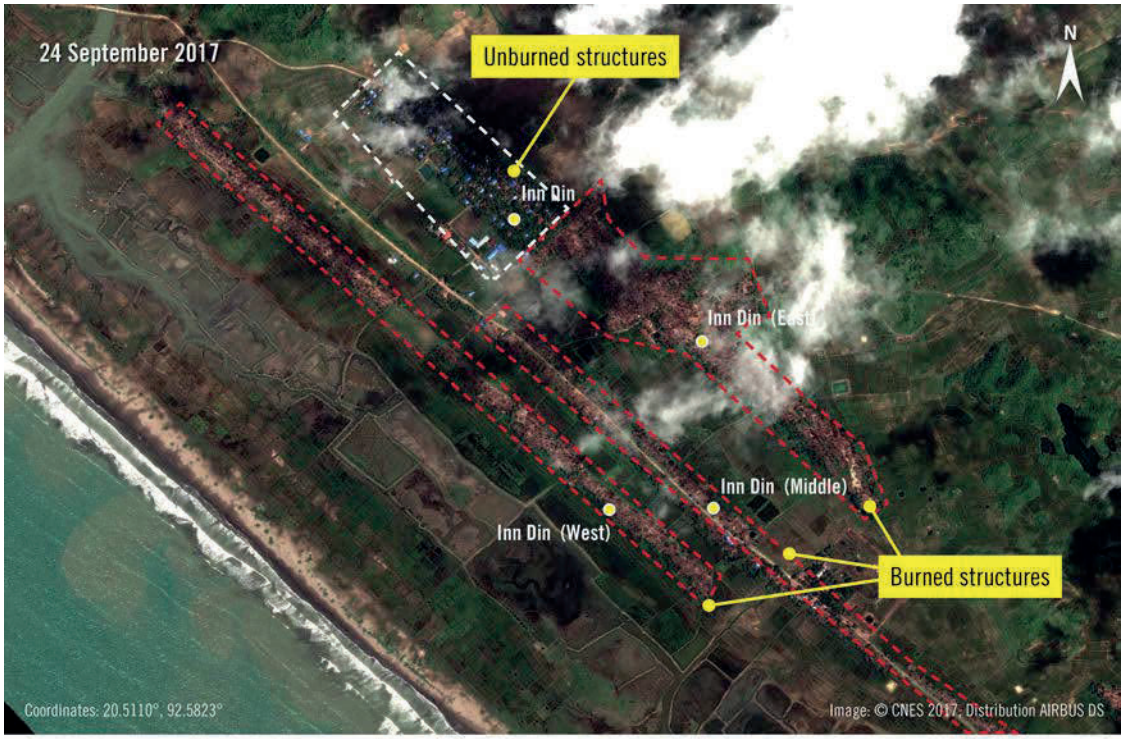
In Inn Din and Min Gyi, for example, satellite imagery shows that while large swaths were systematically burned, other areas are undamaged. These areas display a different layout and quality of structures, including more organized thatch and metal-roof structures, which suggest they are non-Rohingya.[126] In Inn Din, a Buddhist temple is visible in the unaffected area.

[125] See, e.g., Amnesty International, "Myanmar: Video and satellite evidence shows new fires still torching Rohingya villages," 22 September 2017; Associated Press, "New Myanmar fires in empty village raise questions," 8 September 2017.

[126] Since the 1990s, the Myanmar authorities have engaged in a policy of building "model villages," often known as NaTaLa villages. These villages are apparently aimed at diversifying and developing the border area, and are inhabited by individuals and families who have been transferred from other parts of the country. They are distinctive in appearance; whereas Rohingya villages are irregular in shape and made of predominantly wooden structures, NaTaLa villages are much more ordered, with buildings often arranged in distinctive rows. Military bases and camps are similarly ordered and organized. Amnesty International observations and interviews, northern Rakhine State, 2016.

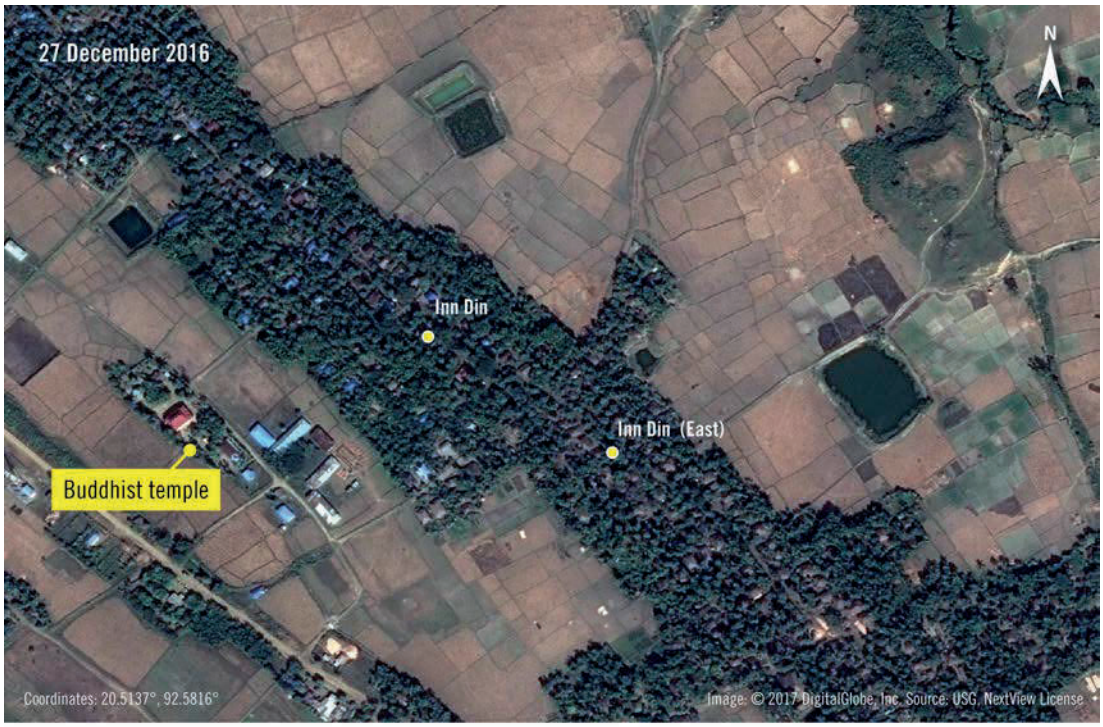
Imagery from 24 September 2017 shows most of the Inn Din villages have been completely burned to the ground. A small section of thatch and metal roof structures, along with vegetation, remains unburned. The layout and quality of the structures in the unburned area suggest that this is a non-Rohingya area, which was further corroborated by witness accounts. Fires were remotely detected in the Inn Din area by an environmental monitoring sensor on 28 August 2017.

