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UNION OF MYANMAR (Burma)

@Human rights violations against Muslims in the Rakhine (Arakan) State

Introduction

During February and March 1992 Amnesty International conducted over 100 interviews in Bangladesh with Burmese Muslim refugees from the Rakhine (Arakan) State, which is in the southwest of Myanmar (Burma)¹ bordering Bangladesh. All of those interviewed told Amnesty International that they had fled from their homes in the Maungdaw and Buthidaung township areas of the Rakhine State to escape a wide range of human rights violations at the hands of the Myanmar security forces, including ill-treatment, deliberate killings, and arrests on religious and political grounds. In their testimonies, these refugees said they were themselves victims of human rights violations, or had witnessed such violations committed against others, or were personally acquainted with the victims of such abuses.

The human rights violations documented in this report are part of a general pattern of repression by the Myanmar security forces against Muslims in the Rakhine State. Troops have entered Muslim villages in Buthidaung and Maungdaw townships, occupied and closed mosques, confiscated farmers' livestock and crops, seized villagers for forced labour, and evicted them from their houses. One refugee described the situation in Maungdaw:

"Marakesh mosque was closed nearly a year ago...there were at least 800 people inside. Everyone went home peacefully, though some of the older men, who couldn't bear to see their mosque closed, tried to stay and were beaten."

Several refugees mentioned that Muslims were beaten if they were caught by the security forces listening to the radio. Others spoke of being forced by the army to build new villages for the non-Muslim Rakhine² ethnic group, and of being forcibly evicted by security forces from their own homes and land. A man from Buthidaung township showed Amnesty International a document which ordered some 1,500 villagers to leave their homes in January 1991. He described the eviction:

"All the villagers were affected. They had to give up their land and everything they had to the new Rakhine people."

¹Myanmar is the official name of the country previously known as Burma. The name change was proclaimed by the ruling State Law and Order Restoration Council (SLORC) in June 1989.

²The Rakhines are an indigenous Buddhist ethnic minority in Myanmar, distinct from the majority Burman population.

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Another refugee from Maungdaw township recounted his experiences:

"I left because of forced labour. I was used as forced labour to build a Rakhine village. At the beginning we did not know what we were building the houses for, but later Rakhine people came and the government gave them our cultivated land, and when we protested we were told to eat the sea breeze."

Muslims were also threatened and intimidated routinely, as one refugee told Amnesty International:

"When we were beaten at different times we were often told that we should leave and that we weren't wanted in Burma. They said also that we would be killed if we tried to go back."

Some villages in the area have lost over half their population as Muslims have fled to Bangladesh to avoid these abuses. A refugee from Buthidaung township described the situation in his village:

"We had about 20 acres of land and seven cows. Everything was taken from us. Of the 700 families in my village, I think maybe 100 are left there now. The mosque in the village was smashed up by the army last year. We are only able to worship at home."

Those who gave testimonies to Amnesty International consistently expressed fear of ill-treatment or harassment by the authorities on their return to Myanmar if their identities were revealed or could be established. In the material that follows Amnesty International has therefore often left out details that would readily identify its sources.

The government's response

The ruling State Law and Order Restoration Council (SLORC) has on many occasions denied that Muslims who have recently fled from the Rakhine State had been subject to any repressive measures by the Myanmar security forces. It has given varying and sometimes conflicting explanations of their legal status. The government has claimed that the legal status of Muslims from the Rakhine State is defined in the 1982 Citizenship Act. However, there remains a lack of clarity about precisely what their status is under Myanmar law. The SLORC has also variously described the refugees as illegal immigrants or migrant workers, and denied that they constitute a separate group. For example, on 21 February 1992 U Ohn Gyaw, Minister of Foreign Affairs, stated in a press release that:

"In actual fact, although there are 135 national races living in Myanmar today, the so-called Rohingya people is not one of them. Historically, there has never been a 'Rohingya' race in Myanmar...Since the First Anglo-Myanmar War in 1824, people of Muslim faith from the adjacent country illegally entered Myanmar Naing-Ngan, particularly Rakhine State. Being illegal immigrants, they do not hold any immigration papers like the other nationals of the country. In the present case, the number of people who dare not submit themselves to the routine scrutiny of national registration cards by immigration officials fled to the neighbouring country. It is not a unique experience for such occurrences regularly took place when immigration checks are executed. It should be categorically stated that there is no persecution whatever based on religious ground."

The official government newspaper, The Working People's Daily stated recently that the refugees were in fact migrant workers:

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"(a) A majority of those who fled are landless and homeless seasonal labourers. (b) The time now, when they are going across the border, is a time when the year's harvests are over, when they have no employment and when they are in straitened circumstances."

Background

Nationwide protests at 26 years of one-party military rule in Myanmar began in 1988 and were met by massive repression by the government. The military reimposed control in a September 1988 coup d'etat, and proclaimed severe martial law restrictions on freedom of expression and assembly, while at the same time legalizing political parties and promising elections in May 1990. Although the National League for Democracy (NLD) won the election, the SLORC refused to transfer power to the elected civilian government, and has arrested hundreds of political activists, including students, monks and elected members of parliament. Amnesty International has documented the arrest and detention of over 1,500 political prisoners since the coup. Many of them have been sentenced to long terms of imprisonment by military tribunals using summary trial procedures which do not meet international standards for fair trial.

