

briefing

Burma

Visit report

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CHRISTIAN
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WORLDWIDE
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I. Executive summary

“Federalism is the only one medicine to cure the chronic disease of Burma...If we build a federal system, where the ethnic nationalities can be equal, that will lead to peace.” – Dr Tu Ja Manam, a Kachin political leader

“We want the international community to pressure the Government of Burma to do something effective, efficient and timely to protect the livelihoods of every faith-based community.” – Htuu Lou Rae, Co-exist

“We Muslims have lived here for 200 years with no problems – but now there is absolutely no communication with our Buddhist neighbours. We don’t dare greet each other on the street.” – a Muslim in Ayela, near Naypyidaw

“He was covered in blood, and his nose was broken...An iron bar was rubbed along his legs. He was forced to engage in homosexual sex ...He was told that as he was a Christian, he should kneel on very sharp stones with his arms outstretched like Christ on the cross...He was beaten on his hands and arms.” – the wife of a Kachin political prisoner.

Burma today is on a knife-edge of hope and fear. For the first time in more than two decades, there are real reasons for cautious optimism about the prospects of freedom and democracy in Burma. Over the past eighteen months, significant reforms have been introduced by President Thein Sein which have resulted in the release of the majority of political prisoners, the election of Daw Aung San Suu Kyi and 42 of her colleagues in the National League for Democracy (NLD) to Parliament, significantly increased freedom for the media, civil society and political actors, and improvements in freedom of expression. The agreement of preliminary ceasefires with all but one of the ethnic armed resistance organisations is also a welcome step forward, following decades of civil war in much of the country.

Nevertheless, there remain many very grave challenges and concerns, particularly in respect to the protection of human rights, including freedom of religion or belief, inter-religious harmony and the pursuit of genuine peace for the ethnic nationalities. In particular, the continuing military offensive against the predominantly Christian Kachin people in northern Burma, the plight of the Muslim Rohingya people in Arakan State, and the recent anti-Muslim violence in central Burma raise serious questions about the willingness of the Government of Burma to end the culture of impunity, ensure protection of human rights and pursue genuine peace for all the peoples of Burma. Similarly, failure to move beyond preliminary ceasefires towards a genuine peace process involving a nationwide political dialogue with the ethnic nationalities; increasing reports of land confiscation and other human rights violations in many parts of the country, particularly ceasefire areas; and widespread violations of the ceasefire agreements by the Burma Army, especially in Shan State,¹ call into question the prospects for a durable peace. The continued detention of several hundred political prisoners and the arrest and detention of hundreds in Kachin State and Arakan State present further serious concerns.

Christian Solidarity Worldwide (CSW) is particularly concerned about rising religious intolerance, hatred and violence in Burma, and the continuing conflict and related human

¹ Shan Human Rights Foundation, ‘Thein Sein government must be held accountable for fresh Burma Army atrocities in Shan State’, 22 April 2013 - http://www.shanhumanrights.org/images/stories/Action_Update/Files/shrf-statement-april%2022%202013%20eng_final.pdf

rights violations in Kachin State. CSW visited Burma from 18 March-12 April 2013, and travelled to the capital, Naypyidaw, the former capital, Rangoon, as well as Myitkyina in Kachin State, and Mandalay. CSW was in the country during the appalling wave of anti-Muslim violence which started in Meikhtila, Mandalay Division, on 20 March and spread to four townships in Mandalay Division and eight townships in Pegu Division over the subsequent nine days. An estimated 44 people were killed in Meikhtila, and over 12,800 displaced.² Although Rangoon itself was not targeted, tensions in Burma's major city increased significantly, with shops and restaurants closing early at night and communities in areas with significant Muslim populations arranging their own night watch to defend their neighbourhoods in the event of attack. Anti-Muslim propaganda spread by the militant Buddhist organisation known as '969' was widespread, in Rangoon and elsewhere, creating a climate of fear, tension, hatred and uncertainty. The UN Secretary-General's Special Adviser on Burma, Vijay Nambiar, said that Muslims were "clearly targeted",³ and the UN Special Rapporteur on human rights in Burma, Tomás Ojea Quintana, has suggested that the authorities were complicit in some of the violence.⁴ The BBC has subsequently released video footage showing the security forces standing by as Muslims were killed and Muslim properties looted and burned.⁵