Coordinates 20.5110º, 92.5823º. © CNES 2017. Distribution AIRBUS DS

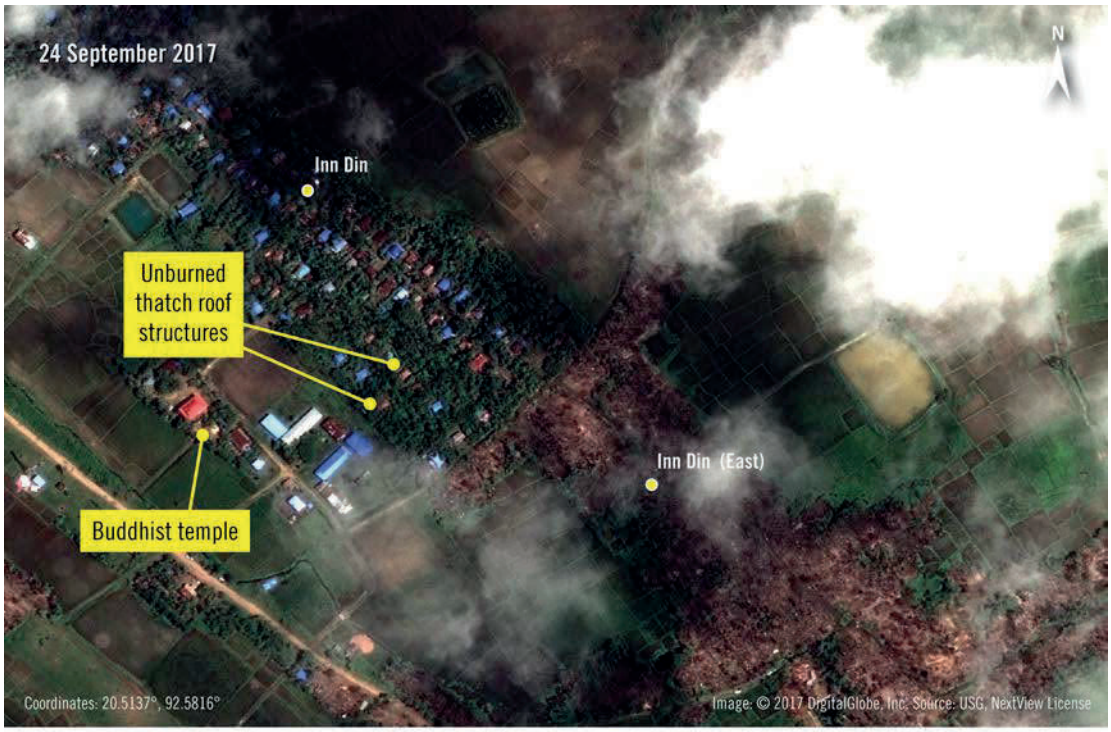


Coordinates 20.5110º, 92.5823º. © CNES 2017. Distribution AIRBUS DS

A closer look at Inn Din and Inn Din (East) shows the distinct line separating the burned and unburned areas. A Buddhist temple is visible in Inn Din and many of the structures appear to have metal roofs. The layout of the structures also appears to be more organized when compared to the thatch roof structures in Inn Din (East) on 27 December 2016. On 24 September 2017, none of the structures in Inn Din appear burned. All of the structures in Inn Din (East) appear razed.



Coordinates: 20.5137º, 92.5816º. © 2017 DigitalGlobe, Inc. Source: USG, NextView Licence



Coordinates: 20.5137º, 92.5816º. © 2017 DigitalGlobe, Inc. Source: USG, NextView Licence

Witnesses from Inn Din and Min Gyi consistently said that the military did not burn non-Rohingya parts of the village. In Inn Din, each of the seven residents interviewed described the non-Rohingya areas as being located to the north of the Rohingya areas, which matches the area that satellite imagery shows as untouched.[127] In Min Gyi, Rohingya residents described their houses as being near the river, while the ethnic Rakhine lived at a higher elevation, in the southwestern part of the village.[128] This, too, matches what the satellite imagery shows in terms of the targeted burning of Rohingya areas.

On 22 September 2017, imagery shows many structures in Min Gyi village have been razed. A small section of more organized thatch and metal roof structures remain unburned. The layout of the structures in the unburned area suggest that this is a non-Rohingya area, which was further corroborated by witness accounts. A fire trail is not evident between the clusters of burned structures, suggesting each cluster was set on fire independently, rather than the fire spreading naturally.