The repression of Muslims in the Rakhine State is part of the gross and consistent pattern of human rights violations committed by the SLORC against all forms of political opposition and dissent and against vulnerable and weak sectors of the country's population, such as ethnic minorities, who the military authorities suspect may not support its national ideology. All the available evidence indicates that Muslims are targeted for repression by the Myanmar security forces simply because they belong to a particular religious minority, some members of which seek greater autonomy from central Myanmar control.

Muslims from the Rakhine State, sometimes referred to as Rohingyas, are distinct linguistically from the Buddhist Burman majority of Myanmar.³ Unofficial estimates of the Muslim population in the Rakhine State range from one to two million people. One third of Myanmar's total population of some 40 million people are members of ethnic minorities, who for the most part live in outlying regions which surround the central Burman plain. Since 1984 the Burmese army has waged intensive counter-insurgency campaigns against various armed opposition groups, including minority movements fighting for greater autonomy from the central Burmese authorities. Two of these groups, the Rohingya Solidarity Organization (RSO) and the Arakan Rohingya Islamic Front (ARIF), claim to represent the Muslims of the Rakhine State. They also claim that their armed wings operate in the Rakhine State and along its border with Bangladesh. However, the extent of military conflict between the Myanmar armed forces on the one hand, and the ARIF and RSO on the other, appears to be extremely limited in scope.

Reports of human rights abuses against Muslims in the Rakhine State by Myanmar security forces rose sharply in early 1991, and they began to leave Myanmar in the thousands to seek asylum in Bangladesh. Those numbers increased dramatically in late 1991 and early 1992, with more than 200,000 now believed to be in Bangladesh.⁴

³ Those who use the term Rohingya to refer to themselves claim that they were the descendants of Arab and Persian traders who have lived in the area for centuries.

⁴ Muslims from the Rakhine State fled in similar numbers to Bangladesh in 1978, and were later repatriated after an agreement
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The ill-treatment and killing of Muslims during porter duty

Amnesty International has documented the forcible conscription of Myanmar's ethnic minorities as porters by the Myanmar armed forces in several detailed reports about human rights violations against the Karen, Mon, Kachin, and Shan minority groups.⁵ Since the mid-1980's, ethnic minorities have been taken for porter duty by the military as punishment for suspected involvement with armed insurgencies; seized because they are not the majority ethnic Burman group; or seemingly taken simply at random. This report documents the circumstances and treatment of Muslim and Hindu porters seized by the Myanmar military in 1991 and 1992 in the Rakhine State.

Amnesty International interviewed over 50 Muslim and 2 Hindu refugees from the Maungdaw and Buthidaung townships in northern Rakhine State who had been forcibly conscripted to serve as porters for the Myanmar armed forces, particularly its light infantry divisions. Over 20 refugees gave testimony about relatives and friends who had been taken as porters, some of whom never returned.

between the two countries was reached. Burma was then ruled by the Burma Socialist Programme Party, which had initiated what they claimed was an immigration check on Muslim residents in the Rakhine State.

⁵see Allegations of Extrajudicial Executions, Torture and Ill-treatment in the Socialist Republic of the Union of Burma, September 1987, AI Index ASA 16/03/87; Burma: Extrajudicial Execution and torture of members of ethnic minorities, May 1988, AI Index ASA 16/05/88; Burma: Extrajudicial Execution, Torture and Political Imprisonment of Members of the Shan and Other Ethnic Minorities, October 1988, AI Index ASA 16/10/88; The Kayin State in the Union of Myanmar [formerly the Karen State in the Union of Burma]: Allegations of Ill-treatment and Unlawful Killings of Suspected Political Opponents and Porters Seized Since 18 September 1988, August 1989, AI Index ASA 16/16/89; Myanmar (Burma): Continuing killings and ill-treatment of minority peoples, August 1991, AI Index 16/05/91. Amnesty International May 1992 AI Index: ASA 16/06/92

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Circumstances of forced portering

The circumstances of forced portering varied, but typically troops first coerced the village headman into recruiting porters from his village. Porters were often taken in rotation, with each man taking his turn for duty. However several refugees indicated that this system was used less by late 1991, when porters were seized in a more random manner. The military often took porters from their homes or while they were in the markets or on local roads. One refugee described the process:

"They do it in all sorts of ways, depending on what they need people for. Sometimes they come at night and just grab people from their beds, sometimes they ask the village headman to make lists of people they should take. And then sometimes they are taken for 10 days, 15 days, two months. You can never tell."

A village headman from Buthidaung township gave Amnesty International a document the army had given him which ordered him to find 41 men for porter service. He described his situation:

"If I can't find the men then I am in trouble. That is why I left, I was frightened of what they would do if everyone left. There are people from the village who did not return from portering...they make us work very hard, and often beat us when we are taken. I myself was taken twice."

Muslims were taken from their villages and made to carry heavy loads of food, bricks or ammunition for troops; were forced to work on building and road construction projects digging trenches and moving earth; or were made to act as servants for troops in army camps. They were also frequently forced to build new villages for Rakhine settlers which the Myanmar armed forces moved into the area. Porters were kept in army custody for periods varying from a few days to a few months. One refugee described it as "...like being in prison, but worse because of the heavy work we had to do." In almost all cases, those interviewed said they had been taken for porter duty several times. Many said that they had been taken so frequently that they could not remember the exact number of times. Most male villagers were in effect completely at the disposal of army troops because they might be arbitrarily seized at any time.

