



## Burma: recent political and security developments

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Since President Thein Sein took office in March 2011, Burma has undergone significant political change. Working increasingly in concert with Aung San Suu Kyi, who was released from a long period of house arrest in late 2010, there has been a genuine ‘thaw’. Thein Sein has ended permitted greater freedom of assembly, allowed increased media and cultural freedom and released more (but not all) political prisoners. Trade unions have been legalised. A peace initiative aimed at insurgent ethnic groups has led to a series of ceasefires, although violence continues in Kachin state. Regulations regarding foreign investment have come under review and many Western businesses have expressed their eagerness to get their foot in the door.

The reform process advanced further following by-elections in early April 2012, in which Aung San Suu Kyi and the National League for Democracy (NLD) won 43 of the 45 parliamentary seats being contested. Whereas during 2011 most independent observers were arguing, following deeply flawed national elections in November 2010, that Burma’s transition was a ‘sham’, following the holding of these by-elections, this view has been widely revised. The debate about Western sanctions has quickly shifted from whether any relaxation, however minor, was justified, to whether they should be discarded in one fell swoop or, rather, eased gradually, subject to further progress. The EU announced a suspension of visa bans on 87 officials in January, and the US said it would be seeking the views of Aung San Suu Kyi on the issue. The April by-elections raised expectations that a further relaxation of Western sanctions was likely, and so it has proved. The EU has suspended all sanctions for one year with the exception of the arms embargo. However, the upsurge of sectarian violence between Buddhists and Rohingya Muslims in Rakhine state, western Burma since the middle of the year has cast a shadow over Burma’s transition.

This briefing looks at how the political reform process has advanced since the April 2012 by-elections, the response of Western governments and reviews events in western Burma.

For further background, see SN06287, [In brief: Burma – the beginning of a new era?](#) (4 April 2012) and Research Paper 04/16, [Burma](#) (23 February 2004).

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# 1 Recent developments

## 1.1 The reform process advances

In August, the authorities announced that they were abolishing prior censorship of the media, although a range of laws that violate media freedom still remain in force. A new, liberalised, media law is in the pipeline. There were also further prisoner releases in July and September. In anticipation of a visit to Burma by President Obama, the authorities announced that a further 452 prisoners would be freed.<sup>1</sup> The majority, if not all, of Burma's political prisoners are now believed to have been given their freedom.<sup>2</sup> The Government has also pledged to end the use of child soldiers by the armed forces and eradicate forced labour by 2015.<sup>3</sup> In August, two senior ministers met with representatives of the '1988 Generation student leaders' and made a donation towards the group's costs for a commemoration ceremony of the uprising in that year, which was suppressed by the authorities.<sup>4</sup> One-third of the names on an immigration blacklist were removed in the same month. In recent months, Thein Sein has renewed the call he first made in 2011 for Burmese exiles to return home, although they have reportedly been required to sign written undertakings that they will avoid criticising the Government or take part in or promote "public instability".<sup>5</sup> A significant number of exiles have nonetheless done so.

In September, the president, declaring the process of democratisation to be "irreversible", also said he would accept Aung San Suu Kyi as his successor if she wins the next elections, which are currently scheduled for 2015. However, as it stands, the Constitution bars her from standing on the grounds that eligibility requires that candidates do not have any close relatives with foreign citizenship (her two sons hold British citizenship). This section of the Constitution will have to be amended.<sup>6</sup> Aung San Suu Kyi has been appointed chair of the lower house Committee for the Rule of Law and Peace and Stability.<sup>7</sup>

Meanwhile, Aung San Suu Kyi has been travelling abroad without official hindrance, meeting world leaders and collecting awards – including her Nobel Peace Prize, originally awarded in 1991 – wherever she goes. She addressed both Houses of Parliament at the end of June. Her father, Aung San, is no longer persona non grata in the Burmese media, which is another strong official signal that she too is now considered a 'partner' in reform. After a brief dispute about the wording of the oath to be taken when entering parliament for the first time, on which she ultimately gave way, she attended her first session in July.

For all the progress made over the last 18 months, few impartial observers would claim that Burma's transition is 'irreversible'. Parliament is still dominated by the military, whether in the shape of the 25% of seats reserved for its representatives, or of the pro-military party, the Union Solidarity and Development Party (USDP), which holds the majority of the seats. Nonetheless, while some characterize the military as the real winners of the reform process, there are also worries that hardliners may intervene to bring Burma's transition to an abrupt end if it goes too fast or too deep for their liking; indeed, the sweeping victory of the NLD in

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<sup>1</sup> "452 prisoners in Myanmar get freedom", *Qatar News Agency*, 15 November 2012

<sup>2</sup> "Burma's president set to release more than 500 political prisoners", *Guardian*, 18 September 2012. Estimates vary, but most agree that at least 100 still remain in prison. A process of evaluation of the remaining cases is under way.

<sup>3</sup> This as part of an action plan agreed with the ILO.