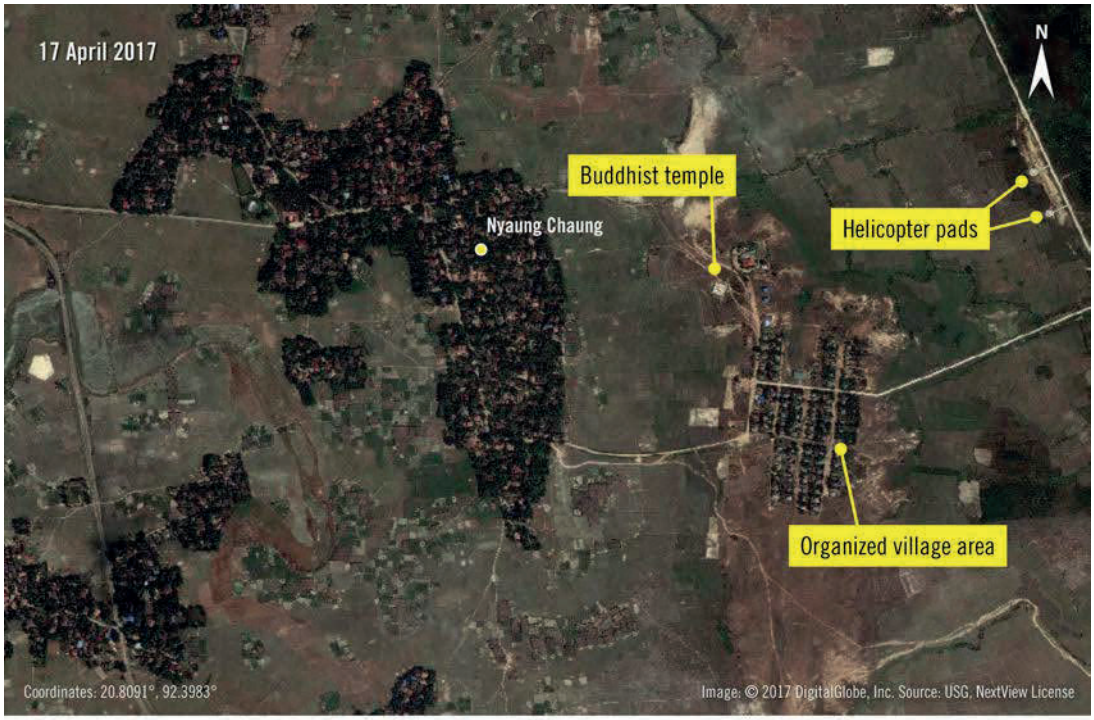
Coordinates: 21.1341º, 92.3235º. © 2017 DigitalGlobe, Inc. Source: USG, NextView Licence

Coordinates: 21.1341º, 92.3235º. © 2017 DigitalGlobe, Inc. Source: USG, NextView Licence

[127] Amnesty International interviews, Thaing Kali Refugee Camp, Bangladesh, 24 September 2017.
[128] Amnesty International interviews, outside Kutupalong Refugee Camp, 11 September 2017; Balu Khali Refugee Camp, Bangladesh, 23 September 2017; and Kutupalong Refugee Camp, 26 September 2017. See also Oliver Holmes, "Myanmar: satellite imagery confirms Rohingya village of Tula Toli razed," *The Guardian*, 19 September 2017.

Other villages show a similar pattern of targeted burning. In Nyaung Chaung, close to Maungdaw Town, satellite imagery from 16 September and 22 September shows through cloud cover that the western part of the village has been burned down, whereas a nearby area with higher-quality construction, roads, and organized building—which also sits close to two helicopter pads—remains untouched.

Nyaung Chaung is located adjacent to a village with a more organized layout, where a Buddhist temple is visible and two helicopter pads are located, suggesting potential affiliation with the military. On 16 September 2017, cloudy imagery shows Nyaung Chaung has been razed. The presence of white ash indicates the fires likely happened recently. On 22 September 2017, parts of the organized village are visible and appear intact. Environmental sensors detected fires immediately south of Nyaung Chaung on 14 and 15 September 2017.



Coordinates: 20.8091º, 92.3983º. © 2017 DigitalGlobe, Inc. Source: USG, NextView Licence

Coordinates: 20.8091º, 92.3983º. © 2017 DigitalGlobe, Inc. Source: USG, NextView Licence

Aerial photographs from Zay Di Pyin, in Rathedaung Township, and from the area of Laung Don village tract (see below), in Maungdaw Township, likewise show areas of low-quality structures burned completely, whereas nearby areas marked by higher-quality structures and more organized planning are untouched.

Amnesty International has seen and analysed satellite imagery and aerial photographs that suggests at least a dozen more examples of villages in which burning occurred only in the Rohingya areas of ethnically-mixed village tracts or in Rohingya neighbourhoods of more populated areas. Together, these show a persistent determination across the northern part of Rakhine State to burn Rohingya-populated areas, and only those areas. It belies the government's explanation that the Rohingya themselves set the fires. It also shows the level of planning and oversight in the burning.

An aerial photograph from the area of Laung Don village tract in Maungdaw Township, which shows higher-quality structures in an organized row. All communities surrounding the intact row of houses, including those in the background of the picture, have been burned down, 27 September 2017. © Private

ETHNIC CLEANSING, FORCIBLE TRANSFER

In Myanmar and elsewhere, at the heart of what is often called "ethnic cleansing," which is not a legal term, is an organised deportation operation, aimed to force people to leave their homes and to ensure they do not return. The Myanmar security forces' method of achieving these goals has involved terrorising Rohingya out of their homes, mostly through shooting, killing, sexual violence and threats; followed by the burning of their homes and villages.

International law provides for the crime against humanity of "[d]eportation or forcible transfer of population,"[129] which, as detailed in this briefing, has clearly been committed by the Myanmar security forces since 25 August.

When the authorities uproot people by deliberately destroying their homes and belongings, and force them into exile, they are committing a host of human rights violations. These include violations of the rights to adequate housing; to an adequate standard of living more generally; to education, particularly for children; and to work—all provided within the International Covenant on Economic, Social and Cultural Rights, which Myanmar ratified in early October, even as its soldiers continued to burn Rohingya homes.

[129] Rome Statute, Article 7(1)(d).

PRIOR WARNING IN CERTAIN VILLAGES, ADVANCED PLANNING

The military's scorched-earth campaign appears to have been carried out in several phases. During the first phase, in the days immediately following the 25 August attacks, the military and BGP often caught Rohingya residents by surprise when surrounding their villages, opening fire, and then burning homes. During the second phase, beginning in early to mid-September, the military or local civilian authorities at times warned the Rohingya in advance that their homes would be burned. This reduced the scale of killing, but also demonstrates how well planned and thought through the ethnic cleansing has been.