CSW was accompanied for part of the visit by Lord Alton of Liverpool, a member of the House of Lords in the British Parliament.⁶ During Lord Alton's visit, the delegation had meetings with the Deputy Minister of Education, Dr Myo Myint; Daw Aung San Suu Kyi; U Tin Oo, Patron of the NLD; the British Ambassador; and representatives of religious and ethnic groups, including the Roman Catholic Archbishop of Rangoon and the Catholic Bishops' Conference of Myanmar, the Rohingya community, and the Burmese Muslim community. The delegation, including Lord Alton, visited a Muslim community in Ayela, a village near Naypyidaw, three days after a violent attack led by a Buddhist mob which resulted in the destruction of the madrasa and serious damage to and desecration of the mosque. Lord Alton delivered an address to a gathering of political and civil society activists including senior representatives of the NLD, the 88 Generation Student Movement, and other civil society groups and religious and ethnic representatives; and gave a lecture at the British Council. CSW also interviewed Internally Displaced Persons (IDPs) in camps in Kachin State; met representatives of the Kachin community in Myitkyina and Rangoon; and had meetings with the 88 Generation Student Movement, the Assistance Association for Political Prisoners (AAPP), the Myanmar Council of Churches, Religions for Peace, Co-exist, representatives of the Karen and Chin communities, representatives of national media, civil society, the British Embassy, and the US Embassy. CSW also delivered a three-day training workshop, focusing on human rights documentation and advocacy skills, in Kachin State.

CSW's most recent visit to Burma, and this report, epitomises the profound mixture of impressions that the current situation in the country provokes. The comparative openness in Rangoon was striking – for Lord Alton to be able to deliver a talk to an audience of prominent dissidents and activists, including many who had been in prison and some who had been in exile for many years, in a public space, focusing on democracy, human rights and

² UN Office for the Coordination of Humanitarian Affairs, *Myanmar: Meikhtila inter-communal violence Situation Report No. 4 (as of 9 April 2013)*, 9 April 2013 <http://reliefweb.int/report/myanmar/myanmar-meikhtila-inter-communal-violence-situation-report-no-4-9-april-2013>

³ VOA News, 'UN Official Says Muslims Targeted in Burma', 26 March 2013 <http://www.voanews.com/content/un-official-says-muslims-in-burma-targeted/1629197.html>

⁴ Democratic Voice of Burma, 'Reports of 'state involvement' in Burma unrest: UN expert', 29 March 2013 <http://www.dvb.no/news/reports-of-state-involvement-in-burma-unrest-un-expert/27315>

⁵ BBC, 'Burma riots: Video shows police failing to stop attack', 22 April 2013 <http://www.bbc.co.uk/news/world-asia-22243676>

⁶ David Alton's website <http://davidalton.net/tag/michael-aris/>

civil society, would have been inconceivable just a short time ago, and is illustrative of the significant improvements in freedom of expression. Similarly, CSW met other civil society actors engaged in activities that would previously have been impossible, including the organisers of a human rights film festival; and Zarganar, Burma's most prominent dissident comedian and former political prisoner, who produced and performed in an open air show in Rangoon which included extensive satire about the government, parliament and military. The show was not only permitted and uncensored, it was also televised and broadcast nationally.

CSW was encouraged by the Deputy Minister for Education's emphasis on reform in the education system, including proposals to establish school councils consisting of outstanding students, designed, he said, "to enable students to be involved in school administration and to build up leadership skills". The Deputy Minister emphasised human rights and peace education, citizenship responsibilities and ethnic harmony as part of the curriculum. On the subject of ethnic diversity, the Deputy Minister said, "It is very important that there is peace, friendship and harmony. We do not want to live separately, we want to live side by side with the ethnic nationalities." He also emphasised English language teaching, and encouraged the idea of bringing in native English speakers to improve English language standards.

While the climate of openness is particularly noticeable in Rangoon, and while the situation is very different in other parts of the country, it is also indicative of the current reform period that CSW was able to travel freely to Myitkyina, conduct a three-day advocacy and documentation skills training workshop with Kachin activists, meet with a wide range of representatives of Kachin society, and visit camps for Internally Displaced Persons without interference from the authorities. CSW believes that these signs of change should be acknowledged, welcomed and encouraged.