<sup>4</sup> International Crisis Group, *Myanmar: Storm Clouds on the Horizon*, 12 November 2012, p8

<sup>5</sup> "Burma's exiles can return – if they promise to be good", *Independent*, 19 October 2012

<sup>6</sup> "Thein Sein would accept Aung San Suu Kyi as Burma leader", *Daily Telegraph*, 30 September 2012

<sup>7</sup> International Crisis Group, *Myanmar: Storm Clouds on the Horizon*, 12 November 2012, p8

the April by-elections heightened such anxieties, given that it suggested that the military and its backers could be humiliated in genuinely free and fair national elections.

Another dilemma for the ruling party (although some question whether it really does deserve that status now, given how far Thein Sein seems to be operating off his own bat, in co-operation with allied technocrats) is that the economic benefits of reform will inevitably take time to filter through to ordinary Burmese, who continue to leave the country in large numbers to find livelihoods. In May there were large demonstrations in Mandalay to protest about chronic power cuts.<sup>8</sup> Burma's economic potential may be considerable, but realising it will be a long-term endeavour and it may not provide much meaningful support for the political reform process for some time to come.

In July, following the retirement of hardline Vice-President Tin Aung Myint Oo, Nyant Tun – reportedly a moderate – replaced him. In August-September, Thein Sein carried out a cabinet reshuffle that most agree further strengthened his hand. However, over the past six months, Shwe Mann, the speaker of Burma's lower house of parliament and also a hardliner, has emerged as Thein Sein's main rival within the USDP. He is another senior general who some thought more likely to be president after Than Shwe than Thein Sein. There have been serious tensions between the Executive and the Legislature, with some even talking about trying to impeach Thein Sein.<sup>9</sup> So far that has not come to anything, but there is speculation that there could be a 'palace coup' against Thein Sein as the ruling party tries to save itself.<sup>10</sup> This may be alarmism; in October, Thein Sein was successfully re-elected as party chairman, although he has agreed not to play an active role in the party because he is prohibited from doing so during his term as president.<sup>11</sup>

Nonetheless, Aung San Suu Kyi is well aware of the balancing act being conducted by Thein Sein and has expended much effort on reassuring the military, heavily stressing her and the NLD's commitment to 'national reconciliation'. She seems to have a good personal relationship with Thein Sein. But, with her extended honeymoon period coming to a close, she may come under heightened pressure from NLD activists to be more assertive. There are also allegations by some party members about a lack of internal democracy, with hundreds of members around the country reportedly resigning from the party, or threatening to do so, in recent months. The NLD remains robust and popular, but it does face challenges in re-making itself in an unfamiliar political dispensation.<sup>12</sup>

For all the understandable excitement surrounding the outcome of the by-elections, perhaps the biggest test of the irreversibility of the transition will be how far Burma's [minority ethnic groups](#) benefit from it. Critics argue that the current accumulation of ceasefires, welcome thought it is, falls a long way short of the durable and just political and constitutional dispensation that is required if minority rights and aspirations are to be genuinely safeguarded. There continue to be violent clashes between government forces and the rebels of the Kachin Independence Army in Kachin state, where a longstanding ceasefire broke down in 2011 just as others were being agreed.<sup>13</sup> One indicator of just how far there

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<sup>8</sup> "Largest demonstrations since Saffron revolution as Burmese protesters take to streets over power cuts", *Independent*, 23 May 2012

<sup>9</sup> International Crisis Group, *Myanmar: Storm Clouds on the Horizon*, 12 November 2012, p9

<sup>10</sup> "President Thein Sein under pressure as Burma's ruling party contemplates bleak future", *Daily Telegraph*, 16 October 2012

<sup>11</sup> International Crisis Group, *Myanmar: Storm Clouds on the Horizon*, 12 November 2012, p10

<sup>12</sup> "Suu Kyi's party told it's too authoritarian as Burma's activists quit", *Independent*, 13 November 2012

<sup>13</sup> "[Despite war against ethnic Kachin, the US invites Burma to observe Cobra Gold](#)", *asiancorrespondent.com*, 19 October 2012

still is to go in creating greater normality in the border areas is the fact that opium production in Burma, which is concentrated mainly in Shan and Kachin states, has increased for the sixth year running, according to the UN Office on Drugs and Crime.<sup>14</sup> This, along with the widespread sectarian violence in Rakhine state that erupted in June (see below), still poses the biggest threat to national stability.

## 1.2 The international response

The EU responded rapidly to the successful holding of by-elections in Burma in early April. In late April, it surprised many by [announcing](#) that it was suspending all sanctions (or restrictive measures, as they are officially called) for one year, retaining only the arms embargo. It did, however, add that it would be monitoring the situation in Burma closely and keep its decision under “constant review”.<sup>15</sup> Aung San Suu Kyi backed this decision, which was taken after consultations with her.