In Auk Nan Yar, a village to the northwest of Rathedaung town, not far from Chut Pyin, several Rohingya residents interviewed by Amnesty International said that, soon after Eid al-Adha on 2 September, the military told them to leave, as soldiers would be setting fire to the village. Hamid, 53, recalled:

> *"The military had warned one or two days before [the] burning that we should leave the village. They entered the village and told us to leave, because they would burn it all. They said, 'You people are providing food and shelter to armed groups.' We never did that.*
>
> *The day before the burning the number of military had increased and we realised they might do something and so we hid… in the hillside. [The next day], it was all clear to see. I saw my house burn… The military and BGP did the burning. They used launchers mostly. Every few houses they burned, but many houses are close to one another so it spread quickly."*[130]

Amnesty International received similar accounts in two other villages in the same area of Rathedaung Township, near the border with Maungdaw and Buthidaung Townships.[131] Residents of these villages said they had seen smoke and flames in neighbouring villages, including Chut Pyin, so when they received the military's warnings, most residents fled to surrounding hills, from where they saw their own village burned, before heading on to Bangladesh.[132] They said the Village Administrator had accompanied the military when the warning of imminent burning was issued.[133]

CONSISTENT METHOD OF SETTING FIRES

Witnesses from at least several dozen Rohingya villages burned across the northern part of Rakhine State all described similar means by which Myanmar soldiers and other attackers set houses, mosques, schools, and other structures on fire. In satellite imagery and aerial photographs, the burning looks uniform or at least highly similar in villages throughout the region—days and even weeks apart.

On a government-led visit to northern Rakhine State in early September, a BBC reporter witnessed the burning of a Rohingya village, and "*saw one empty jug reeking of petrol and another with a little fuel left in it in the middle of the path*."[134] At least a dozen Rohingya witnesses interviewed by Amnesty International described seeing soldiers and local vigilantes with matchsticks and bottles or canisters of petrol, which they used to burn one or more structures within a cluster, then let the flames spread organically. C.B., 15, described soldiers burning in this way the Min Gyi house in which she was held and raped (see page 24). Senouwara Begum, 35, likewise described soldiers and local vigilantes torching house after house in Chut Pyin with petrol and matchsticks, during the extreme violence meted out there on 27 August.[135]

In addition, dozens of Rohingya witnesses told Amnesty International that soldiers used a shoulder-fired weapon to set fire to certain structures. The descriptions given most likely indicate the use of 40mm grenade launchers, rocket-propelled grenades (in particular an RPG-7), or both. Amnesty International's munitions expert said both weapons would be capable of the use and destruction described.

Zauda Khatun, 50, said that her village of Auk Nan Yar, in Rathedaung Township, was attacked just after Eid an-Adha by Myanmar soldiers and BGP. She described, "*The military were using what looked like a gun. It's like a bundle of fire moving and can cover some distance.*"[136] Dil Bahar, 36, from Chein Kar Li village in Rathedaung Township, said likewise: "*I saw with my own eyes when my house was burning. It was some kind of thing that just shot out and went and burned the house. I was just crying. I lost my home*."[137]

Often, both means were employed to burn the same village. Sheik Ahmad, 22, described how in his village of Maung Hnit Ma Gyi, in Maungdaw Township, he saw attackers set fire to shorter houses with petrol and

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[130] Amnesty International interview, Cox's Bazaar District, Bangladesh, 12 September 2017.
[131] Amnesty International interviews, Cox's Bazaar District, Bangladesh, 11-13 September 2017.
[132] Amnesty International interviews, Cox's Bazaar District, Bangladesh, 11-13 September 2017.
[133] Amnesty International interviews, Cox's Bazaar District, Bangladesh, 11-13 September 2017.
[134] BBC, "BBC reporter in Rakhine: 'A Muslim village was burning'," 7 September 2017.
[135] Amnesty International Interview, Kutupalong Refugee Camp, Bangladesh, 23 September 2017.
[136] Amnesty International interview, Cox's Bazaar District, Bangladesh, 13 September 2017.
[137] Amnesty International interview, Kutupalong Refugee Camp, Bangladesh, 23 September 2017.

matchsticks, and then use the shoulder-fired weapon for taller houses that could not be easily reached.[138] Amir Hossain, 35, said similarly that in Chein Kar Li, "*We fled to the hill and were waiting there in the rain. When we were on the hill, they set fire to the village. I could see the flames, the fire. They used a [grenade] launcher in a few cases. But for most houses they used petrol and [set the fire manually]."*[139]

RECENT AND ONGOING BURNING

Through early October, the deliberate burning of Rohingya villages and neighbourhoods remained ongoing. UNOSAT reported on 3 October that, in the previous week, its satellites had detected "more than 160 thousand square meters of destroyed structures."[140] Amnesty International's own analysis of satellite imagery and data likewise indicates that fires have continued to be set in Rohingya villages and neighbourhoods, often forcing people who tried to stay throughout the violence to finally leave for Bangladesh.

Since 1 October, fire data from remote satellite sensing, analysed by Amnesty International, shows several large fires in villages in northern Rakhine State, consistent with previous fires associated with the burning of Rohingya villages. Cloud cover continued to affect satellite sensing across the region. Satellite data indicated, and satellite imagery confirmed, burning in Tin May village, Buthidaung Township, between 7 and 11 October; for this specific incident, Amnesty International has not yet determined whether the Myanmar security forces were directly involved, or if it was only local vigilantes.

Amnesty International has also received credible information about the ongoing burning of Rohingya villages from trusted contacts inside northern Rakhine State, including villages burned between 6-11 October in Maungdaw and Buthidaung Townships.

The recent burning of Rohingya villages contradicts State Counsellor Aung San Suu Kyi's statement during her 19 September speech on the Rakhine crisis that the military's "clearance operations" ended on 5 September.[141] Witness accounts, satellite imagery and data, and photo and video evidence all suggest that dozens of Rohingya villages have been partially or completely burned since then,[142] including several of those for which satellite imagery is presented above.

