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BHRN and 22 Organizations Call on The International Community to Pressure Myanmar to Give Full Access to UN-Mandated Fact Finding Mission

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The Burma Human Rights Network and 22 Organizations and Individuals have released an open letter calling upon The United States, United Kingdom, and the member states of the European Union, Association of Southeast Asian Nations, and the Organization of Islamic Cooperation to strongly encourage the Myanmar government to fully cooperate with the forthcoming Fact-Finding Mission into the human rights situation in Rakhine State, as well as Kachin and Shan States, as recently mandated by the United Nations Human Rights Council.

The undersigned are: Angkatan Belia Islam Malaysia (ABIM), Asian Forum for Human Rights and Development (FORUM-ASIA), ALTSEAN-Burma, Amnesty International, Burma Campaign UK (BCUK), Burma Human Rights Network (BHRN), Burmese Muslim Association (BMA), Christian Solidarity Worldwide (CSW), Civil Rights Defenders, International State Crime Initiative, Fortify Rights, Geutanyoe Foundation, Global Peace Mission Malaysia, Gusdurain Network Indonesia,

Human Rights Now, Human Rights Watch (HRW), Majlis Perundangan Pertubuhan Islam Malaysia (MAPIM), Malaysian Humanitarian Aid and Relief (MAHAR), Refugees International, Restless Beings, The Arakan Project and Unitarian Universalist Service Committee (UUSC)

The UN Fact-Finding Mission is largely in response to events following October 9th of 2016 when a new wave of atrocities began after an attack on three border guard police outposts near the City of Maungdaw. The attacks resulted in the deaths of nine police officers. In response Myanmar began conducting “clearance operations” against the group responsible for the attacks. It became clear within days that the operations conducted by security forces were largely targeting the civilian population as what can only be described as collective punishment. Very soon after the attacks accounts emerged of Rohingya women who had been gang raped by security forces, civilians shot while fleeing, men being arbitrarily detained and tortured and a systematic campaign to burn down entire Rohingya villages. The crackdowns lasted over three months and drew unprecedented rebukes from the international community.

In particular the undersigned of the letter have stressed concerns about Burma’s history of delaying and hindering such endeavors and is calling on the International Community to use their influence to help ensure a quick, thorough and unhindered investigation. High-level and sustained international engagement will be needed to ensure the authorities provide the Fact-Finding Mission with free and unfettered access to all the areas to which they are seeking access.

The undersigned also want to emphasize the safety of witnesses so they can speak freely to investigators without any fear of retaliation. The authorities must ensure the safety of witnesses to speak freely without reprisals from state or non-state actors.

While the situation remains volatile and may easily worsen if not addressed we believe there is still time for positive change that will make room for peace and justice if those with the power to create change are willing to do so. If the Fact-Finding Mission can be completed adequately it will allow the most vulnerable greater access justice to address their grievances while also allowing the Burmese Government a chance to prove their claims, reflect on findings and then to self-correct and improve in the future to reduce egregious behaviors. The problems in Rakhine State are far from an internal affair and as time passes it become increasingly difficult to introduce measures to restore calm and move towards a more peaceful situation.

Notes for Editors

Background on current situation:

On October 9th three Border Guard Police posts near the Burma-Bangladesh border were overrun by a group of militants believed to be ethnic Rohingya, a marginalized Muslim ethnic group in western Burma. Nine police officers were killed in the attack. In response the Military moved to Maungdaw, near where the attack happened. The subsequent crackdown on the township and surrounding areas has been especially harsh with observers from the UN and human rights groups saying there is strong evidence of Crimes Against Humanity.

The United Nations mandated a fact-finding mission in response to evidence of human rights violations in Burma with an emphasis on Northern Rakhine State. The Burmese Government has thus far been uncooperative with establishing such a mission.

Media enquiries

Members of The Burma Human Rights Network (BHRN) are available for comment and interview.

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Re: Open Letter to Various Governments Regarding the UN-Mandated Fact-Finding Mission to Myanmar

Dear Your Excellency,

27th April 2017

We, the undersigned, call on States, including the United States, United Kingdom and the member states of the European Union, Association of Southeast Asian Nations, and the Organization of Islamic Cooperation to strongly encourage the Myanmar government to fully cooperate with the forthcoming Fact-Finding Mission into the human rights situation in Rakhine State, as well as active conflict areas in Kachin State and northern Shan State, as recently mandated by the United Nations Human Rights Council.