The UK Government was particularly quick off the mark. It has been claimed that it was in the vanguard of those countries within the EU which advocated making a larger gesture on sanctions than many had expected. The Prime Minister, David Cameron, was also the first Western leader in decades to visit Burma in mid April. Mr Cameron called developments in Burma “a chapter of light” and promised to give reform efforts strong support.<sup>16</sup> The foreign secretary, William Hague, called the changes that had taken place in Burma “remarkable” and said that the UK would soon open a “British interests office” in Burma’s new capital, Naypyidaw.<sup>17</sup>

Australia also responded quickly, but unlike the EU, reduced the number of people and entities subject to travel bans and asset freezes, rather than suspending these sanctions.<sup>18</sup>

The US was initially slightly slower to respond. In May the US appointed an Ambassador to Burma, Derek Mitchell – its first since 1990. In July, the US Administration confirmed reports that it was lifting the ban on US investment in Burma. Campaigners expressed concern that this was a premature move, given that little progress has yet been made in ensuring that Burmese state entities in key economic sectors remain extremely opaque and secretive in the way they do business. The Administration said that US corporations will be required to meet international corporate governance standards.<sup>19</sup> In late September 2012, the US announced that it would begin the process of easing restrictions on the importation of Burmese goods.<sup>20</sup> This followed meetings by senior Administration officials with both Thein Sein and Aung San Suu Kyi during visits by them to the US.

The fluidity and uncertainties of the current political situation in Burma have raised difficult questions with regard to sanctions. The hardliners in a nervous military could be reassured by rapid moves to wind them up entirely. After all, given the current structure of the Burmese economy, the upper echelons of the military could expect to be significant beneficiaries. Discarding sanctions could also help to maintain, or even accelerate, the momentum behind reform. However, there was always a danger that moving prematurely to end sanctions could reduce Western leverage and the influence of Aung San Suu Kyi, thereby weakening

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<sup>14</sup> “UN report: Opium cultivation rising in Burma”, *BBC News Online*, 31 October 2012

<sup>15</sup> “EU suspends sanctions as Suu Kyi refuses to take her seat”, *Independent*, 24 April 2012

<sup>16</sup> “David Cameron: Burma is a chapter of light in the dark history being written”, *Daily Telegraph*, 12 April 2012

<sup>17</sup> “William Hague hails ‘Burma’s hopeful path’”, *Independent*, 26 April 2012

<sup>18</sup> “Australia to lift sanctions against Burmese officials”, *Daily Telegraph*, 16 April 2012

<sup>19</sup> “US eases Burma sanctions”, *Daily Telegraph*, 11 July 2012

<sup>20</sup> “US to ease ban on Burma imports”, *Daily Telegraph*, 27 September 2012

incentives for further reform and halting Burma's transition well short of genuine democracy and respect for human rights.

Western countries are currently pursuing different degrees of relaxation of their sanctions regimes. All are broadly based on the principle of gradualism, with progressive relaxation being linked to the meeting of a range of benchmarks and more continuous review processes. The EU has gone furthest, but after a slower start the US is gathering pace. In September, Aung San Suu Kyi called for a further relaxation of sanctions.<sup>21</sup> President Obama is visiting Burma on 19 November and some expect further announcements on the sanctions front during the visit. While many Burmese welcome the visit, the Burma Campaign UK and representatives of ethnic minority groups in Burma have expressed concern that it is part of an unseemly rush towards 'normalization'.<sup>22</sup>

Sceptics like the Burma Campaign UK fear that, now that the dominant narrative is one of political and economic engagement, the interests being mobilised will make it difficult to go into reverse gear on sanctions – or, indeed, even to slow down the pace of their relaxation – almost regardless of the circumstances on the ground. Certainly, no Western country has yet indicated that it is reviewing its policy in the context of the sectarian violence that has affected Rakhine state in western Burma since June 2012 (see below). This could change, subject to further developments on the ground. But supporters of increased engagement will continue to argue that isolation did not really work and further deepening engagement is more likely to produce results by incentivising efforts to address the root causes of conflict in the country.

A [statement](#) issued by William Hague on 6 November, following a meeting with Thein Sein in the margins of the Asia-Europe summit in Laos, fairly accurately reflects the current approach being taken by Western countries in relation to Burma. He said:

I was pleased to meet President Thein Sein to follow up our meeting in Burma in January. I congratulated him on the progress Burma has made so far on vital political and economic reforms. I highlighted UK concern at the violence in Rakhine state and the humanitarian situation there, and welcomed what the Government had done to allow our ambassador access to the area. The UK is urging all political parties in Burma to do what they can to end the violence and address the issue of Rohingya citizenship.

"I encouraged continued cooperation between the UK and Burmese governments to promote responsible trade with and investment in Burma. And I expressed my hope that the President would be able to visit the UK early next year.