The interviews reveal that Muslim men of all ages, school children and even a malawi⁶ were forced to be porters by the army. Most of those interviewed by Amnesty International were poor farmers or day labourers from villages in northwest Rakhine State, although some held leadership positions in their villages and appeared to have been more wealthy. Many of them said that since late 1991 there had been an increase in the numbers of Muslims taken as porters and the frequency with which they were taken. This coincided with an increase in Burmese military presence in the Buthidaung and Maungdaw township areas, both in the number of troops and the size and number of military camps. Former porters reported that much of their labour entailed building military camps and constructing or improving roads between them. Those who worked within the camps looked after livestock, dug bunkers, cleaned latrines, washed soldiers' uniforms, and constructed buildings. Two of the refugees said that they had served troops in active combat against minority armed insurgency groups. These porters, who carried supplies when soldiers were patrolling the area, mentioned having been near fighting between government troops and insurgent groups.

Muslims who have been taken as porters are in effect detained by the army and those who attempt to escape from the army's custody are often ill-treated or even killed. A refugee from Maungdaw township

⁶A malawi is a Muslim cleric in a mosque who leads people in prayer.

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described what happened to a fellow villager:

"one person who had managed to escape from forced labour was caught and had to carry an extra load and was beaten after falling and was stamped on by army boots. He died, and I saw the body. The man was about 30. The body was carried to the army camp captain to try and get some justice and to guarantee that later on they wouldn't be blamed for having killed him."

A man from Buthidaung township recounted the ill-treatment of the local leader:

"The chairman of our village was trying to escape from forced labour and was chased by the army and slashed with a sword down his back. He was very badly injured, but not allowed to go to hospital and was treated at home. He was surrounded by the army to stop him going."

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Ill-treatment of porters

Almost all of those interviewed said that they were either given no food or only a small amount of rice a day. They had to try to gather their own food, such as banana roots. If they were detained close to home, their families were sometimes able to bring them food. Porters were sometimes tied up at night, which made sleeping impossible. Those who became weak and could not perform their duties to the satisfaction of the army were kicked with heavy boots, beaten with bamboo sticks, iron rods, and rifle butts, burned with cigarettes, and slashed with bayonets. They were sometimes verbally abused at the same time. One porter said, "...the soldiers were drunk and swore at me, saying that my life was less valuable than a pig. They told me I should 'go back to your own country.' "

Testimonies of victims

Amnesty International obtained direct testimony from over 20 refugees who had been ill-treated while forcibly conscripted as porters. Typically, they were beaten, kicked, or slashed with bayonets because they were too ill, or too weak from exhaustion or lack of food and water, to carry loads as required by army troops. Thirteen refugees showed Amnesty International scars which they said resulted from wounds they had received during ill-treatment at the hands of the Myanmar armed forces.

A 30-year-old man from Buthidaung township, described the type of treatment he and his fellow porters received:

"...I had to carry things for the army up to the mountains. Some people couldn't manage to carry their loads and when they fell down they were beaten. I saw 10 men beaten in this way, though I don't know if they died. They were just left there. It is impossible to try and help them since I had my own heavy load, and if we stop we are beaten too. Also about 40 others were badly injured from beatings. Everyone who makes it back is ill for some time afterwards, sores on the shoulders, bad legs and the like."

A 28-year-old man from Buthidaung township, described how he got a deep scar on his hand while serving as a porter in mid-February 1992:

"I had a fever from malaria so I complained that I was too weak to carry their goods for them. One soldier asked me to put out my hand so that he could feel the pulse to see how bad I was. I put out my hand and he slashed it with his bayonet. Then they told me to stop complaining and made me go off as a porter to carry things for 10 days. They didn't give me anything to stop the bleeding, I just tied it up with a bit of my longyi"⁷.

Another refugee fell ill during porter duty because he had not eaten in four days. He fainted, and in order to ascertain whether he was still alive or not, soldiers burned his legs in various places. He showed Amnesty International what he said were the scars from his burns. He was later found by his father and taken back to his village in Buthidaung township.

The evidence about ill-treatment of porters gathered by Amnesty International includes testimonies from refugees who were being treated in a Bangladeshi hospital for injuries they received in Myanmar. One of

⁷A longyi is a long piece of fabric worn tied around the waist by both men and women in Asia; also known as a sarong.
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the patients there, a 39-year-old man from Buthidaung township, had severe open wounds on his hips, thighs and chin, and possible hip injuries. He described his experience as follows:

"I was taken as a porter and after four days with no food I was not able to carry my load. I fell down and the soldiers beat me viciously with a large bamboo stick, from the thick end of bamboo. Then they threw a large rock at me and it hit me on the hip. I was left there for three days before someone from my village found me and told my family to come and get me. I was not allowed to go to the hospital in Burma, and was just treated at home. This all happened about three months ago. When I was sufficiently recovered my family carried me out to here."

A 45-year-old man from Maungdaw township was taken by the army in early December 1991 as a porter. After three days with no food he could not carry his load and fell down. He was beaten on the knee with a rifle butt and as a result could no longer bend his leg. He was also kicked by soldiers with army boots and finally lost consciousness. His relatives found him on the side of the road and took him back to the village to recover, until he was well enough to be carried to Bangladesh. He showed Amnesty International a scar and an open wound which he said was sustained from the beatings and kickings.

Another porter beaten until he lost consciousness was a 25-year-old man from Buthidaung township. He was taken by the army in early 1992. After being forced to carry a sack of bullets for three days without any food, he collapsed and was kicked by soldiers until he lost consciousness. He showed Amnesty International scars which he said he received when they burnt him with lit cigarettes to determine whether he was still alive. Eventually some people from his village found him and took him home. He said that as a result of the assaults he coughed up blood, and he was still in pain at the time of the interview.