Following deadly attacks by a group later identified as the Arakan Rohingya Salvation Army (ARSA) against three police outposts in Maungdaw and Rathedaung townships on October 9, 2016, military and police commenced a so-called "clearance operation" in selected areas of northern Rakhine State. Numerous observers and monitors, including signatories to this letter as well as the UN and news media, documented how state security forces targeted the civilian population and committed extrajudicial killings, torture including rapes and other sexual violence, systematic destruction of homes and looting of property, destruction of food, and obstructing humanitarian assistance, causing serious deprivation including among persons in the displaced civilian population. A report issued in early February 2017 by the UN Office of the High Commissioner for Human Rights found that these human rights violations "seem to have been widespread as well as systematic, indicating the very likely commission of crimes against humanity."

The Fact-Finding Mission is in the interests of the government of Myanmar as well as the people of the country because it would demonstrate the government's willingness to uphold the rule of law, work collaboratively with the international community to help establish the facts, identify perpetrators, and deter future crimes by all parties to the conflict.

It is important to stress that the authorities in Myanmar commonly restrict access to certain parts of the country for monitors and others. High-level and sustained international engagement will be needed to ensure the authorities provide the Fact-Finding Mission with free and unfettered access to all the areas to which they are seeking access.

We believe the Fact-Finding Mission must be led by experts, including on international human rights and humanitarian law, who should receive free and unfettered access to ensure the process is thorough, equitable and capable of achieving its stated goals. The authorities must also ensure the safety of survivors and witnesses to speak freely without reprisals from state or non-state actors. The Fact-Finding Mission should also do its part to ensure the security of survivors, eyewitnesses, their families and others. The Fact-Finding Mission must be able to operate without government or military escort or interference that could limit access to witnesses and possibly endanger those who do come forward. The Fact-Finding Mission must be able to choose their own guides, fixers and interpreters to further ensure the independence, credibility and safety of their work.

We also recommend the Fact-Finding Mission visit Bangladesh to interview victims and survivors who fled Rakhine State.

We are deeply concerned that if the government of Myanmar fails to fully cooperate with the Fact-Finding Mission, the situation in Rakhine State may further deteriorate. Failure to provide accountability may further fuel frustrations among the Rohingya population. Emboldened by the lack of consequences for abuses during its military operations in response to the October 9 attacks, the Myanmar military may continue to punish the civilian population and carry out further atrocities under the pretext of maintaining national security.

On the other hand, we believe the government of Myanmar's full cooperation with the Fact-Finding Mission would send a positive and important message to all stakeholders in Rakhine State and Myanmar, including to extremist-nationalists who have been reluctant to cooperate with such initiatives.

Similarly, a positive message can be sent, and the effects of the violence under investigation mitigated, by allowing unfettered and sustained humanitarian access to affected populations in Rakhine State and elsewhere in Myanmar. We encourage the government of Myanmar to allow this much needed access and for international actors to continue to urge it to do so.

Please urgently use your good offices to help ensure unfettered humanitarian access, the success of the Fact-Finding Mission and the full support and cooperation of the Myanmar authorities.

Sincerely,

Signed by

Angkatan Belia Islam Malaysia (ABIM)
Asian Forum for Human Rights and Development (FORUM-ASIA)
ALTSEAN-Burma
Amnesty International
Burma Campaign UK (BCUK)
Burma Human Rights Network (BHRN)
Burmese Muslim Association (BMA)
Christian Solidarity Worldwide (CSW)
Civil Rights Defenders
FIDH - International Federation for Human Rights
Fortify Rights
Geutanyoe Foundation
Global Peace Mission Malaysia
Gusdurain Network Indonesia
Human Rights Now
Human Rights Watch (HRW)
International State Crime Initiative
Majlis Perundangan Pertubuhan Islam Malaysia (MAPIM)
Malaysian Humanitarian Aid and Relief (MAHAR)
Refugees International
Restless Beings
The Arakan Project
Unitarian Universalist Service Committee (UUSC)

About BHRN

Burma Human Rights Network (BHRN) is based in London and operates across Burma/Myanmar, working for human rights, minority rights and religious freedom in the country. BHRN has played a crucial role in advocating for human rights and religious freedom with politicians and world leaders.