With the overall mood music between the Burmese Government and the international community still improving, at the beginning of November the World Bank announced \$80 million for community development projects. The Asian Development Bank is also poised to resume full operations in the country (see below). The UN Special Rapporteur on the human rights situation in Burma, Tomas Ojea Quintana, has warned that an acceleration of economic development could facilitate human rights abuses – for example, in the spheres of land and housing rights.<sup>23</sup>

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<sup>21</sup> "Suu Kyi calls for further easing of Burma sanctions", *BBC News Online*, 19 September 2012

<sup>22</sup> "Obama victory: First overseas visit: Joy and anger greet news of trip to Burma", *Guardian*, 9 November 2012

<sup>23</sup> "Burma poised to emerge from the global economic wilderness", *Guardian Unlimited*, 2 November 2012

### 1.3 Sectarian violence in western Burma

In January 2012, Akbar Ahmed wrote a very useful [article](#) on the situation of the Rohingya for *Al-Jazeera*, the opening section of which is reproduced below:

The image of a smiling Daw Aung San Suu Kyi receiving flowers from her supporters is a powerful message of freedom and optimism in Myanmar, the symbol of democracy in a country which has known nothing but authoritarian oppression for decades.

Yet few ask one of the most pressing questions facing Daw Suu Kyi. How will she deal with the Rohingya?

"The Rohingya," you will ask. "Who are they?"

The Rohingya, whom the BBC calls "one of the world's most persecuted minority groups", are the little-publicised and largely forgotten Muslim people of the coastal Rakhine state of western Myanmar. Their historic lineage in Rakhine dates back centuries, as fishermen and farmers. Over the past three decades, the Rohingya have been systematically driven out of their homeland by Myanmar's military junta and subjected to widespread violence and the total negation of their rights and citizenship within Myanmar. They are a stateless Muslim minority.

The continued tragedy of the unrecognised Rohingya, both in Myanmar and as refugees abroad, casts a dark shadow over the bright hopes and prospects for democracy in a country plagued by violence and civil war. Suu Kyi is ideally placed to extend democratic reforms to all ethnic peoples, including the Rohingya, in a free Myanmar.

Though the Rohingya may be small in number at less than two million, the real lesson of the Arab Spring is that no notion of democracy can succeed without the inclusion of all people within a country's borders. Every member of society, regardless of race and religion, must be given their due rights as citizens. While many ethnic minorities in Myanmar have been the victims of the central government's oppressive measures, the Rohingya stand apart in that their very existence is threatened. The Rohingya's plight abroad as refugees in places such as Bangladesh and Thailand has seen glimmers of the media spotlight, but less attention has been brought to the underlying cause of their flight: the violence and cultural oppression at home.

These policies were enacted by Myanmar's government to force the Rohingya outside of Myanmar as a result of their being Muslim and ethnically non-Myanma. The government erroneously labelled them as "illegal Bengali immigrants" in their efforts to eradicate the Rohingya culture.

The international community has rather lost sight of the situation of the Rohingya over recent years, focusing more on the challenges posed by the many long-running ethnic insurgencies in the country's borderlands. However, this has changed this year. In June 2012, large-scale sectarian violence erupted in western Burma, leading to renewed attempts by Rohingya Muslims to flee across the border into Bangladesh, as a report by Human Rights Watch (HRW) described:

In June 2012, deadly sectarian violence erupted in western Burma's Arakan State between ethnic Arakan Buddhists and Rohingya Muslims (as well as non-Rohingya Muslims). The violence broke out after reports circulated that on May 28 an Arakan woman was raped and killed in the town of Ramri allegedly by three Muslim men. Details of the crime were circulated locally in an incendiary pamphlet, and on June 3, a large group of Arakan villagers in Toungop stopped a bus and brutally killed 10

Muslims on board. Human Rights Watch confirmed that local police and soldiers stood by and watched the killings without intervening.

On June 8, thousands of Rohingya rioted in Maungdaw town after Friday prayers, destroying Arakan property and killing an unknown number of Arakan residents. Sectarian violence then quickly swept through the Arakan State capital, Sittwe, and surrounding areas. Mobs from both communities soon stormed unsuspecting villages and neighborhoods, killing residents and destroying homes, shops, and houses of worship. With little to no government security present to stop the violence, people armed themselves with swords, spears, sticks, iron rods, knives, and other basic weapons, taking the law into their own hands. Vast stretches of property from both communities were razed. The government claimed that 78 people were killed—an undoubtedly conservative figure—while more than 100,000 people were displaced from their homes. The hostilities were fanned by inflammatory anti-Muslim media accounts and local propaganda.

During the period after the rape and killing was reported and before the violence broke out, tensions had risen dramatically in Arakan State. However, local residents from each community told Human Rights Watch that the Burmese authorities provided no protection and did not appear to have taken any special measures to preempt the violence.

On June 10, fearing the unrest would spread beyond the borders of Arakan State, Burmese President Thein Sein announced a state of emergency, transferring civilian power to the Burmese army in affected areas of the state. At this point, a wave of concerted violence by various state security forces against Rohingya communities began. For example, Rohingya in Narzi quarter—the largest Muslim area in Sittwe, home to 10,000 Muslims—described how Arakan mobs burned down their homes on June 12 while the police and paramilitary Lon Thein forces opened fire on them with live ammunition. In northern Arakan State, the Nasaka border guard force, the army, police, and Lon Thein committed killings, mass arrests, and looting against Rohingya.