Many Rohingya interviewed by Amnesty International right after they arrived to Bangladesh in late September described trying to stay in their villages, even as they knew of the violence raging around them. Some said they eventually fled after days or even weeks of little to no food, as the military would not allow them to move around, even to their rice farms; had often stolen their livestock; and, along with civilian authorities, had blocked or severely restricted access to aid organizations.[143]

Other new arrivals in late September said they had to flee because of the targeted burning. Abu Taher, 45, from Nyaung Chaung, in southern Buthidaung Township, told Amnesty International, in words echoed by many others, "*Our houses were burned, so what did we have to stay for?*"[144]

SEVERE, ONGOING RESTRICTIONS ON HUMANITARIAN AID

The Myanmar authorities have severely restricted humanitarian access to Rakhine State, and in particular to the violence-affected northern townships. Aid workers told Amnesty International that restrictions on their operations, especially on their travel authorizations, tightened in the weeks prior to the August attacks, then seriously intensified in the immediate aftermath.[145] Seven weeks after the attacks, and despite massive destruction and displacement, UN agencies and international humanitarian organizations have been unable to access affected populations; assess their needs; or provide shelter, food, medical care and protection.

In response to international pressure to allow aid in, the Myanmar authorities announced in early September that the humanitarian response in northern Rakhine State would be led by the Myanmar Red Cross Society, supported by the International Committee of the Red Cross.[146] Aid workers and diplomats interviewed in

[138] Amnesty International interview, Cox's Bazaar District Sadar Hospital, Bangladesh, 30 September 2017.
[139] Amnesty International interview, Kutupalong Refugee Camp, Bangladesh, 27 September 2017.
[140] UNITAR/UNOSAT, Myanmar: Maungdaw District / Rakhine State, 3 October 2017.
[141] BBC News, "Rohingya crisis: Are Suu Kyi's Rohingya claims correct?", 19 September 2017.
[142] Amnesty International, "Myanmar: Video and satellite evidence shows new fires still torching Rohingya villages," 22 September 2017.
[143] Amnesty International interviews outside between Phalung Kali and Thaing Kali, Bangladesh, 24 September 2017; and in Teknaf boat arrival point and Bangladeshi processing center, 28 September 2017.
[144] Amnesty International interview, outside between Phalung Kali and Thaing Kali, Bangladesh, 24 September 2017.
[145] Amnesty International interview with humanitarian officials, Yangon, Myanmar, September 2017.
[146] Amnesty International interviews, Yangon, Myanmar, September 2017. See also Reuters, "Red Cross fills UN void in Myanmar's violence-torn region," 9 September 2017.

Yangon expressed concern about the capacity of these organizations to respond to the enormous humanitarian needs.[147] To date, most affected populations have not received the assistance they need.

In early October, the Secretary General of the Norwegian Refugee Council said that the organization "*is standing by, waiting for the authorities to allow us to move into areas where we fear many people may be stranded without clean water, food, or shelter. We have supplies, we have staff, we have transport. The only thing standing between us and the people who need help is permission to go*."[148]

Humanitarian access restrictions have had a devastating and disproportionate impact on the Rohingya. The community has long been heavily reliant on aid for basic survival, as a result of the severe and discriminatory restrictions on their freedom of movement and other rights. Since 25 August, the military's brutal attacks, burning of villages, and looting of livestock and other goods has made the situation even more acute. Movement restrictions, the closure of markets, and the threat of further violence have also prevented Rohingya villagers from accessing supplies, including food and other commodities. As a result, at least a dozen refugees arriving in Bangladesh in late September described fleeing due to fears they would have starved in Myanmar.[149]

Government-imposed restrictions on humanitarian access have been exacerbated by increasing local tensions and hostility towards international aid groups. Communities in Rakhine State, in particular the majority ethnic Rakhine, have long accused international organizations of bias towards the Rohingya, and these perceptions have only increased during the current crisis. International organizations still operating in Rakhine State have reported difficulties delivering aid, in part because their local staff fear reprisals and possible violence from neighbouring communities. Such fears are not without foundation: on 20 September, a group of protesters in Sittwe blocked an ICRC convoy bound for northern Rakhine State.[150] Ten people are currently in detention now facing charges in connection with the incident.[151]

For their part, the Myanmar authorities have fuelled local tensions and animosity towards international aid workers.[152] Government spokespeople have repeated accusations that international aid organizations in Rakhine State provided support to the Rohingya armed group, after World Food Programme (WFP) branded biscuits were found in an alleged Rohingya militant training camp in early August.[153]

Depriving people of food and other life-sustaining provisions, whether directly or through restrictions on movement, access to livelihood, and humanitarian aid violates key human rights such as the right to food, and potentially the right to life. In the case of the acts described here, they fall under the crimes against humanity of persecution on racial or ethnic grounds,[154] or "other inhumane acts… intentionally causing great suffering, or serious injury to body or to mental or physical health."[155]

[147] Amnesty International interviews, Yangon, Myanmar, September 2017.
[148] Norwegian Refugee Council (NRC), "Alarming lack of assistance to people in Myanmar's Northern Rakhine," 6 October 2017, https://www.nrc.no/news/2017/october/alarming-lack-of-assistance-to-people-in-myanmars-northern-rakhine/.
[149] Amnesty International interviews, Cox's Bazaar District, Bangladesh, late September 2017.
[150] Reuters, "Myanmar protesters try to block aid shipment to Muslim Rohingya," 21 September 2017.
[151] *The Irrawaddy*, "Ten Accused of Blocking Aid Shipment in Sittwe to Face Trial," 10 October 2017.
[152] Amnesty International, "Myanmar: Restrictions on international aid putting thousands at risk," 4 September 2017.
[153] Oliver Holmes, "Aung Sang Suu Kyi's office accuses aid workers of helping 'terrorists' in Myanmar," *The Guardian*, 28 August 2017.
[154] See Rome Statute, Article 7(1)(h).
[155] See Rome Statute, Article 7(1)(k). See also Human Rights Council, Report of the detailed findings of the commission of inquiry on human rights in the Democratic People's Republic of Korea, UN Doc. A/HRC/25/CRP.1, 4 February 2014, paras. 1115 and 1131.