In mid-January 1992 a 30-year-old man from Maungdaw township, was taken to work in the Kyinchaung military camp for 10 days. He said Burmese soldiers had ordered him to eat his own excrement. When he had refused, he had been beaten with an iron rod across his knees. He and the other porters were kept with their hands tied behind their backs at night, making it impossible to sleep. At the time of the interview, he was still unable to bend his knee. He showed Amnesty International a scar on his knee which he said was a result of his beatings.

In mid-February 1992, a 35-year-old man from Buthidaung township was forced to carry bricks for three miles to a military camp. When he fell down, he was kicked and coughed up blood for several days afterwards. He showed Amnesty International scars on his side and chest from his injuries.

While most of those seized as porters are younger males, older Muslim men have also been forced to serve as porters in the Rakhine State. A man who was over 60-years-old from Buthidaung township was taken in early February 1992. He was unable to carry his load and was beaten by soldiers and left behind on the ground. He showed Amnesty International scars across his knees and a large wound on his shoulder from his beatings. He left for Bangladesh as soon as he was able to make the journey, too frightened even to return to his family home first.

A 62-year-old man from Buthidaung township showed Amnesty International scars on his shoulders from carrying heavy loads during porter duty. He described what he had seen before he escaped to Bangladesh:

"I was in a group of 300 people as porters, taken 50 to 60 miles northeast from Taungbazaar to military

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bases...In the last three months more than 50 men died. I saw 20 men who were kicked and died like this. It was impossible to help them because I was carrying my heavy load too...If a village does resist sending porters the village is attacked. This happened in my village when 12 houses were burnt down because the men had run away."

If the men from a village flee to evade porter duty, the women risk being taken in their place, raped in the army camp, and held as hostages for the return of the men. A villager from Buthidaung township described how 30 men fled from soldiers who had come to seize them for porter duty.

"I was fishing in the river when the army came to get the men. When they found that everyone had gone they went into the 30 houses and took the women. I saw them taking them off in a motor boat. They were taken to Dahdan army camp. I was nearby and the women called to me and asked me to help by getting their husbands to come back. All 30 of them were kept in the camp and raped.

"I went back to the village and told the chairman and the men of the village what had happened. There was an army captain there who had stayed behind. He said that if the 30 men gave themselves up they would swap them with the women. All the women were between 20 and 25, young and pretty.

"So, all the men came back and gave themselves up. Among the women was my younger sister. Her husband had not returned and so I gave myself in his place, even though I wasn't on the list, so that she would be freed.

"We were all beaten badly because we had tried to avoid being taken. Then the next day we left, each carrying 40 kg of rice. Although it wasn't the rainy season it had rained a bit and the track was very slippery. I saw three men fall down with their loads and they were thrown over the side of the hill. Their bags went over with them.

"We were away for 12 days altogether, going up steep mountain tracks. The army were looking for the communists in the hills. We were given only a half tin of rice a day, and many people got weak and ill. Twenty-seven of the 30 made it back, but we were all injured and had to wait some days to recover before trekking out here."

A villager from Maungdaw township said that he left Myanmar after he had been badly beaten by soldiers for objecting to their taking two women to serve as porters. A refugee from Buthidaung township, described his punishment: "The last time I had to work for one month...I was beaten twice because I objected to the fact that we had to work without being paid." He said that he left Myanmar in mid-1991 because he said the army told him to do so.

Hindus as well as Muslims were subjected to ill-treatment during forced portering duties. A 20-year-old Hindu man from Maungdaw township was forced to carry a heavy rice sack in early February 1992 up a mountain road to a military camp in Paletwa. After he fell down, he was kicked and then dragged by soldiers to the top of a hill "like a doll". He was then forced to work in the camp for 10 days, and as soon as he was released he fled to Bangladesh. Another Hindu man was taken in mid-February 1992 with about 20 other people from his village to work building houses. They were given almost no food by the army.

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He commented on the army's attitude towards minorities in the Rakhine State: "They make no differentiation between Muslim and Hindu, we are all just Kala⁸ to them."

Soldiers often take several members of the same family for porter duty. Many former porters interviewed by Amnesty International mentioned sons, brothers, and relations by marriage who had also been taken by the army. A 25-year-old man from Buthidaung township was taken with his uncle and brother in mid-September 1991 to carry food to Wenayone military camp. He described their journey:

"We had to walk for about seven days, and were given only the tiniest bit of rice a day...many of the porters became weak. During this time we were all beaten if we could not manage our loads. My brother was beaten with the butt of a gun - two of his teeth were knocked out, and my arm was broken."

He showed Amnesty International his twisted wrist joint and his brother indicated which two teeth had been knocked out. He and his brother had witnessed their uncle being beaten to death during the same journey (see below).

Testimony of relatives and eyewitnesses to deaths of porters

Amnesty International was able to gather testimonies from witnesses or relatives describing the deaths of over 70 porters as a result of ill-treatment or deliberate killing. Refugees also mentioned a further 17 people who had not returned from portering duties, and whose fate was unknown. In almost all of these cases, if porters collapsed from exhaustion or could no longer stand after being beaten or kicked, they were left lying on the ground to die by army troops.

Several women interviewed by Amnesty International related how their husbands had been ill-treated while performing porter duties, or had never returned after being taken away by the military. One woman's husband had been taken as a porter in late 1991 and never returned. She had been told by other men taken at the same time as her husband that he had been beaten because he could not carry his load and then shot dead.