In the aftermath, local Arakan leaders and members of the Arakan community in Sittwe have called for the forced displacement of the Muslim community from the city, while local Buddhist monks have initiated a campaign of exclusion, calling on the local Buddhist population to neither befriend nor do business with Muslims.

Drawing on 57 interviews conducted in Burma and Bangladesh with Arakan, Rohingya, and others, this report describes the initial events, the acts of violence that followed by both Arakan and Rohingya, and the role of state security forces in both failing to intervene to stop sectarian violence and directly participating in abuses. It examines the discriminatory forced relocations of Rohingya by the Burmese government from an Arakan population that feels long ignored.

Witness after witness described to Human Rights Watch how the Burmese authorities failed to provide protection to either side in the early days of the violence and that Arakan and local security forces colluded in acts of arson and violence against Rohingya in Sittwe and in the predominantly Muslim townships of northern Arakan State.<sup>24</sup>

HRW uses the term ‘Arakan State’ in its publications, which is the preferred description used by Rohingyas, but its official title is Rakhine State. Rakhine is the name used by the Buddhist majority to describe themselves.

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<sup>24</sup> Human Rights Watch, [“The Government could have stopped this: sectarian violence and ensuing abuses in Burma’s Arakan state”](#) (August 2012)



Bangladesh has long been a reluctant host to about 200,000 Rohingya refugees. After the violence first broke out, attention [quickly turned](#) to the inadequacies of the response of the authorities there. Bangladesh closed its border with Burma and restricted the provision of humanitarian aid by international organisations. Its officials were filmed by journalists turning Rohingya back when they arrived by boat. UNHCR has extremely limited access to Rohingya refugees in Bangladesh because the country is not a signatory to the 1951 UN Refugees Convention.

Since the crisis erupted in June, tensions have persisted in Rakhine State. There have been further upsurges of violence, including in October, which saw another major outbreak.

In the latest outbreak, another 28,000 people were displaced. At least 76 people were killed, and more than 4,600 houses and several religious buildings were destroyed. [Tensions](#) reportedly increased again after monks, and women's and youth groups organized anti-Rohingya and anti-Organization of Islamic Cooperation demonstrations in Sittwe, Mandalay and Yangon. This time, the violence appears to have been overwhelmingly organised (rather than spontaneous) and one-way – that is, Rakhine on Rohingya. In addition, other Muslim groups, such as the Kaman community, are now also being attacked, suggesting that the violence is now taking on a broader 'anti-Muslim' character.

Human Rights Watch has made public satellite imagery that shows the extent of the destruction in Rohingya residential areas since June.<sup>25</sup> Most of the over 100,000 Rohingya now displaced remain in nine overcrowded camps in Sittwe. A pro-Rohingya advocacy group claims that conditions are "as bad, if not worse, than once in eastern Congo or Sudan".<sup>26</sup>

Many are concerned that the Burmese authorities, despite regional mediation efforts, continue to be [unwilling to take the steps needed](#) to calm the situation and address the underlying causes of the crisis, as the following press article confirms:

There have been some recent press reports that the authorities may be considering granting 'third generation Rohingya' Burmese citizenship, as is in fact provided for by the 1982 Citizenship Act but never implemented. This would be a controversial move with the Buddhist majority and would still leave several hundred thousand 'first' and 'second generations' out of the picture.<sup>27</sup> In addition, many Rohingya are extremely poor and lack the documents they would need to establish their status.

There has also been considerable criticism of Aung San Suu Kyi for continuing to ignore the plight of the Rohingya.<sup>28</sup> However, a few days ago she did break her silence and call for more troops to be sent to western Burma to help end the violence. In a joint statement with other parliamentarians from ethnic minority groups, she also called on the government to explain its policies on the Rohingya and review the country's citizenship laws.<sup>29</sup>

Some assert that the relaxation of restrictions upon the media, while generally to be welcomed, has also lifted the lid on some less desirable views – including with regard to the Rohingya. Such a perspective fits with arguments that multi-ethnic and multi-religious countries in the 'developing world' are often particularly vulnerable to eruptions of violence during periods of attempted 'democratisation'.

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<sup>25</sup> "Burma attacks leave earth scorched", *Independent*, 28 October 2012

<sup>26</sup> "Burma's persecuted Muslims denied a homeland or the hope of sanctuary", *Observer*, 4 November 2012

<sup>27</sup> "Burma considers citizenship for Rohingya Muslims", *Daily Telegraph*, 1 November 2012

<sup>28</sup> "Suu Kyi criticised by pro-democracy campaigners for 'silence on abuses'", *Daily Telegraph*, 27 July 2012

<sup>29</sup> "Aung San Suu Kyi calls on Burma to send more troops to end violence", *Daily Telegraph*, 8 November 2012

Western countries have been joined by ASEAN in calling for the Burmese authorities to act to protect the Rohingya, but the authorities have so far resisted outside interference, calling the crisis an internal matter.

