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New evidence reveals Rohingya armed group massacred scores in Rakhine State

MYANMAR/BANGLADESCH

A Rohingya armed group brandishing guns and swords is responsible for at least one, and potentially a second, massacre of up to 99 Hindu women, men, and children as well as additional unlawful killings and abductions of Hindu villagers in August 2017, Amnesty International revealed today after carrying out a detailed investigation inside Myanmar's Rakhine State.

Based on dozens of interviews conducted there and across the border in Bangladesh, as well as photographic evidence analyzed by forensic pathologists, the organization revealed how Arakan Rohingya Salvation Army (ARSA) fighters sowed fear among Hindus and other ethnic communities with these brutal attacks.

"Our latest investigation on the ground sheds much-needed light on the largely under-reported human rights abuses by ARSA during northern Rakhine State's unspeakably dark recent history," said Tirana Hassan, Crisis Response Director at Amnesty International.

"It's hard to ignore the sheer brutality of ARSA's actions, which have left an indelible impression on the survivors we've spoken to. Accountability for these atrocities is every bit as crucial as it is for the crimes against humanity carried out by Myanmar's security forces in northern Rakhine State."

Massacre in Kha Maung Seik

At around 8am on 25 August 2017, ARSA attacked the Hindu community in the village of Ah Nauk Kha Maung Seik, in a cluster of villages known as Kha Maung Seik in northern Maungdaw Township. At the time of the attack, the Hindu villagers lived in close proximity to Rohingya villagers, who are predominantly Muslim. Rakhine villagers, who are predominantly Buddhist, also lived in the same area.

Armed men dressed in black and local Rohingya villagers in plain clothes rounded up dozens of Hindu women, men and children. They robbed, bound, and blindfolded them before marching them to the outskirts of the village, where they separated the men from the women and young children. A few hours later, the ARSA fighters killed 53 of the Hindus, execution-style, starting with the men.

Eight Hindu women and eight of their children were abducted and spared, after ARSA fighters forced the women to agree to "convert" to Islam. The survivors were forced to flee with the fighters to Bangladesh several days later, before being repatriated to Myanmar in October 2017 with the support of the Bangladeshi and Myanmar authorities.

Bina Bala, a 22-year-old woman who survived the massacre, told Amnesty International: "[The men] held knives and long iron rods. They tied our hands behind our backs and blindfolded us. I

asked what they were doing. One of them replied, 'You and Rakhine are the same, you have a different religion, you can't live here. He spoke the [Rohingya] language. They asked what belongings we had, then they beat us. Eventually I gave them my gold and money.'

All eight survivors interviewed by Amnesty International said they either saw Hindu relatives being killed or heard their screams. Raj Kumari, 18, said: "They slaughtered the men. We were told not to look at them ... They had knives. They also had some spades and iron rods. ... We hid ourselves in the shrubs there and were able to see a little ... My uncle, my father, my brother – they were all slaughtered."

Formila, around 20, told Amnesty International that she did not see when the Hindu men were killed, but that the fighters "came back with blood on their swords, and blood on their hands" and told the women the men had been killed. Later, as Formila and the other seven abducted women were being marched away, she turned back and saw ARSA fighters kill the other women and children. "I saw men holding the heads and hair [of the women] and others were holding knives. And then they cut their throats," she said.

According to a detailed list of the dead, given to Amnesty International, the victims from Ah Nauk Kha Maung Seik include 20 men, 10 women, and 23 children, 14 of whom were under the age of eight. This is consistent with multiple testimonies the organization gathered in both Bangladesh and Myanmar, from survivors and witnesses as well as Hindu community leaders.

The same day, all of the 46 Hindu men, women, and children in the neighbouring village of Ye Bauk Kyar disappeared. Members of the Hindu community in northern Rakhine State presume the community was killed by the same ARSA fighters. Combined with those from Ah Nauk Kha Maung Seik, the total death toll is believed to be 99.

The bodies of 45 people from Ah Nauk Kha Maung Seik were unearthed in four mass graves in late September 2017. The remains of the rest of the victims from that village, as well as all 46 from Ye Bauk Kyar, have not been found to date.

"In this brutal and senseless act, members of ARSA captured scores of Hindu women, men, and children and terrorized them before slaughtering them outside their own villages. The perpetrators of this heinous crime must be held to account," said Tirana Hassan.

ARSA's other unlawful killings of Hindus

Amnesty International has also documented ARSA's involvement in other killings and violent attacks against members of other ethnic and religious communities.

On 26 August 2017, ARSA members killed six Hindus – two women, a man, and three children – and injured another Hindu woman on the outskirts of Maungdaw town, near Myo Thu Gyi village.

Kor Mor La, 25, was one of two women who survived the attack, along with four children. Her husband Na Ra Yan, 30, and five-year-old daughter Shu Nan Daw were both killed. "The people who shot us were dressed in black. ... I couldn't see their faces, only their eyes. ... They had long guns and swords," Kor Mor Lar said. "My husband was shot next to me. I was shot [in the chest]. After that I was barely conscious."