Those who resist being taken as porters risk being killed. A 30-year-old woman from Buthidaung township described what happened to her husband:

"He ran out and tried to escape. We heard them catch him and beating him. I ran to help him, but was kicked into the river. Three days later the army brought the body back to me and we buried him."

Family members who protested to the army after their relatives have been taken away as porters were subjected to physical punishment. A 40-year-old man from Maungdaw township recounted what happened to his mother:

"About a month ago the council headman came to take me as a porter. They came into my house and tried to drag me out. He was with some soldiers. My children and mother were in the house and they were very frightened. They didn't want me to go as a porter, so my mother was hanging on to me and trying to get

⁸Kala is a derogatory term used by ethnic Burmans to describe people from and descendants of people from India, Bangladesh, Pakistan, and Sri Lanka.

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the army to leave us alone. In the end they just kicked her away, with their army boots. I was away for 10 days. When I returned I found that my mother had died from her injuries. We left straight away after that."

Many former porters had witnessed the ill-treatment, often resulting in death, of other porters. A 45-year-old man from Maungdaw township relates how he saw a relative beaten to death in early 1992:

"...Nur Islam, aged 35, was beaten to death with the butt of a gun...It happened about five miles away from the village, in the mountains. We were carrying ammunition. He couldn't carry his load, fell down and was beaten to death. They just left his body by the side of the track. When I was freed, I came back the same way and found his body and with some other people from the village carried him home to bury him."

The 25-year-old man who was himself beaten (see above) saw 20 people, among them his uncle, beaten to death in mid-September 1991:

"They also beat my uncle, who collapsed unconscious. When he was lying on the ground the army tested with the end of a burning cigarette to see if he was alive or not. We were not allowed to help him but just had to leave him there and keep on walking. That night my brother and I managed to escape, and we went back to where my uncle had been left so that we could take him home. When we got there though we found that he was already dead. We carried his body back home and buried him."

A refugee from Maungdaw township was taken to work on a dam-building project for over a month and saw four men being beaten because they could not carry their loads. He then saw them being thrown into the sea by soldiers. A 25-year-old man from Buthidaung township was taken as a porter in mid-February and saw another porter, Abdul Mozid, from Nairainchaung, beaten because he could not manage his load of rice sacks. He was one of five men left on the mountain, and did not return to his village afterwards.

A 35-year-old man from Buthidaung township was taken as a porter for 18 days and saw an old man killed after the victim could no longer carry his load:

"We were on a steep hill, and he fell down onto a lower ridge. We were told to keep moving, not to look. We heard him screaming though, so then a soldier went to the edge and we heard a gunshot. He was shot dead. His name was Zuri Ahmed."

A 90-year old man from Maungdaw township had a son who was taken as a porter in early February 1992. He was told by other Muslim porters who had been forced to build Ywa Thit, a new Rakhine village, that his son had been kicked into the river and died. Another refugee reported that while he was forced to be a porter, he saw Jaffra Ahmed die while they were digging bunkers for an army camp.

A 37-year-old man from Buthidaung township, who was forced to carry rice for the army up a mountain track, saw three men who fell under the weight of their loads being kicked down the mountainside by soldiers. Many other refugees interviewed by Amnesty International gave similar accounts of how they witnessed other porters collapsing, beaten or kicked, and left for dead.

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Refugees interviewed by Amnesty International named porters who had been taken by the army and not seen again by relatives or friends. A refugee from Buthidaung township reported that Abul Husso was taken as a porter in early 1991 and that there has been no news of him since then. He also said Hafis Ayu and Moli Amirakhin, a malawi, from Taminchaung village, in Buthidaung township, were taken in late 1991 and are still believed to be missing. Shwe Hla alias Shonsul Allu, aged 30, from Bolikinchaung near Maungdaw, was believed to be missing after being taken as a porter.

Other porters who have not returned are Beshir Ahmed, Raschid, and Mahmood: those who were with them reported that they had collapsed and were beaten and left on the road. One 24-year-old man from Buthidaung township had brought his 12 and 14-year-old sisters to Bangladesh after his father had been taken as a porter and killed, and his mother had not returned after being taken by the army.

Ill-treatment and rape

Ill-treatment of Burmese Muslims by the army and Lone Htein⁹ during 1991 and early 1992 in the Rakhine State occurred outside the context of forced portering. Muslims were ill-treated if they attempted to protest when security forces attacked other Muslims, if they objected on their own behalf, if they were suspected of opposing the SLORC, and sometimes for no apparent reason at all. Reports of women being raped when their husbands were taken away for porter duty were common. Muslims were also ill-treated when they were stopped by the Lone Htein on their way to Bangladesh, or when security forces stole crops and other goods. Forms of ill-treatment included slashings with bayonets, beatings with sticks and kicks with heavy boots.

In mid-January 1992 a boatman from Maungdaw township was beaten with sticks when he tried to help a child who had been shot by the army. While working on the Punna River, he had witnessed the Lone Htein shooting at Muslim refugees as they attempted to cross the river on the way to Bangladesh. He described what happened:

"I picked up a small boy, about five-years-old, who had been injured, and I tried to get help for him, but I was stopped by the Lone Htein who asked me why I was trying to save the life of an animal not fit to live. They beat me with sticks."

A refugee who had been forced to labour near his village showed Amnesty International scars which he said were from beatings he received after complaining about the lack of food. He described a degrading form of ill-treatment by the army:

"I was made to carry a dead pig on my back up to the army camp. This was a very bad thing, since we Muslims don't like pigs. It was a wild boar they had shot in the jungle. I had to carry it from the place where it was shot into the camp, a day's walk."