The stance of Bangladesh does not appear to have changed much for the better over recent months, as the following [report](#) by IRIN News on 29 October confirms:

***Bangladesh: UNHCR calls on Dhaka to open border***

The UN Refugee Agency (UNHCR) has called on Bangladesh to open its borders to Rohingyas fleeing sectarian violence in Myanmar.

“UNHCR continues to consider that until public order and security are restored for all communities in [Myanmar’s] Rakhine State, states should not forcibly return to Myanmar persons originating from Rakhine State,” Pia Paguio, senior protection officer and officer-in-charge of UNHCR in Dhaka, told IRIN on 29 October. “We thus continue to appeal to the government of Bangladesh to open its borders to those in need of a safe haven.”

Under Burmese law, the Rohingya - a persecuted minority of 800,000 - are de jure stateless in Myanmar and face constant persecution, while in Muslim-majority Bangladesh they are viewed as illegal migrants.

[Bangladesh](#) has repeatedly said it will not accept any Rohingya refugees fleeing ethnic violence in neighbouring Myanmar’s western Rakhine State.

Hundreds of thousands of Rohingya have fled persecution in Myanmar over the past three decades, the vast majority to Bangladesh in the 1990s [...]

*Closed border*

There are more than 200,000 Rohingya in Bangladesh today, including more than 30,000 documented refugees living in two government-run camps (Kutupalong and Nayapara) within 2km of the Burmese border, according to UNHCR.

UNHCR has not been permitted to register newly arriving Rohingya since mid-1992. Most Rohingya are living in villages and towns in the Cox’s Bazar area and receive little to no assistance as the agency is only allowed to assist those who are documented.

UNHCR does not have access to the 193km Myanmar-Bangladesh border to verify the situation of persons arriving from Rakhine State. Moreover, Bangladesh’s closed border policy remains in effect.

Despite repeated advocacy efforts by UNHCR, civil society and the diplomatic community, Dhaka, fearing a major influx, closed its borders to persons fleeing communal violence Myanmar in June.

Those who did manage to make it across the border were rounded up and sent back to Myanmar. However, there are no reliable figures on the number of arrivals and the number refouled.

Bangladesh is not a signatory to the [1951 Refugee Convention](#) or its 1967 Protocol.

“UNHCR reiterates its readiness to provide protection and assistance to the governments and the people of Bangladesh and Myanmar in addressing this evolving humanitarian situation,” said Paguino.

Many governments and international agencies have continued to call on the Bangladeshi authorities to change their stance, including the British Government. Hugo Swire, Minister of State at the FCO, usefully summarized the UK position at the end of a Westminster Hall debate on the situation of the Rohingya on 11 September. His full statement can be accessed [here](#). The issue also came up in Foreign Office oral questions on 30 October. These exchanges can be accessed [here](#).

## 2 Additional note on the Rohingya

The [article](#) by Akbar Ahmed cited earlier is worth quoting in more detail:

### *Kings to refugees*

Yet, the long history of the Rohingya and the Rakhine state contradicts the government's claims. The medieval Kingdom of Arakan, encompassing the Muslim Rohingya, was once an enlightened centre of culture, knowledge and trade, displaying a harmonic blend of Buddhism and Islam in its administration and court life. The kingdom's cosmopolitan and international capital city, Mrauk U, was described in the 17th century as "a second Venice" by a Portuguese Jesuit priest and was often compared to Amsterdam and London by travellers and writers of the time.

It was the 1784 military conquest by Bodawpaya, the king of Burma (now Myanmar), that transformed this once vibrant kingdom into an oppressed peripheral region. After this, many haunting tales began to circulate of Burmese soldiers rounding up the Rohingya in bamboo enclosures to burn them alive, and marching thousands to the city of Amarapura to work, effectively as slave labour, on infrastructure projects.

With the rise to power of the military junta in 1962 under General Ne Win, a policy of "Myanmarisation" was implemented as an ultra-nationalist ideology based on the racial purity of the Myanma ethnicity and its Buddhist faith. The Rohingya, as both Muslims and non-Myanmar, were stripped of their legitimacy and officially declared foreigners in their own native land. With the passage of the junta's 1982 Citizenship Law, they effectively ceased to exist legally.

Stripped officially of their citizenship, the Rohingya found their lives in limbo: prohibited from the right to own land or property, barred from travelling outside their villages, repairing their decaying places of worship, receiving an education in any language or even marrying and having children without rarely granted government permission. The Rohingya have also been subjected to modern-day slavery, forced to work on infrastructure projects, such as constructing "model villages" to house the Myanmar settlers intended to displace them, reminiscent of their treatment at the hands of the Burmese kings of history.

The denial of citizenship and rights was accompanied by a military strategy of physical and cultural war designed to drive the Rohingya out of Myanmar.