UNITS IMPLICATED

Amnesty International's investigations remain ongoing into the responsibility of specific units and individuals involved in crimes committed in northern Rakhine State. However, at this stage, there is strong evidence from consistent, corroborating witness accounts that certain units have been disproportionately involved in some of the worst violations.

In many villages where Amnesty International documented killings and other serious violations, witnesses consistently described a patch on soldiers' uniforms that matches the one worn by Western Command. Witnesses who offered this description of a logo that looked like a star and flower, or drew a related picture, were then presented with various options of Myanmar Army patches. They each picked out the Western Command patch, shown below. Western Command has long played a leading role in military operations in northern Rakhine State, and is led by Major General Maung Maung Soe.[156]

Image left: Western Command's logo.

Image right: Border Guard Police travel in trucks through Maungdaw on October 14, 2016. © YE AUNG THU/AFP/Getty Images

Several witnesses in villages that soldiers burned described and identified the patch worn by the 33rd Light Infantry Division (LID).[157] Many soldiers from the 33rd and 99th LIDs were moved from northern Myanmar to Rakhine State in mid-August.[158] In June, Amnesty International published a report that documented war crimes committed by soldiers from these two units against civilians from ethnic minorities in northern Shan State, as part of the ongoing internal armed conflicts in northern Myanmar.[159]

The Commander-in-Chief of the Myanmar military, Senior General Min Aung Hlaing, has, apart from two days, been in Myanmar since 25 August. On 1 September, he announced on his Facebook page that, "in the ongoing incidents," the Myanmar military "had to get involved as the strength of police forces alone could not defend."[160] From 19-21 September, as the military's scorched-earth campaign remained ongoing, he met with senior officers on the ground in Rakhine State, including the head of Western Command.[161] While in Rakhine State, his Facebook page included statements indicating that he "gave [those commanders] instructions on getting timely information" and on the "systematic deployment of security forces," among other things; he also "honoured" the military's "brilliant efforts to restore regional peace."[162] People with intimate knowledge of the military's ongoing campaign in northern Rakhine State have told Amnesty International that the Commander-in-Chief has close oversight of the operation.[163]

There is no indication that Senior General Min Aung Hlaing has taken steps to ensure accountability for his troops' violations. His official Facebook page has instead often included inflammatory posts, including a 1 September post that said, "We openly declare that 'absolutely, our country has no Rohingya race'"; and a 20 September post that said "collective efforts must be made to protect the minorities of Buthidaung/Maungtaw region such as Mro, Khamee, Thet and Daingnet"[164]—making no mention of protecting Rohingya civilians. On 11 October, his Facebook page posted a statement that said it was an "exaggeration to say that the number of [Rohingya] fleeing to Bangladesh is very large" and that the "native place of [the Rohingya] is really Bengal. Therefore, they might have fled to the other country with the same language, race and culture as theirs by assuming that they would be safer there."[165]

In addition to the Army, Rohingya witnesses repeatedly implicated the Border Guard Police (BGP), a force that has operated in close proximity to many Rohingya villages since it was established in early 2014. The BGP was often identified by their distinct, camouflage blue uniforms (see above). Witnesses from at least several dozen burned villages described the BGP working with the Army to surround and set ablaze Rohingya houses. The BGP were also identified as among the perpetrators of killings and sexual violence in several villages. Major General Thura San Lwin was the commander in charge of the BGP from October 2016 until early October 2017, a period marked by two rounds of highly abusive "clearance operations" that followed ARSA attacks.[166] He was then replaced by Brigadier-General Myint Toe.[167]

Amnesty International is not aware of any disciplinary measures being taken against soldiers or commanders implicated in violations during the campaign, nor of efforts to relocate away from ongoing operations specific units that have been identified as responsible. Indeed, the Myanmar military and government have instead repeatedly denied responsibility for any such violations,[168] and justified their approach by implying, for example, that all Rohingya men are "terrorists."[169] This fits a longstanding pattern of impunity, including after similar crimes were committed in late 2016.

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[156] Reuters, "Command structure of the Myanmar army's operation in Rakhine," 25 April 2017.
[157] Amnesty International interviews, Cox's Bazaar District, 11-13 September 2017.
[158] *The Irrawaddy*, "ANALYSIS: Myanmar Army Deployed in Maungdaw," 11 August 2017; IHS Jane's Defence Weekly, "Myanmar Army steps up troop deployment in Rakhine State," 21 September 2017; Bhavan Jaipragas, "Kill All, Burn All: The Japanese War Tactic Used on the Rohingya by Myanmar's Military," *South China Morning Post*, 9 September 2017.
[159] Amnesty International, *"All the Civilians Suffer": Conflict, Displacement, and Abuse in Northern Myanmar* (Index: ASA 16/6429/2017), 14 June 2017.
[160] Senior General Min Aung Hlaing Facebook Posts,1 September 2017, https://www.facebook.com/seniorgeneralminaunghlaing/posts/1698274643540350 (last accessed 12 October 2017).
[161] Senior General Min Aung Hlaing Facebook Posts, 19 September 2017, https://www.facebook.com/seniorgeneralminaunghlaing/posts/1715340745167073; 20 September 2017, https://www.facebook.com/seniorgeneralminaunghlaing/posts/1716465351721279; and 21 September 2017, https://www.facebook.com/seniorgeneralminaunghlaing/posts/1717476404953507 (all last accessed 12 October 2017).
[162] Senior General Min Aung Hlaing Facebook Posts, 19 September 2017, https://www.facebook.com/seniorgeneralminaunghlaing/posts/1715340745167073; 20 September 2017, https://www.facebook.com/seniorgeneralminaunghlaing/posts/1716465351721279 (all last accessed 12 October 2017).
[163] Amnesty International interviews, September 2017.
[164] Senior General Min Aung Hlaing Facebook Posts,1 September 2017, https://www.facebook.com/seniorgeneralminaunghlaing/posts/1698274643540350; and 20 September 2017, 20 September, https://www.facebook.com/seniorgeneralminaunghlaing/posts/1716465351721279 (both last accessed 12 October 2017).
[165] Senior General Min Aung Hlaing Facebook Post, 11 October 2017, https://www.facebook.com/seniorgeneralminaunghlaing/posts/1736743383026809 (last accessed 12 October 2017). His original post used the word "Bengalis" in place of "Rohingya." "Bengalis" is a derogatory term, used by the government, military, and others in Myanmar to cast the Rohingya as immigrants from Bangladesh without historical roots in Myanmar, in spite of evidence to the contrary.
[166] Major General Thura San Lwin was appointed to head the BGP in October 2016. His predecessor was dismissed earlier that month, soon after the 9 October armed attacks on border police posts that killed nine officers. See Reuters, "Myanmar fires border police chief over deadly insurgent attacks," 17 October 2016.
[167] "Border Guard Police commander replaced," *Frontier Myanmar*, 4 October 2017; Myanmar Ministry of Information, "Arakan govt to form new militia to police border," 1 November 2016, http://www.moi.gov.mm/moi:eng/?q=news/1/11/2016/id-8971.
[168] Oliver Holmes, "Myanmar tells UN: 'There is no ethnic cleansing and no genocide' of Rohingya," *The Guardian*, 29 September 2017; Associated Press, "Myanmar envoy denies genocide against Rohingya Muslims," 12 October 2017 (quoting the Myanmar ambassador as saying, "To say the Myanmar military conducted those illegal acts is untrue and cannot be true"); Reuters, "Myanmar army chief says Rohingya Muslims 'not natives', numbers fleeing exaggerated," 12 October 2017.
[169] In an early September interview, Myanmar government spokesperson U Zaw Htay said, "Those who have fled can be of two types: the ones who made the terror attack and escaped, and the others who are women and children." *Frontier Myanmar*, "U Zaw Htay: 'If they are going to harm you, you can shoot them'," 5 September 2017. See also BBC, "Rohingya 'extremists' trying to build stronghold - Myanmar army," 17 September 2017; Florence Looi, "Myanmar army denies reports of Rohingya atrocities," Al-Jazeera, 3 September 2017.