Others were ill-treated because they were suspected of opposing the SLORC. A farmer from Buthidaung township described an incident involving members of the Military Intelligence 18 (MIS), one of the local branches of the powerful intelligence agency operating throughout Myanmar¹⁰:

⁹The Lone Htein are a paramilitary security force, used to control civil unrest, and in this context, to also act as border patrols.

¹⁰Military Intelligence detachments are designated by the letters MI and a number. MIS appears to be responsible for most reported arrests and investigations of political suspects in Myanmar. It is the agency most frequently identified by former Amnesty International May 1992AI Index: ASA 16/06/92

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"One day the MI 18 came and dragged me from my house and beat me with a stick stuck through with two nails. They accused me of having contact with the insurgents and of going to Bangladesh to meet them. I don't know why they said this. This is the first time I have come to Bangladesh, and have never met any insurgents."

Two students who had travelled to Yangon (Rangoon, the capital) in June 1991 to take exams were interrogated on their way home to the Rakhine State because security personnel suspected them of having contacts with the insurgent group the Rohingya Solidarity Organization (RSO). After they arrived in Sittwe, the capital of Rakhine State, they were arrested by a combined force of soldiers, police, and Military Intelligence and blindfolded on the way to the detention centre. They described their treatment there:

"They kept us in separate rooms and questioned us for hours. They used all sorts of torture against us, sleep deprivation, no light, very little food. We had to eat, sleep and shit in the same tiny room, not more than five feet square, in solitary confinement."

They were released after five days when their interrogators could find no evidence against them, and then left for Bangladesh.

A young man who was visiting Kamaungzei village in Maungdaw was beaten by the Lone Htein when they found a National League for Democracy (NLD)¹¹ membership card in his pocket. A witness related what he saw:

"They started shouting at him, beating him, accused him of supporting Suu Kyi¹² and all. He was very badly beaten up, he couldn't walk. They just left him on the bridge and his family had to come and get him so that he could be treated. They weren't able to take him to hospital though, and he was treated by the local quack. I doubt if he is alive now."

Muslim refugees were routinely stopped by the Lone Htein as they were fleeing Myanmar. The Lone Htein often confiscated their money, National Registration cards,¹³ and goods, and sometimes also subjected the refugees to ill-treatment. In January 1992 one Muslim was preparing to leave for Bangladesh when he was arrested and taken to Maungdaw police station. His wife, who is now a refugee, reported that he had been severely beaten after he refused to hand over his goods to the military and had later died.

A refugee from Buthidaung township was attempting to flee to Bangladesh with a group of 12 others in February 1992 when soldiers stopped them and demanded money. As he ran away, he was hit in the thigh with a bullet, lost consciousness, and was brought by other Muslims to Bangladesh. Another refugee from Buthidaung township who also fled Myanmar in February was stopped by soldiers who confiscated

political prisoners who described prolonged interrogation under torture.

¹¹The NLD won the May 1990 general election in Myanmar. However, the SLORC has refused to hand over power to the elected parliament, and instead have arrested virtually the entire NLD leadership as well as many of its members.

¹²Daw Aung San Suu Kyi is one of the founders of the National League for Democracy (NLD), the political party which won the May 1990 elections. She was awarded the Nobel Peace Prize on 10 December 1991. Aung San Suu Kyi has been held by the SLORC under house arrest since 20 July 1989.

¹³The possession of a National Registration card appears to establish Myanmar citizenship.

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their goats and his wife's gold earrings. He showed Amnesty International scars which he said resulted from beatings with bamboo he received from the soldiers.

A young boy who left in February 1992 was stopped by soldiers near Maungdaw. He said:

"They asked me where I was going, I said that I couldn't bear to live under their repression any longer and was leaving for Bangladesh. I tried to run away from them, but they ran after me and caught the back of my foot with their bayonet knife."

He showed Amnesty International a deep scar on the back of his right ankle.

Sometimes the army appears to ill-treat Muslims randomly. One refugee from Buthidaung township told Amnesty International how he was beaten on two occasions in February 1992. Once he was kicked by soldiers and beaten with a cane stick, and the second time he was beaten as he sat in front of his house. The soldiers had entered the village and were beating villagers for no apparent reason. A refugee from Maungdaw township showed Amnesty International scars on his forehead and arms which he said he received from beatings by soldiers as he was sitting in a teashop. He described the incident:

"For no reason at all, they started calling me names and then shouting at me, that I should go back to my own country, and then they all just beat me up."

Another Muslim from Maungdaw township described what he witnessed in the latter part of 1991:

"Some military came to our village at night. Three neighbours were sitting outside: Ali Ahmed, Wali Ahmed and Nur Bashir. For no reason they just beat up these three. After being beaten severely these three were taken away and never returned."

Muslims were also ill-treated by the security forces while in detention. One man from Buthidaung township who had also served as a porter several times describes his treatment:

"Just before I came here I was arrested by the military. I was only released after paying 1,500 Kyats.¹⁴ Before I was released I was kept for three days. They tied me up and beat me. They put a bottle full of water and rammed it into my mouth when I was lying on the floor, so that I choked. I don't know why they arrested me."