The killings came just days after ARSA fighters unleashed a series of attacks on around 30 Myanmar security posts on 25 August 2017, prompting an unlawful and grossly disproportionate campaign of violence by Myanmar's security forces. Amnesty International and others have documented in detail how this campaign was marked by killings, rape and other sexual violence, torture, village burning, forced starvation tactics, and other violations which constitute crimes against humanity under international law. More than 693,000 Rohingya people were forced to flee to Bangladesh, where they still remain.

Tens of thousands of people from other ethnic and religious communities were also displaced within Rakhine State during the violence. Although most have returned to their homes, some continue to live in temporary shelters, either because their homes were destroyed or because they fear further ARSA attacks if they return to their villages.

Independent investigations needed

“ARSA’s appalling attacks were followed by the Myanmar military’s ethnic cleansing campaign against the Rohingya population as a whole. Both must be condemned – human rights violations or abuses by one side never justify abuses or violations by the other,” said Tirana Hassan.

“All the survivors and victims’ families have the right to justice, truth, and reparation for the immense harm they have suffered.”

At a UN Security Council meeting last week, Myanmar’s permanent representative criticized some in the UN for only listening to “one side” of the story and failing to acknowledge abuses committed by ARSA.

“The Myanmar government cannot criticize the international community as being one-sided while at the same time denying access to northern Rakhine State. The full extent of ARSA’s abuses and the Myanmar military’s violations will not be known until independent human rights investigators, including the UN Fact-Finding mission, are given full and unfettered access to Rakhine State,” said Tirana Hassan.

Briefing:

Attacks by the Arakan Rohingya Salvation Army (ARSA) on Hindus in northern Rakhine State

Early in the morning of 25 August 2017, the Arakan Rohingya Salvation Army (ARSA), a Rohingya armed group, attacked around 30 security force outposts in northern Rakhine State. The attacks, which were carefully planned and coordinated, 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 one of Myanmar’s most underdeveloped and volatile regions.[1] In the days that followed, ARSA fighters, along with some mobilized Rohingya villagers, engaged in scores of clashes with security forces.[2]

The Myanmar security forces, and in particular the military, responded to the attacks and subsequent clashes with an unlawful and grossly disproportionate campaign of violence marked by killings, rape and other sexual violence, torture,[3] village burning, forced starvation tactics, and other human rights violations and crimes under international law, all of which has been well documented by Amnesty International and others.[4] The military’s attacks, which targeted the entire Rohingya population living in northern Rakhine State, have been both widespread and systematic, constituting crimes against humanity under international law. To date, some 693,000 Rohingya have been forced to flee to Bangladesh.[5]

Also known as *Harakah al-Yaqin*, or “the faith movement”, ARSA first came to prominence in October 2016 after launching similar, albeit smaller-scale, attacks on border police posts in northern Rakhine State, prompting a disproportionate military response also amounting to crimes against humanity.[6] The group was established in the aftermath of violence between Buddhist and Muslim communities in Rakhine State in 2012 and is comprised of a core group of trained fighters, estimated as in the hundreds, with access to small firearms and some home-made explosives. On 25 August, ARSA mobilized a large number of Rohingya villagers – likely around several thousand. The villagers were overwhelmingly armed with bladed weapons or sticks.[7] While Amnesty International has confirmed that some Rohingya villagers participated in ARSA attacks, the overwhelming majority of Rohingya did not. Even in the specific villages where attacks occurred, there is no question that most villagers did not take part in ARSA attacks.

Amnesty International has documented serious human rights abuses committed by ARSA during and after the attacks in late August 2017. This briefing focuses on serious crimes – including unlawful killings and abductions – carried out by ARSA fighters against the Hindu community living in northern Rakhine State. At the time of the unlawful killings, none of the victims were armed or endangering the lives of ARSA fighters or other Rohingya. In the refugee camps in Bangladesh in September 2017, Amnesty International conducted 12 interviews with members of the Hindu community who left Myanmar during the violence. In April 2018, Amnesty International conducted research in Sittwe, Myanmar on ARSA

abuses and attacks, interviewing 10 additional people from the Hindu community and 33 people from ethnic Rakhine, Khami, Mro, and Thet communities, all of whom were from northern Rakhine State. Six more people from an area where Hindu killings occurred were interviewed by phone from outside the region in May 2018.

The full extent of human rights abuses by ARSA is difficult to determine, in large part because the Myanmar authorities continue to restrict access to northern Rakhine State. Access restrictions have made it extremely difficult for members of all ethnic minorities and religious communities still living in the region to speak about their experiences and to get the support and assistance they require. In addition, those who speak about ARSA abuses face threats and intimidation from the group. The killing of Rohingya suspected of acting as government informers throughout 2017, and reports of ARSA-related killings in the refugee camps in Bangladesh, have only heightened such fears.^[8]

MASSACRE IN KHA MAUNG SEIK VILLAGE TRACT

At around 8 a.m. on 25 August 2017, ARSA attacked the Hindu community in the village of Ah Nauk Kha Maung Seik, located in Kha Maung Seik village tract in northern Maungdaw Township. ARSA fighters, some of whom were dressed in black and others dressed in ordinary clothing, rounded up all 69 Hindu men, women, and children present in the village at the time. A few hours later, ARSA fighters killed, execution-style, the vast majority of them, and abducted the rest.