5. CONCLUSION AND RECOMMENDATIONS

The Rohingya have faced decades of state-sponsored persecution in Myanmar, which, during moments of particular tension, has escalated into targeted violence, including killings, sexual violence, enforced disappearances, and mass arbitrary arrests. But the scale and intensity of the Myanmar military's campaign after the 25 August attacks by ARSA is beyond anything in the country's recent history. More than 520,000 Rohingya have fled to Bangladesh, in what the head of the Office of the UN High Commissioner for Human Rights (OHCHR) has appropriately called a "textbook example of ethnic cleansing."[170]

The pattern and scale of crimes documented in this report is similar that which has been documented by other human rights organizations and by many media outlets. The Myanmar authorities have led a campaign of misinformation, but there is no denying that the military has committed extensive, egregious human rights violations and crimes over the last two months. Witness accounts, satellite imagery and data, and photo and video evidence all point to the same conclusion: Myanmar's security forces unleashed an attack against the Rohingya population in its entirety. While some Rohingya were involved in ARSA's coordinated attacks on police posts, the overwhelming majority were not. Yet, the Myanmar military has made no apparent effort to distinguish between armed actors and ordinary Rohingya civilians.

Hundreds of thousands of Rohingya women, men, and have been the victims of a widespread and systematic attack, constituting crimes against humanity. Specifically, Amnesty International has documented the following crimes:

(1) Unlawful killings ("murder"), including through the use of landmines[171];

(2) Deportation and forcible displacement, through armed attacks, killings, rape, the burning of buildings, looting and other acts threatening civilians and forcing them to flee;

(3) Torture, including rape, beating, and rape and killing in front of family members;

(4) Rape and other forms of sexual violence of comparable gravity;

(5) Persecution based on ethnic and religious grounds, through burning of homes, other buildings and whole villages; looting; and denial or severe restrictions on humanitarian aid;

(6) Other inhumane acts, including denial of access to life-sustaining provisions.[172]

This list may not be complete. Amnesty International has concluded that other crimes against humanity have been committed in Rakhine State prior to the current crisis, and is further researching crimes committed since 25 August. These are outside of the scope of the current briefing, but will be published in due course.

The Myanmar authorities have shown no signs of being willing or able to stop these violations and crimes, must less to investigate and prosecute those responsible. Many of the same units, and in particular Western Command and the BGP, have been repeatedly implicated by witnesses in some of the worst atrocities.

It is time for the international community to move beyond public outcry and to take action to end the

[170] Reuters, "U.N. brands Myanmar violence a 'textbook' example of ethnic cleansing," 11 September 2017.
[171] Amnesty International, "Myanmar Army landmines along border with Bangladesh pose deadly threat to fleeing Rohingya," 9 September 2017.
[172] Rome Statute, Articles 7(1)(a), 7(1)(d), 7(1)(f), 7(1)(g), 7(1)(h) and 7(1)(k), respectively.

campaign of violence that has driven more than half the Rohingya population out of Myanmar. Myanmar's partners should demand unfettered access for the Fact-Finding Mission established by the UN Human Rights Council, to help lay the groundwork for individual criminal responsibility. And the UN Security Council and multilateral institutions like the European Union and Association of Southeast Asian Nations (ASEAN) should impose a comprehensive arms embargo as well as targeted financial sanctions on senior officials reasonably suspected of serious violations and crimes. A clear message must be sent that the military's crimes in Rakhine State, along with the grave breaches of international human rights and humanitarian law committed during the ongoing conflicts in Kachin and northern Shan States, will not be tolerated.

Similar efforts must be made ensure the Myanmar military's ethnic cleansing is not successful, including through providing safe asylum to refugees; respecting the rights of Rohingya to return safely, voluntarily and with dignity to their country; and tackling the systematic discrimination and other root causes of the crisis.