Male refugees reported the rape by the security forces of their daughters, nieces, wives, and neighbours, some of whom were then killed (see below, Extrajudicial executions). Women were commonly reported to have been raped after soldiers had taken their husbands for porter duty. A mother of five from Buthidaung township told Amnesty International what happened to her:

"They took my husband to be a coolie and then later that same night they came back and raped me. There were four of them. My younger sister and sister-in-law were in the house, but since I am oldest I came out and let the others hide in the house. My sisters are 20 and 25. My sister is a virgin. The soldiers took me to their camp and I was kept there the whole night. As they were taking me away the village headman

¹⁴The Kyat is the official Myanmar currency. The unofficial rate of exchange is 60 kyats to one US dollar; the official rate is six kyats to the dollar.

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saw and he came out and protested to them that they should let me go, but the soldiers threatened to shoot him if he said one word. The next day the village headman came and paid 100 Kyats to get me released."

Another woman from Buthidaung township was dragged from her home early in the morning by soldiers from a Light Infantry Division. She then saw the soldiers drag her two younger sisters outside and tear off their clothes. She was left behind, but her sisters were taken away for 24 hours and then returned home. They had evidently been gang-raped, and were taken immediately to the hospital. As soon as they had recovered, the family left for Bangladesh.

Extrajudicial executions

Witnesses interviewed by Amnesty International described several extrajudicial executions of Muslims living in Buthidaung and Maungdaw townships by the Myanmar security forces in early 1992.¹⁵ Those deliberately killed included porters and labourers who were too weak to continue their work, individuals who refused or were unable to obey the army, suspected insurgents and victims of rape by the military and Muslims fleeing to Bangladesh. Some were killed while they were passengers on boats; others were killed in their homes or villages; still others were prisoners at the time of their deaths.

Deliberate killings of Muslims fleeing to Bangladesh

On 9 February, the British Broadcasting Corporation (BBC) reported that a few days earlier, Myanmar security forces had killed at least 20 Muslims who were attempting to cross the Naaf River to Bangladesh and that 35 others died as a result of drowning. The government-controlled Rangoon Radio denied that the killings had taken place. On 12 February it reported that two days earlier, a few days after the incident, several members of the SLORC had travelled from Yangon to Maungdaw township to investigate the incident. The broadcast claimed that SLORC members had interviewed eyewitnesses to the incident, who stated that no one had been killed by security forces. On 13 February, Rangoon Radio broadcast an interview with Police Major Than Lwin, commanding officer of the People's Police Force (PPF) Regiment of Maungdaw, in which he denied the findings of the BBC report. He asserted that on the day in question boats carrying fleeing refugees had been stopped by security personnel in order to prevent them from going to Bangladesh. After the boats landed, he said the heads of household had been asked to disembark. Some of the men then hit three security personnel, grabbed one of their automatic weapons, returned to the boat and proceeded to fire on them. The security personnel pursued them in another boat, and fired in the air after asking them to stop. The Police Major claimed that the People's Police Force had captured two of the boats and arrested their passengers, and that the third boat had escaped to Bangladesh. He denied that any passengers had been killed by security forces and concluded:

"The PPF regiment here is carrying out duties to ensure the rule of law and security in the border area within the framework of discipline. Our security personnel have not persecuted anyone."

Testimonies from three eyewitnesses to the shooting interviewed by Amnesty International conflict with the government's version of the events. They indicate that scores of people attempting to flee were

¹⁵ Amnesty International uses the term extrajudicial execution to refer to deliberate and unlawful killings by government security forces. Extrajudicial executions are distinct from deaths which occur as a result of ill-treatment or torture. They are also distinguished from necessary measures of law enforcement or acts of armed conflict.

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deliberately killed on the boats by members of security forces and by civilian Rakhines whom the security forces did not attempt to restrain. The killings were in apparent reprisal against a man who had tried to grab a gun to protect his sister from security force personnel.

One eyewitness, who worked as a boatman, saw soldiers shooting at three boats of refugees who were crossing the Pyuma canal which joins the Naaf River at Okpyuma village, and said that he thought about 40 people had been killed. He described the aftermath: "There were many bodies in the water, blood everywhere."

Another eyewitness from a nearby village also estimated that about 40-45 people died in the incident. He said that the refugees were in three boats where the Naaf river meets the Pyuma canal when the Lone Htein boarded one of the boats and demanded money from the refugees. After the refugees protested that they had no money, the Lone Htein reportedly forced four young women off the boats. The eyewitness described what followed:

"The Lone Htein laughed and smeared mud over the faces of the girls. They were swearing at the people in the boat and making obscene gestures with the girls. So finally one of the brothers lost control, he jumped and tried to take the gun from a Lone Htein. Another Lone Htein fired some shots in the air."

This witness said that Rakhines from a nearby village then arrived on the scene, and began attacking the Muslims in the boat. The security forces apparently did not attempt to restrain them, and began shooting at Muslims themselves:

"Some people were shot by the Lone Htein too, some were shot as they tried to swim away. More soldiers came and they started taking people away. All the people from the boats were arrested. The men were taken away, as were the young pretty girls, leaving the old women, children and old men sitting on the river bank in the bloody river. They were in a state of deep shock and sat there for some time without eating or anything".

A third refugee who witnessed the incident ran from a nearby village to the riverbank after hearing shouts coming from that direction. He said that when he arrived there were already 15 bodies in the water, and after he saw soldiers shooting at the boats he himself ran away. The three eyewitnesses estimated that between 100-150 people had been arrested by the Lone Htein. Their fate is not known.