The same day, the Hindu community present in the neighbouring village of Ye Bauk Kyar – 46 men, women, and children – disappeared. To date, their fate and whereabouts remains unknown. Relatives and other members of the Hindu community in northern Rakhine State told Amnesty International that they presume the entire group was killed by the same perpetrators.^[9]

Kha Maung Seik is a mixed-ethnicity and religion village tract, home to Hindu, Rohingya, and ethnic Rakhine villagers, all of whom lived in close proximity. Amnesty International conducted in-depth interviews in a Hindu refugee camp in Bangladesh in September 2017, and in the Rakhine State capital of Sittwe, Myanmar in April 2018, and by telephone in May 2018 with eight survivors, five family members of victims, three men who were part of the group that uncovered the mass graves, and several witnesses to related events in and around Kha Maung Seik, including ARSA attacks and the movements of Myanmar security forces.^[10]

“[It was morning], I was praying at the time,” recalled 22-year-old Bina Bala,^[11] who was one of eight women abducted and taken to Bangladesh by ARSA fighters. *“They came to our house. Some were wearing black and others were wearing normal clothes ... I recognized them [from the village].”*^[12]

Bina Bala said the men confiscated the family’s mobile phones before ordering them out in to the courtyard, where other Hindu villagers were also being gathered. She told Amnesty International, *“[The men] held knives and long iron rods. They tied our hands behind our backs and blindfolded us. I asked what they were doing. One of them replied, ‘You and [ethnic] Rakhine are the same, you have a different religion, you can’t live here’. He spoke the [Rohingya] dialect. They asked what belongings we had, then they beat us. Eventually I gave them my gold and money.”*^[13]

Rika Dhar, 24, was also at home with her family at the time of the attack. *“We didn’t have a chance to run,”* she told Amnesty International. *“Muslim people took our gold. ... I was blindfolded, and they tied my hands behind my back.”*^[14] Like other women Amnesty International interviewed, Rika Dhar said she knew some of the attackers, who were members of the Rohingya community living in Kha Maung Seik village tract.

After binding, robbing, and blindfolding the Hindu villagers, ARSA fighters marched them to a creek area on the outskirts of the village. There, the fighters sat the villagers down and burned their ID cards, which they had confiscated earlier. They then divided the men from the women and children, and brought the women into the forest.^[15]

The fighters killed, execution-style, 53 of the Hindus from Ah Nauk Kha Maung Seik, according to a list of the dead seen by Amnesty International that is consistent with testimony from survivors, other Kha Maung Seik residents, and Hindu community leaders. The victims include 20 men, 10 women, and 23

children, 14 of who were under the age of 8.[16] Only 16 people – eight women and eight of their children – survived, their lives spared on the condition that the women agreed to “convert” from Hinduism to Islam and then marry people selected by ARSA fighters.[17]

According to all eight survivors, the ARSA fighters took the men away and killed them. Formila, around 20, told Amnesty International that *“the Muslim men came back with blood on their swords, and blood on their hands. They told us that they had killed our husbands and the village headman.”*[18] Raj Kumari, 18, said: *“They slaughtered the men. We were told not to look at them ... They had knives. They also had some spades and iron rods. ... We hid ourselves in the shrubs there and were able to see a little. ... My uncle, my father, my brother – they were all slaughtered. ... After slaughtering the men, the women were also slaughtered.”*[19]

Shortly after, a group of about 10 to 15 fighters took the eight survivors and their children and removed them from the larger group. The fighters then began to kill the other women and children. Two of the survivors – Aur Nika, around 18; and Formila – told Amnesty International that, as the fighters were leading them away, they looked back and saw women being killed.[20] Formila recalled, *“I saw some Muslim men kill Hindu women. Then I cried. ... I saw men holding the heads and hair [of the women] and others were holding knives. And then they cut their throats,”* she said.[21] Bina Bala told Amnesty International that although she did not see the killings, she heard women and children screaming shortly after being taken away.[22]

The 16 survivors were held captive inside a house in the area for two nights, before being forced to flee alongside their captors to the Kutupalong refugee camp in Bangladesh.[23] According to five of the women, the group fled the same day helicopters were seen flying over the village.[24] The presence of helicopters in the area at the time was separately corroborated by San Nyunt, the Village Administrator from neighbouring Min Kha Maung; and by Shawlyee Shawltee, a 20-year-old woman who lived in Kha Maung Seik village tract but who had left her village on 24 August and was taking shelter in BGP post in Ah Shey Kha Maung Seik village at the time of the massacre.[25]