The initial push of the military's ethnic cleansing campaign came in 1978 under Operation Naga Min, or Operation King Dragon. The purpose of this operation was to scrutinise each individual within the state as either a citizen or alleged "illegal immigrant". This resulted in widespread rape, arbitrary arrests, desecration of mosques, destruction of villages and confiscation of lands among the Rohingya people. In the wake of this violence, nearly a quarter of a million Rohingya fled to neighbouring Bangladesh, many of whom were later repatriated to Myanmar where they faced further torture, rape, jail and death.

In 1991, a second push, known as Operation Pyi Thaya or Operation Clean and Beautiful Nation, was launched with the same purpose, resulting in further violence and another massive flow of 200,000 Rohingya refugees into Bangladesh. Non-governmental organisations from Europe and North America estimate that 300,000 Rohingya refugees remain in Bangladesh, with only 35,000 residing in registered refugee camps and receiving some sort of assistance from NGOs.

#### *Acknowledging the Rohingya*

Those remaining, more than 250,000, are in a desperate situation without food and medical assistance, largely left to slowly starve to death. The December 2011 refugee repatriation agreement reached between Myanmar President Thein Sein and Bangladeshi Prime Minister Sheikh Hasina will exclude the Rohingya, due to their lack of Myanmar citizenship, one of the conditions for repatriation for the expected 2,500 returning refugees.

The Rohingya predicament underlines a paradox for the world's great faiths, straddling the divide between Islamic Asia and Buddhist Asia. Each emphasises compassion and kindness and yet, we see little evidence of this in their dealings with the Rohingya people.

As part of this current study on the relationship between centre and periphery in the Muslim world, we recently interviewed Dr Wakar Uddin, Chairman of The Burmese Rohingya Association of North America (BRANA). A gentle and learned man, he is an energetic ambassador for his Rohingya people with a firm grasp of regional history. All the Rohingya want is the reinstatement of their citizenship in their own land, as revoked by the former dictator General Ne Win, and the dignity, human rights and opportunities that come with it.

Suu Kyi and the National League for Democracy have a unique opportunity to reach out to the Rohingya people and include them in the new democratic process. The NLD should work with the central government to expand the role of all ethnic minorities as full Myanmar citizens.

By acknowledging their rights, the government will bestow upon the Rohingya the dignity and the responsibilities of citizenship and present opportunities for mutual cultural understanding and the repatriation of the thousands of refugees existing in purgatory, separated from their homes and families. Great strides have recently been made by the Myanmar government towards the creation of an open and democratic political system and an end to ethnic violence, yet this is only the beginning.

With the recognition of the Rohingya as Myanmar citizens, Suu Kyi will honour the memory of her father, Aung San, as he, before his untimely and tragic death, also reached out to ethnic minorities to participate in an independent Myanmar. Only then can a democratic and modern Myanmar be legitimate and successful in the eyes of its own people.

But the first step is to acknowledge the Rohingya exist.

According to the 2008 [World Directory of Minorities and Indigenous Peoples](#) published by the Minority Rights Group, it is not clear whether the Rohingya people are indigenous to Burma:

There are a number of distinct Muslim communities in Burma, not all of which share the same cultural or ethnic background. While the country's largest Muslim population resides in Rakhine State (also known as Arakan), it is actually made up of two distinct groups: those whose ancestors appear to be long established, going back hundreds and hundreds of

years, and others whose ancestors arrived more recently during the British colonial period (from 1824 until 1948).

The majority of Muslims in Rakhine State refer to themselves as 'Rohingya': their language (Rohingya) is derived from the Bengali language and is similar to the Chittagonian dialect spoken in nearby Chittagong, in Bangladesh. There is some dispute as to whether the Rohingya are indigenous to the region or are more 'recent', being in the main the descendants of those who arrived in Rakhine State during the British colonial administration.

But, following the principle of self-identification, at least one representative organisation of the Rohingya people claims that they are entirely indigenous to Arakan:

Rohingyas have been living in Arakan from time immemorial. They are a people with distinct culture and civilization of their own. They trace their ancestry to Arabs, Moors, Pathans, Moghuls, Bengalis and some Indo-Mongoloid people. Early Muslim settlements in Arakan date back to 7th century AD. [...] Prior to 1962 the Rohingya community has been recognized as an indigenous ethnic nationality of Burma.<sup>30</sup>

Some analysts go beyond the term 'sectarian violence' to describe what is currently taking place in western Burma, preferring to refer to it as 'ethno-sectarian violence'. This reflects a view that, while religion is certainly a big part of the story, much of the tension between the two communities is actually rooted in long-standing differences between the ethnic Rakhine (Buddhists) and the 'ethnic Bengali' (Muslims). This has led some to claim that what is happening to the Rohingya is a form of 'ethnic cleansing'.<sup>31</sup> The International Crisis Group refers to it solely as ethnic, or intercommunal violence. Others are more sceptical of a general western tendency to 'ethnicise' conflicts of this kind, when in fact they are often much more about politics and resources.