Full details of this incident are not known, but the available evidence suggests that unarmed Muslims fleeing from the scene were shot dead by Myanmar security forces. International standards recognize that lethal force may be used only in life threatening situations and after all other measures have been exhausted.¹⁶ Amnesty International is concerned that the security forces may have used excessive force which is not proportionate to the situation. In particular Amnesty International is concerned that several defenceless people were apparently killed by the security forces, and that the security forces appear not to have attempted to prevent fatal attacks on these Muslims by Rakhines. The organization calls on the Myanmar Government to promptly institute an impartial and thorough investigation of the incident.

Individual cases of deliberate killings

¹⁶see Article 3, United Nations Code of Conduct for Law Enforcement Officials, and Principle 9, United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.
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Amnesty International interviewed several refugees who had witnessed individual deliberate killings by Myanmar security forces or who were close relatives of the victims. A mother of six children from Buthidaung township described her husband's killing in January 1992. He had been unable to supply the porters required by the military:

"My husband was taken by about 15 soldiers in the middle of the night. After 21 days some people found his body in the mountains not far from the village. When they found his body I went to see it. His eyes had been gouged out and his body was cut in two up the front. We buried his body and then had to perform the ceremony 10 days after that...My husband was the headman of the village. He was responsible for finding porters for them each time. The last time they had come he said that he couldn't find any more men because they had already taken so many and some others had run away. They called him to their office and beat him badly. He managed to run away and hide somewhere in the village, but then they found him and they kept him for three weeks before killing him. The army did not tell us where he was. It was by chance that some villagers found him. My husband had often been beaten before - when he couldn't find enough people if some were hiding."

A woman from Maungdaw township witnessed the killing of her husband by security forces in their home in February 1992. Her husband was a retired teacher who had helped the local authorities collect crops and money from the villagers to give to the army. A mixed team of Lone Htein and soldiers came to their house late at night. When he refused to collect goods from the villagers because of the time, they cut his throat with a knife in front of his wife. She and his second wife fled, and when they returned, all the valuables had been taken from the house.

A former government official from Maungdaw township witnessed the killing of a farmer he was trying to help in late February 1992. He had attempted to mediate between the farmer and 25 soldiers who had demanded that he give them his cows, his sole means of livelihood. He was standing next to the farmer attempting to persuade him to hand over his cows when soldiers shot the farmer dead. The soldiers then accused the official of discouraging the farmer from cooperating, and slashed him across the head with a bayonet. He lost consciousness, and could not remember what had happened to his hand, which was bandaged at the time of the interview in a Bangladeshi hospital.

A man from Buthidaung township described the shooting dead by MI 18 of an associate:

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

Several people told Amnesty International of female relatives who had been raped and then killed. One man from Buthidaung township said that he and his family left because his 16-year-old niece had been raped and killed, and that he feared that the army would do the same to his daughters. Another man from Buthidaung township also said that he left after his 17-year-old sister had been raped and killed in late February:

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"I came here after my sister, Zahida, was raped and killed by the army. She was taken away and then the next day they dumped her body on the rubbish tip outside the village. I was the first person to find her. When I saw my sister, I just ran away and came straight here."

Muslim political prisoners

Muslims living in the Rakhine State have reportedly been arrested and detained for their political activities, for their alleged "economic crimes" and for attempting to exercise their right to freedom of religion. Amnesty International is concerned that those Muslims arrested in the Rakhine State may be prisoners of conscience, detained solely because of their religious or political beliefs. The organization is further concerned that those who have been sentenced by military tribunals have not received a fair trial. Since July 1989 hundreds of sentences have been handed down by military tribunals established to try alleged martial law offenders. Tribunals use summary trial procedures in which the calling of witnesses is severely limited and there is no right of judicial appeal.

Amnesty International has few details of individual Muslim political prisoners in Myanmar. When the organization learns of a possible political prisoner, it is often difficult to gain detailed information because of lack of access to the country. Muslim refugees in Bangladesh mentioned to Amnesty International the names of several prisoners they knew of, who they believed to have been detained arbitrarily, and some of whom have been sentenced by military tribunals to up to four years' imprisonment. Those sentenced include Nur Mohamed, aged 44, from Fazipara, and Mir Ahmed, aged 35, from Branbru, Maungdaw township.

Other prisoners are believed to have been arrested because of suspected contact with the Rohingya Solidarity Organization (RSO). They were named as: Mohamed Anowar, aged 22; Akram Ullah, aged 25, and Shamsul Islam, aged 26.

Kyaw Soe Aung, the 24-year-old leader of the Mayu Student Development Party,¹⁷ was reportedly arrested for criticizing the government shortly before the May 1990 elections. He is thought to have been sentenced to 14 years' imprisonment and is currently held in Sittwe Jail.

Two prisoners believed to be held in Insein Jail, where hundreds of political prisoners are currently detained, were named as Amir Hussein and Nur Mohammed, both of whom were said to have been arrested when security forces entered the Marakesh Mosque in Maungdaw, cleared it of people, and locked it up in the apparent belief that it was being used for political purposes.

Recommendations

Amnesty International urges the authorities to ensure that Myanmar security forces do not ill-treat, kill unlawfully, or arbitrarily arrest Muslims or members of other ethnic minorities. All allegations of ill-treatment, rape and extrajudicial killings should be promptly, thoroughly and impartially investigated. Those found responsible for such human rights violations should be prosecuted, and compensation should

¹⁷The term Mayu refers to northwestern Rakhine State.
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be granted to the victims of ill-treatment and to the families of those who were unlawfully killed. Thorough investigation of all allegations and the prosecution of those responsible sends a clear message that human rights violations will not be tolerated, and that those who commit such acts will be held fully accountable.