Shortly after arriving in Bangladesh on 28 August, the eight Hindu women were forced to make a false statement on video, claiming that the massacre had been carried out by ethnic Rakhine villagers.[26] *“[One of the kidnapers] told us that if anyone asks we should say that the Rakhine and the military attacked us,”* recalled Bina Bala. *“He said if people come to interview you, you must say this or you will be killed.”* [27] Soon after the video was posted on Facebook, members of the Hindu community in northern Rakhine State alerted friends in Bangladesh who proceeded to locate the survivors. The survivors were then relocated to a camp designated for Hindu refugees, where they were eventually protected by Bangladeshi security forces.[28] In early October, all sixteen survivors were repatriated to Myanmar with the support of the Bangladeshi and Myanmar authorities.[29]

On 23 September, members of the Hindu community in northern Rakhine State and members of the Myanmar security forces travelled to the site of the massacre and, over the course of two days, unearthed four mass graves, which in total contained the remains of 45 people.[30] On 27 September, the government temporarily lifted its ban on access to the area and brought local and international journalists to visit the site of the mass graves.[31]

According to the list that identified by name, biographical data, and village the 99 Hindus reportedly killed, given to Amnesty International by Hindu community leaders, all of the 45 excavated bodies have been identified as people from Ah Nauk Kha Maung Seik or people who were visiting Ah Nauk Kha Maung Seik at the time of the attack.[32] The bodies of the other eight people killed from Ah Nauk Kha Maung Seik have not been found; according to the list of those killed, seven of those eight were young children – including four who were under three months old.[33] The fate and whereabouts of villagers from Ye Bauk Kyar remain unknown, although they are presumed to have been killed by the same perpetrators.

In a press statement posted on its Twitter account and in responses to media inquiries, ARSA has denied any involvement in the incident.[34] The Myanmar authorities’ restrictions on access mean no independent journalist or human rights investigator has been granted unfettered access to Kha Maung Seik and the surrounding areas.

Several of the survivors, including at least three of the eight interviewed by Amnesty International, have been interviewed multiple times by different media organizations. The vast majority of these interviews took place either in the Bangladesh refugee camps during the days after the women were rescued, or in Myanmar in the weeks after the mass graves were uncovered. Over the course of these interviews, the women provided accounts which were at times inconsistent with the testimony of other survivors and even contradicted their own previous statements.

As noted, the survivors' initial declaration on video in Bangladesh placed the blame for the killings on ethnic Rakhine villagers,[35] as they did several days later in interviews with *Reuters*. [36] In subsequent interviews in Bangladesh with media and with Amnesty International, the survivors were at times equivocal about the identity of the perpetrators, and other times said it was ARSA, "Rohingya," or "Muslims"; throughout this period, they typically described attackers as wearing black.[37] On their return to Myanmar, survivors unambiguously asserted that Rohingya, believed to be ARSA fighters, were responsible.[38] The survivors' evolving stories made it difficult for journalists and human rights investigators – including Amnesty International – to come to a conclusion about the facts. After careful review of evidence obtained in Bangladesh and Rakhine State, Amnesty International has concluded that ARSA fighters are responsible for the massacre.

First, the inconsistencies of the Hindu survivors' testimonies are largely explained by the pressures and threats to personal safety that they faced while in Bangladesh, as described above by Bina Bala. Such pressure continued even while they lived in a separate camp area protected by the Bangladeshi security forces.

Second, the physical descriptions that the Hindu survivors provided of the ARSA attackers in Ah Nauk Kha Maung Seik – descriptions which have largely remained consistent over time – are also consistent with descriptions of ARSA fighters around the time of the massacre from witnesses in other parts of Kha Maung Seik village tract and from witnesses in other villages across northern Rakhine State. Ten Hindu in Ta Man Thar, Thit Tone Nar Gwa Son, and Myo Thu Gyi villages; three ethnic Mro residents of Khu Daing village, which was attacked and burned by ARSA on 28 August 2017; and two ethnic Rakhine residents of Koe Tan Kauk village tract all separately described to Amnesty International seeing a core group of fighters in black, often with their faces covered except for their eyes.[39] Many from those villages, as well as an ethnic Rakhine villager from Auk Pyue Ma, also described seeing among the attackers some Rohingya men who they recognized as neighbours or residents from nearby villages, similar to in Kha Maung Seik.[40] Witness descriptions of ARSA fighters covering their faces are likewise consistent with known photographs and videos of ARSA fighters, including those posted by ARSA itself in the weeks immediately before and after the 25 August attacks.[41]

Third, all of the survivors and many of the witnesses stated that they could hear the fighters speaking in the Rohingya dialect, which is very similar to the dialect spoken by the Hindu population in northern Rakhine State.[42]

Fourth, Amnesty International sent a forensic anthropological expert 31 photographs taken in Kha Maung Seik on 23 and 24 September 2017 by a person who was present when bodies were discovered in mass graves.[43] In a peer-reviewed analysis, the forensic expert concluded, after categorizing the decomposition of the bodies and estimating the soil temperature and water level, that *"the appearance of the human remains exhumed from the grave at Kha Maung Seik on 24 September 2017 is entirely consistent with what would be expected had those individuals been killed and buried at that site on 25 August 2017."*[44]