RECOMMENDATIONS

TO THE MYANMAR AUTHORITIES

- Immediately end the campaign of violence against the Rohingya population in Rakhine State, including the burning of Rohingya villages, which remains ongoing. Ensure that measures taken in response to armed attacks are lawful, proportionate, target only those involved in such attacks, and do not involve human rights violations;
- Immediately allow UN agencies and other international and local humanitarian organizations full and unfettered access to all parts of the country, and ensure that organizations whose humanitarian operations are currently suspended in Rakhine State are able to resume programs at the earliest opportunity;
- Initiate prompt, impartial, independent, and effective investigations into all credible allegations of violations of international human rights law and crimes under international law. Where sufficient, admissible evidence is found of individuals, including those with command and other superior responsibility, committing offences involving violations of international human rights law, and in particular crimes under international law, ensure that such individuals are prosecuted in fair proceedings before independent civilian courts and without the imposition of the death penalty. Provide full reparation, in accordance with international law and standards, to all those who have suffered violations of their human rights;
- Allow unrestricted access to the Fact-Finding Mission (FFM) established by the UN Human Rights Council, so that it can fully investigate human rights violations, abuses, and crimes under international law committed by all sides in Rakhine State and in other parts of the country, including Kachin and northern Shan States. In particular, allow the FFM's members full and unfettered access to all parts of the country, to all individuals it may wish to speak to, and to all materials it deems necessary for its investigation;
- Ensure that all refugees and internally displaced people are able to return to their homes voluntarily, in safety and with dignity; without discrimination of any kind and in accordance with international human rights law; and with government support in rebuilding homes and infrastructure destroyed during the violence;
- Take action to address the long-standing and systematic discrimination and segregation of the Rohingya and other Muslims in Rakhine State, including by ensuring that the right to a nationality is granted free of any discrimination, not least for children born in Myanmar; and by removing arbitrary and discriminatory restrictions on freedom of movement as well as access to healthcare, education and other services; and
- Condemn unequivocally all advocacy of national, racial, or religious hatred that constitutes incitement to discrimination, hostility or violence and take effective measures to tackle and counter it.

TO THE UN SECURITY COUNCIL

- Impose a comprehensive arms embargo on Myanmar that covers the direct and indirect supply, sale or transfer, including transit and trans-shipment of all weapons, munitions, and other military and security equipment, including the provision of training and other military and security assistance;

- Impose targeted financial sanctions against senior officials responsible for serious violations and crimes;
- Explore other possible avenues to bring perpetrators of crimes under international law to justice, unless the Myanmar authorities move swiftly to ensure justice and accountability; and
- Hold regular, open public meetings on the situation in Myanmar and adopt a joint public statement that sends an unambiguous message to the Myanmar Government about the need to immediately end the violations, allow unrestricted humanitarian access, and allow unfettered access to the FFM, among other issues identified in this briefing.

TO THE EUROPEAN UNION

- Extend the existing arms embargo against Myanmar to include all forms of military assistance;
- Impose targeted financial sanctions against senior officials responsible for serious violations; and
- Revive the Third Committee UNGA resolution on the situation of human rights in Myanmar in response to the gravity of the evolving human rights and humanitarian crisis in Rakhine State, as a means of pursuing decisive action by the UNGA and ensuring increased international scrutiny and monitoring of the situation. Such a resolution must be comprehensive and address the deteriorating human rights situation in Myanmar as a whole, including related to the ongoing conflicts in Kachin and northern Shan States and to restrictions on the right to freedom of expression.

TO THE INTERNATIONAL COMMUNITY AS A WHOLE AND MYANMAR'S PARTNERS IN PARTICULAR, INCLUDING THE UNITED STATES, AUSTRALIA, JAPAN, AND INDIA

- Immediately suspend the direct and indirect transfer to Myanmar of all weapons, munitions, and other military and security equipment, including the provision of training and other military and security assistance;
- Use all bilateral, multilateral, and regional platforms at your disposal to urge the Myanmar authorities to immediately end the violations and crimes in northern Rakhine State, allow humanitarian agencies and independent investigators access to Rakhine State; and the Rohingya refugees who wish to do so to return to their home voluntarily, in safety, and with dignity;
- Support the adoption of a comprehensive resolution on the situation of human rights in Myanmar at the upcoming UNGA Third Committee; and
- Exercise universal jurisdiction in investigating any person under the country's jurisdiction who may reasonably be suspected of committing crimes against humanity or other crimes under international law in Rakhine State, while ensuring that all proceedings meet international standards of fairness and do not involve seeking or imposing the death penalty.

TO THE ASSOCIATION OF SOUTHEAST ASIAN NATIONS (ASEAN)

- Hold an emergency ASEAN Summit to facilitate discussions with Myanmar on: ending the violence, human rights violations and crimes under international law; ensuring humanitarian assistance to Rohingya refugees and the safe and dignified return of those who wish to go home; ending entrenched discrimination against the Rohingya; and supporting independent investigations into human rights violations and helping to bring perpetrators to justice;
- Impose a comprehensive arms embargo on Myanmar that covers the direct and indirect supply, sale or transfer, including transit and trans-shipment of all weapons, munitions, and other military and security equipment, including the provision of training and other military and security assistance; and
- Impose targeted financial sanctions against senior officials responsible for serious violations.

AMNESTY INTERNATIONAL IS A GLOBAL MOVEMENT FOR HUMAN RIGHTS. WHEN INJUSTICE HAPPENS TO ONE PERSON, IT MATTERS TO US ALL.

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ROHINGYA TARGETED IN CRIMES AGAINST HUMANITY IN MYANMAR

On 25 August 2017, members of a Rohingya armed group, the Arakan Rohingya Salvation Army (ARSA), attacked approximately 30 security force outposts in Myanmar’s Rakhine State. In its response, the Myanmar military launched an attack on the Rohingya population in northern Rakhine State as a whole. Often working with Border Guard Police and local vigilantes, the military has carried out a campaign of violence that has been systematic, organized, and ruthless.

Based on more than 150 interviews as well as an analysis of satellite imagery and data, this briefing shows that the Myanmar military has killed at least hundreds of Rohingya women, men, and children; raped and perpetrated other forms of sexual violence on Rohingya women and girls; and carried out organized, targeted burning of entire Rohingya villages. In seven weeks, the relentless human rights violations, which amount to crimes against humanity under international law, have forced more than 520,000 Rohingya to flee to neighbouring Bangladesh.

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