### 3 Further reading

For details of current EU restrictive measures, click on this [link](#)

For details of current US sanctions, click on this [link](#)

Council of the European Union, [Council conclusions on Burma/Myanmar](#), 23 April 2012

C. Galache, ["Scenes from a turbulent transition"](#), *Irrawaddy Magazine*, 22 September 2012

M. Zin, ["What Aung San Suu Kyi didn't say"](#), *Irrawaddy Magazine*, 5 October 2012

S. Latt, ["A jingoist media foments violence in Burma's Arakan state"](#), *Irrawaddy Magazine*, 31 October 2012

M. Zin, ["Thein Sein and his estranged USDP"](#), *Irrawaddy Magazine*, 1 November 2012

S.Y. Naing, ["KIO must be a role model"](#), *Irrawaddy Magazine*, 2 November 2012

The International Crisis Group, has just published a new report on Burma: [Myanmar: Storm Clouds on the Horizon](#), 12 November 2012

Below is the Executive Summary of this new report:

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<sup>30</sup> Arakan Rohingya National Organisation, ["Facts about the Rohingya Muslims of Arakan"](#), 5 October 2006

<sup>31</sup> "Two religions, two tales of mistrust, fear and bitterness in divided Burma", *Guardian*, 10 November 2012

Myanmar's leaders continue to demonstrate that they have the political will and the vision to move the country decisively away from its authoritarian past, but the road to democracy is proving hard. President Thein Sein has declared the changes irreversible and worked to build a durable partnership with the opposition. While the process remains incomplete, political prisoners have been released, blacklists trimmed, freedom of assembly laws implemented, and media censorship abolished. But widespread ethnic violence in Rakhine State, targeting principally the Rohingya Muslim minority, has cast a dark cloud over the reform process and any further rupturing of intercommunal relations could threaten national stability. Elsewhere, social tensions are rising as more freedom allows local conflicts to resurface. A ceasefire in Kachin State remains elusive. Political leaders have conflicting views about how power should be shared under the constitution as well as after the 2015 election. Moral leadership is required now to calm tensions and new compromises will be needed if divisive confrontation is to be avoided.

The president has moved to consolidate his authority with his first cabinet reshuffle. Ministers regarded as conservative or underperforming were moved aside and many new deputy ministers appointed. There are now more technocrats in these positions, and the country has its first female minister. The president also brought his most trusted cabinet members into his office, creating a group of "super-ministers" with authority over broad areas of government – a move perhaps partially motivated by a desire to strengthen his position vis-à-vis the legislature. A dispute over a controversial ruling by the presidentially-appointed Constitutional Tribunal led to impeachment proceedings and the resignation of the tribunal members, highlighting both the power of the legislature, and the risks to a political structure in transition as new institutions test the boundaries of their authority.

The transition has been remarkable for its speed and the apparent lack of any major internal resistance, including from the military. It will inevitably face enormous challenges. The ongoing intercommunal strife in Rakhine State is of grave concern, and there is the potential for similar violence elsewhere, as nationalism and ethno-nationalism rise and old prejudices resurface. The difficulty in reaching a ceasefire in Kachin State underlines the complexity of forging a sustainable peace with ethnic armed groups. There are also rising grassroots tensions over land grabbing and abuses by local authorities, and environmental and social concerns over foreign-backed infrastructure and mining projects. In a context of rising popular expectations, serious unaddressed grievances from the past, and new-found freedom to organise and demonstrate, there is potential for the emergence of more radical and confrontational social movements. This will represent a major test for the government and security services as they seek to maintain law and order without rekindling memories of the recent authoritarian past.

A key factor in determining the success of Myanmar's transition will be macro-political stability. In 2015, Aung San Suu Kyi's National League for Democracy (NLD) will compete for seats across the country for the first time since the abortive 1990 elections. Assuming these polls are free and fair, they will herald a radical shift in the balance of power away from the old dispensation. But an NLD landslide may not be in the best interests of the party or the country, as it would risk marginalising three important constituencies: the old political elite, the ethnic political parties and the non-NLD democratic forces. If the post-2015 legislatures fail to represent the true political and ethnic diversity of the country, tensions are likely to increase and fuel instability.

The main challenge the NLD faces is not to win the election, but to promote inclusiveness and reconciliation. It has a number of options to achieve this. It could support a more proportional election system that would create more representative legislatures, by removing the current "winner-takes-all" distortion. Alternatively, it could

form an alliance with other parties, particularly ethnic parties, agreeing not to compete against them in certain constituencies. Finally, it could support an interim “national unity” candidate for the post-2015 presidency. This would reassure the old guard, easing the transition to an NLD-dominated political system. Critically, this option could also build support for the constitutional change required to allow Aung San Suu Kyi to become president at a future date, a change that is unlikely prior to 2015 given the opposition of the military bloc, which has a veto over any amendment. Pursuing any of these paths will require that the NLD make sacrifices and put the national interest above party-political considerations. With a national leader of the calibre of Aung San Suu Kyi at the helm, it can certainly rise to this challenge.