The expert also identified the *"presence of blindfolds on multiple victims (and the possible presence of sharp and blunt or projectile trauma), [which] is indicative of homicide in the form of extrajudicial and summary executions."*[45] When enlarging one of the images, the expert determined that a female victim *"exhibits an injury to the anterior neck that is consistent with sharp force trauma, e.g. a knife slash to the throat,"* though could not conclude from the photograph alone whether the trauma was the cause of death or had occurred during the excavation of the bodies.[46] The presence of blindfolds, as well as a wound suggestive of a throat being slit, is consistent with the testimonies of the surviving Hindu women.[47]

Fifth, testimonies from a Hindu villager and a Rakhine Village Administrator in Kha Maung Seik village tract confirms that the Myanmar military sent reinforcements to the area after the massacre was carried out, and that at least one helicopter arrived in the area several days later, on 27 August.[48] That testimony gives further credence to the likelihood that the Myanmar security forces were not in control of Kha Maung Seik on the day the massacre occurred and therefore could not have carried it out.

Sixth, survivors identified specific individual perpetrators, one of whom Amnesty International was able to confirm was a Rohingya resident of Kha Maung Seik village tract.

Together, the evidence overwhelmingly indicates that ARSA was responsible for the massacre, and that it has actively tried to cover up the crimes by forcing the surviving women to appear on camera implicating other perpetrators and through more general intimidation aimed at distorting the story.

The attack in Kha Maung Seik shook the Hindu community in Rakhine State. Many of those whom Amnesty International interviewed in Sittwe expressed concerns about further violence. *"I never imagined this could happen, we had a good relationship [with the Rohingya]. Why did they attack us?"* asked Shawlyee Shawltee, from Kha Maung Seik.[49] Like other people displaced during the violence, she is worried about the future and does not want to return to her village. *"I lost everything, my house, all our property. My husband is suffering [psychologically] after all his family members died,"* she said.[50]

UNLAWFULL KILLING OF SIX HINDUS IN MYO THU GYI

While the massacre in Kha Maung Seik village tract is the most egregious incident of human rights abuses by ARSA that Amnesty International has documented, fighters perpetrated other killings and violent attacks against members of Hindu and Buddhist ethnic groups. On 26 August 2017, ARSA fighters killed six Hindus – two women, a man, and three children – and injured another Hindu woman, on the outskirts of Maungdaw town, near Myo Thu Gyi village.

The six victims were part of an extended family of twelve who had fled from U Daung village tract, in Maungdaw Township, after ARSA fighters threatened them the day before. After seeking refuge for a night in the house of the ethnic Rakhine Village Administrator, the group was driven to the outskirts of Maungdaw town. Shortly after they arrived, a gunfight broke out between ARSA and the Myanmar military. The Hindu family took cover in a nearby building under construction. According to the only two adult survivors, men dressed in black and carrying guns entered the building and then proceeded to shoot at the group at close range.[51]

Kor Mor La, 25, was one of the two women who survived the attack, along with four children. Her husband Na Ra Yan, 30, and 5-year-old daughter, Shu Nan Daw, were both killed. *"The people who shot us were dressed in black. ... I couldn't see their faces, only their eyes. ... They had long guns and swords,"* Kor Mor La said. *"My husband was shot next to me. I was shot [in the chest]. After that I was barely conscious."*[52]

Kor Mor La showed Amnesty International a scar on her left breast that she said was from the gunshot wound. *"The bullet wound is still sore,"* Kor Mor La said, explaining that she had to visit a doctor for ongoing treatment.[53]

Phaw Naw Balar, 27, was the only other adult to survive the attack. She told Amnesty International, *"The men wearing black came from the direction of Myo Thu Gyi village. They didn't say anything, they just started shooting. After they left, my children were crying, so I took them to the next floor up and we hid together in an empty water tank."*[54]

She explained that they hid until the ARSA fighters had left the area. *"When I came back downstairs, I saw the dead bodies,"* she recalled. *"Six of my relatives were dead. Some had been shot in the front, in their abdomen and chest, [and] others in the back. My sister-in-law [Kor Mor La] was shot. I tried to bandage her, then we left for the three mile checkpoint."*[55] From there, the group travelled to Buthidaung town, and then on to Sittwe, where Kor Mor La received treatment for her injuries. In addition to Kor Mor La's husband and daughter, ARSA fighters killed Chou Maw Tet, 27; her husband Han Mon Tor, 30; the couple's 10-year-old son, Praw Chat; and their 3-year-old daughter, Daw Maw Ne.[56]

Today, the two surviving woman and their four children remain displaced in Sittwe, where they are living in a Hindu temple. Without her husband, the breadwinner of the family, Kor Mo La explained that she is

worried how her family will survive. “I have had a very difficult time,” she said. “I have two children, just trying to survive is very hard. We are suffering so much.”^[57]

CONCLUSION

The Rohingya in Rakhine State have for decades suffered systematic discrimination by the Myanmar authorities. Amnesty International has concluded that the deeply discriminatory way the authorities treated the Rohingya, even before the atrocities from August 2017 onwards, amounted to the crime against humanity of apartheid. Following the 25 August attacks these violations and crimes reached a peak, with unlawful killings, rapes, and burning of villages on a large scale, leading the majority of the population to flee the country. Nothing can justify such violations. But similarly, no atrocities can justify the massacre, abductions, and other abuses committed by ARSA against the Hindu community, as documented in this briefing.

Since the outbreak of violence in August, the Myanmar authorities have refused to grant access to northern Rakhine State to Amnesty International and other independent investigators, which has made it incredibly difficult to access those communities affected by ARSA and to corroborate witness accounts. Despite the restrictions, Amnesty International has now determined that ARSA fighters are responsible for the unlawful killing and abduction of members of the Hindu community in northern Rakhine State. These are serious crimes and abuses of human rights. They should be investigated by a competent body, and where sufficient, admissible evidence is found, those responsible should be held to account before independent civilian courts, in trials which meet international standards of fairness and which do not impose the death penalty.

For the full extent of the human rights abuses and crimes committed in northern Rakhine State to be uncovered, including those committed by ARSA, the Myanmar authorities must immediately allow independent investigators, including the UN Fact-Finding Mission, full and unfettered access throughout the region. Victims, survivors, and their families have the right to justice, truth, and reparation for the harm they have suffered. To this end, the authorities must also ensure full and unfettered humanitarian assistance to communities in need, and ensure that proper psycho-social support is available to all survivors of violence in northern Rakhine State.

[1] See International Crisis Group, *Statement: Myanmar Tips into New Crisis after Rakhine State Attacks*, 27 August 2017; International Crisis Group, *Myanmar’s Rohingya Crisis Enters a Dangerous New Phase*, Report No. 292 / Asia, 7 December 2017.

[2] Amnesty International interviews, Myanmar, April 2018. See also International Crisis Group, *Myanmar’s Rohingya Crisis Enters a Dangerous New Phase*.

[3] Under international law, rape by officials is also, and invariably, a form of torture.

[4] See Amnesty International, “*My World Is Finished*”: *Rohingya Targeted by Crimes Against Humanity in Myanmar* (Index: ASA 16/7288/2017), 18 October 2017; Amnesty International, *Myanmar forces rob, starve and abduct Rohingya, as ethnic cleansing continues* (Index: ASA 16/7835/2018), 7 February 2018; Amnesty International, *Remaking Rakhine State* (Index: ASA 16/8018/2018), 12 March 2018; Human Rights Watch, “*All of My Body Was Pain*”: *Sexual Violence against Rohingya Women and Girls in Burma*, November 2017; Médecins Sans Frontières (MSF), “*No One Was Left*”: *Death and Violence against the Rohingya in Rakhine State, Myanmar*, March 2018; Reuters, “*Massacre in Myanmar*,” 8 February 2018.

[5] Inter Sector Coordination Group (ISCG), *Situation Report: Rohingya Refugee Crisis*, 10 May 2018, https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/20180510_-_iscg_-_sitrep_final.pdf.

[6] See International Crisis Group, *Myanmar: A New Muslim Insurgency in Rakhine State*, Report No. 283 / Asia, 15 December 2016; International Crisis Group, *Myanmar’s Rohingya Crisis Enters a Dangerous New Phase*; Amnesty International, “*We Are at Breaking Point*”: *Rohingya: Persecuted in Myanmar, Neglected in Bangladesh* (Index: ASA 16/5362/2016), 19 December 2016.

[7] Amnesty International interviews, Sittwe and Yangon, Myanmar, April and May 2018. See also International Crisis Group, *Myanmar’s Rohingya Crisis Enters a Dangerous New Phase*.

[8] Amnesty International interviews, Sittwe and Yangon, Myanmar, April and May 2018. See also International Crisis Group, *The Long Haul Ahead for Myanmar’s Rohingya Refugee Crisis*, Report No. 296 / Asia, 16 May 2018; Kayleigh Long, “*Rohingya insurgency takes lethal form in Myanmar*”, *Asia Times Online*, 20 June 2017, <http://www.atimes.com/article/rohingya-insurgency-takes-lethal-form-myanmar/>.

[9] Amnesty International interviews, Sittwe, Myanmar, April 2018; and telephone interview, 18 May 2018.

[10] Amnesty International interviewed three of the survivors twice – in Bangladesh in September 2017 and again in Myanmar in April or May 2018.

[11] The spelling of Hindu names in this briefing reflects how the interviewees gave their names to interpreters with whom Amnesty International worked. This presents challenges, as the original name was often burmanized and then anglicized in the course of transliteration. While Amnesty International has tried to record the spelling of names as accurately as possible, it is likely some spellings deviate from the original. In reporting by local and

international media outlets, there are often small spelling differences in the names of Hindu individuals interviewed multiple times, reflecting the same challenge. Amnesty International has on file more complete biographical data of each individual interviewed.

[12] Amnesty International interview, Sittwe, Myanmar, 27 April 2018.

[13] Amnesty International interview, Sittwe, Myanmar, 27 April 2018.

[14] Amnesty International interview, Sittwe, Myanmar, 25 April 2018.

[15] Amnesty International interviews, Hindu refugee camp in Bangladesh, 28 September 2017, and in Sittwe, Myanmar, 25-30 April 2018; and telephone interviews, Rakhine State, Myanmar, 17-21 May 2018.

[16] List of Hindu killed in Kha Maung Seik village tract, on file with Amnesty International.

[17] Amnesty International interviews with survivors, Hindu refugee camp in Bangladesh, 14 and 28 September 2017, and in Sittwe, Myanmar, 25-30 April 2018; and telephone interviews with survivors, Sittwe, Myanmar, 17 May 2018.

[18] Amnesty International telephone interview, Sittwe, Myanmar, 17 May 2018.

[19] Amnesty International interview, Hindu refugee camp in Bangladesh, 28 September 2017.

[20] Amnesty International telephone interviews, Sittwe, Myanmar, 17 May 2018.

[21] Amnesty International telephone interview, Sittwe, Myanmar, 17 May 2018.

[22] Amnesty International interview, Sittwe, Myanmar, 27 April 2018.

[23] Amnesty International interviews with survivors, Hindu refugee camp in Bangladesh, 14 and 28 September 2017, and in Sittwe, Myanmar, 25-30 April 2018; and telephone interviews with survivors, Sittwe, Myanmar, 17 May 2018.

[24] Amnesty International interview, Sittwe, Myanmar, 29 April 2018; and telephone interview, Sittwe, Myanmar, 17 May 2018.

[25] Amnesty International interview, Sittwe, Myanmar, 29 April 2018; and telephone interview, 14 May 2018.

[26] Several people posted the video to Facebook, including here: <https://www.facebook.com/noman.alhossain.9/videos/1405458619572008/> (last accessed 18 May 2018). Amnesty International delegates viewed and had the clip translated into English.

[27] Amnesty International interview, Sittwe, Myanmar, 27 April 2018.

[28] Amnesty International interviews, Hindu refugee camp in Bangladesh, September 2018, and in Sittwe, Myanmar, April 2018.

[29] See Myanmar Information Committee, "Eight Hindu women and eight children who were abducted by ARSA extremist terrorists to an IDP camp in Bangladesh were brought back to Myanmar," 4 October 2017, <https://www.facebook.com/InformationCommittee/posts/810620129111095>.

[30] Amnesty International interviews with three people who helped discover the bodies, Sittwe, Myanmar, April 2018; and with Hindu community leaders, Sittwe, Myanmar, April 2018. See also Agence France-Presse, "17 more bodies found as Myanmar unearths mass Hindu graves," 25 September 2017.

[31] See Agence France-Presse, "Hindus recount massacre as mass graves unearthed," 28 September 2017; Reuters, "Slaughtered Hindus a testament to brutality of Myanmar's conflict," 27 September 2017.

[32] List of Hindu killed in Kha Maung Seik village tract, on file with Amnesty International.

[33] List of Hindu killed in Kha Maung Seik village tract, on file with Amnesty International.

[34] ARSA Press Release, Ref. No. ARSA/PR/13/2017, 27 September 2017, https://twitter.com/ARSA_Official/status/913061262958911494; Reuters, "Myanmar says bodies of 28 Hindu villagers found in Rakhine State," 24 September 2017.

[35] See, e.g., <https://www.facebook.com/noman.alhossain.9/videos/1405458619572008/> (last accessed 18 May 2018).

[36] Reuters, "Rohingya say their village is lost to Myanmar's spiraling conflict," 7 September 2017. See also Mahadi Al Hasnat, "Who really attacked the Rohingya Hindus in Rakhine?" *Dhaka Tribune*, 1 October 2017, <https://www.dhakatribune.com/bangladesh/2017/10/01/who-really-attacked-the-rohingya-hindus-in-rakhine/> (discussing the change in testimony to Reuters and other media outlets).

[37] Amnesty International interviews, Bangladesh refugee camps, 14 and 28 September 2017. See also Agence France-Presse, "Hindus recount massacre as mass graves unearthed," 28 September 2017 (describing men in black, but not specifying who the attackers were); Mahadi Al Hasnat, "Who really attacked the Rohingya Hindus in Rakhine?" *Dhaka Tribune*, 1 October 2017 (discussing the evolution in stories, with descriptions of men in black but different versions of who those men were); Suliman Niloy, "Hindu refugees blame 'Rohingya militants' for attacking them in Myanmar," *bdnews24.com*, 24 September 2017, <https://bdnews24.com/bangladesh/2017/09/24/hindu-refugees-blame-rohingya-militants-for-attacking-them-in-myanmar> (describing attackers in black who spoke the Rohingya dialect); Moe Myint, "Hindu Refugee Shares Eyewitness Account of Maungdaw Violence," *The Irrawaddy*, 26 September 2017, <https://www.irrawaddy.com/news/burma/hindu-refugee-shares-eyewitness-account-maungdaw-violence.html> (identifying the attackers as Muslims).

[38] See, e.g., *Radio Free Asia*, "Witnesses Provide New Details of Killings of Hindus in Myanmar's Rakhine," 5 October 2017, <https://www.rfa.org/english/news/myanmar/witnesses-provide-new-details-of-killings-of-hindus-10052017152154.html>; *Global New Light of Myanmar*, "'This area is our territory': ARSA extremist terrorists," 5 October 2018, <http://www.globalnewlightofmyanmar.com/area-territory-arsa-extremist-terrorists/>; Shaikh Azizur Rahman, "Mystery surrounds deaths of Hindu villagers in Myanmar mass graves," *The Guardian*, 12 October 2017, <https://www.theguardian.com/global-development/2017/oct/12/myanmar-mass-graves-mystery-surrounds-deaths-of-hindu-villagers-dirty-tricks-rohingya>.

[39] Amnesty International interviews, Hindu refugee camp in Bangladesh, 14-28 September 2017, and in Sittwe, Myanmar, 25-30 April 2018; and telephone interview, 18 May 2018.

[40] Amnesty International interviews, Hindu refugee camp in Bangladesh, 14-28 September 2017, and in Sittwe, Myanmar, 25-30 April 2018.

[41] See, e.g., @ARSA_Official Twitter Account, 30 August 2017, https://twitter.com/ARSA_Official/status/902985387139887105 (linking to <http://faithmovementarakan.blogspot.ae/2017/08/a-r-s-commander-on-ongoing-situation-in.html?m=1>, where a video shows two armed men with dark cloth covering their faces except for their eyes, standing next to ARSA's reported head, Ata Ullah, as he speaks); @ARSA_Official Twitter Account, 29 August 2017, https://twitter.com/ARSA_Official/status/902590044807892992 (indicating that YouTube took down an ARSA video and linking to <http://faithmovementarakan.blogspot.sg/2017/08/arsa-commander-addresses-international.html?m=1>, where a video shows two armed men with cloth covering their faces except for their eyes, standing next to ARSA's reported head, Ata Ullah); @ARSA_Official Twitter Account, "ARSA Commander Addresses International Community and Rakhine People," 16 August

2017, https://twitter.com/ARSA_Official/status/897875808349544448 (showing four armed men with cloth covering their faces except for their eyes, standing next to ARSA's reported head, Ata Ullah, as he speaks).

[42] Amnesty International interviews, Hindu refugee camp in Bangladesh, 25 and 28 September 2017, and in Sittwe, Myanmar, 25-30 April 2018; and telephone interviews with survivors, Sittwe, Myanmar, 17 May 2018.

[43] Amnesty International was able to geolocate several photographs in the set, which show members of the security forces and other people wading through a creek near where the massacre occurred and the bodies were found. That matches the description of the person who provided the photographs to Amnesty International, who said that he was among a group who crossed a creek in order to get to the site of the mass graves. The close-up photographs of the mass graves and bodies could not be geolocated, as there were not enough identifiable features in the surrounding environment. They are consistent, however, with photographs taken by media outlets including *Agence France-Presse* several days later, when the Myanmar authorities brought journalists to the site.

[44] *Forensic Anthropological Analysis of Human Remains from Kha Maung Seik, Myanmar with a focus on Postmortem Interval Estimation*, 16 May 2018, p. 12 (on file with Amnesty International).

[45] *Forensic Anthropological Analysis of Human Remains from Kha Maung Seik, Myanmar with a focus on Postmortem Interval Estimation*, 16 May 2018, p. 12 (on file with Amnesty International).

[46] *Forensic Anthropological Analysis of Human Remains from Kha Maung Seik, Myanmar with a focus on Postmortem Interval Estimation*, 16 May 2018, p. 2 (on file with Amnesty International).

[47] Amnesty International interviews, Hindu refugee camp in Bangladesh, 28 September 2017, and in Sittwe, Myanmar, 25-30 April 2018.

[48] Amnesty International interview, Sittwe, Myanmar, 29 April 2018; and telephone interview, 14 May 2018.

[49] Amnesty International interview, Sittwe, Myanmar, 29 April 2018.

[50] Amnesty International interview, Sittwe, Myanmar, 29 April 2018.

[51] Amnesty International interviews, Sittwe, Myanmar, 29 and 30 April 2018.

[52] Amnesty International interview, Sittwe, Myanmar, 29 April 2018.

[53] Amnesty International interview, Sittwe, Myanmar, 29 April 2018.

[54] Amnesty International interview, Sittwe, Myanmar, 30 April 2018.

[55] Amnesty International interview, Sittwe, Myanmar, 30 April 2018.

[56] Amnesty International interviews, Sittwe, Myanmar, 29 and 30 April 2018.

[57] Amnesty International interview, Sittwe, Myanmar, 29 April 2018.