However, CSW also notes that the testimonies provided by internally displaced Kachin people during the visit included some of the worst accounts of human rights violations CSW has ever documented, and the culture of impunity appears to continue unchallenged. The anti-Muslim hatred and violence has the potential to derail political reform and destroy the prospects for peace, prosperity and stability for all the people of Burma. CSW believes that the Government of Burma, all political leaders in the country, religious leaders from all communities, civil society, the international community and international non-governmental organisations (NGOs) must work together to promote religious harmony and peace, national reconciliation, law and order, freedom of religion or belief, and wider human rights for all the people of Burma; to take clear and immediate action to bring the perpetrators of violence and hatred to justice; and to counter hate speech and extremist propaganda of all kinds. If concrete action is taken, and if political reforms develop from the current fragile change of atmosphere into a more substantive change of system, Burma has the opportunity to achieve peace, freedom and democracy. The international community must, however, invest in urging the Government of Burma to address grave violations of human rights, in promoting inter-religious dialogue and reconciliation, and in establishing a genuine peace process, involving political dialogue, with the ethnic nationalities. The international community must avoid premature euphoria, and remain vigilant in promoting human rights for all the people of Burma. As Daw Aung San Suu Kyi told CSW, some countries are "going overboard with optimism, making the government think that it is getting everything right". International policy towards Burma must be recalibrated, to ensure that while the reforms implemented so far are acknowledged, welcomed and encouraged, a strategy is adopted that combines pressure with critical, constructive engagement, focused on ending the grave violations of human rights, responding to the urgent humanitarian needs of the people, and countering religious and racial hatred and violence.

2. Recommendations

2.1. To the Government of Burma

CSW welcomes the changes implemented in Burma over the past eighteen months, particularly the release of many political prisoners, the initiatives towards preliminary ceasefires with the ethnic armed resistance organisations, the engagement between the Government of Burma and Daw Aung San Suu Kyi, and the increase in freedom for media, civil society, political actors and other forms of freedom of expression. In order to encourage the continuation of the reforms, and a genuine transition to democracy and peace, CSW urges the Government of Burma:

- To immediately and unconditionally release all remaining political prisoners;
- To take action to end the use of torture and other violations of human rights in prisons and other detention facilities;
- To review and amend the Constitution, in consultation with all political parties and the ethnic nationalities;
- To take immediate and urgent action to tackle religious hatred and violence, to ensure adequate protection for all religious and ethnic communities, to bring the perpetrators of religiously-motivated violence and those who are complicit in such violence to justice, and to promote inter-religious dialogue, reconciliation and harmony;
- To reform the curriculum for religious education in schools to ensure that children are taught a basic understanding of all major religions, not only Buddhism, and to promote understanding and respect for all religions in Burma;
- To announce a nationwide ceasefire and establish a nationwide peace process with all ethnic armed resistance organisations, involving a genuine political dialogue in search of a political solution to decades of civil war;
- To immediately end all military offensives in Kachin State and northern Shan State, and establish a genuine peace process with the Kachin Independence Organisation (KIO), involving a political dialogue;
- To immediately end all violations of the ceasefire in Shan State;
- To allow unhindered and regular access for international and national humanitarian organisations to provide urgently needed humanitarian assistance to Internally Displaced Persons in Kachin State and Arakan State;
- To end violations of freedom of religion or belief and ensure protection of freedom of religion or belief, as defined in Article 18 of the Universal Declaration of Human Rights, in all parts of the country;
- To invite the UN Special Rapporteur for Freedom of Religion or Belief to visit Burma at the earliest opportunity, with unrestricted access to all parts of the country, particularly to Christian communities and others in Chin State and Kachin State, Muslim communities affected by recent violence in central Burma, and Rohingya and Rakhine communities in Arakan State;

- To urgently review and amend or repeal the 1982 Citizenship Law, in accordance with international norms;⁷
- To sign and ratify the International Covenant on Civil and Political Rights without reservation.

2.2. To the European Union

Following the decision to lift all sanctions on Burma, with the exception of the arms embargo,⁸ CSW urges the European Union to consider what tools it will use or develop to protect and promote human rights in Burma.⁹ In particular, CSW urges the EU to ensure that it prioritises human rights concerns at every level in its engagement with the Government of Burma, deploying all its current Guidelines, such as the Guidelines on Human Rights Defenders, and the forthcoming Guidelines on Freedom of Religion or Belief, in the promotion of a regular human rights dialogue; and through the Task Force which the EU proposes to establish later this year.¹⁰ CSW calls on the EU to urge the Government of Burma:

- To immediately and unconditionally release all remaining political prisoners;
- To take action to end the use of torture and other violations of human rights in prisons and other detention facilities;
- To review and amend the Constitution, in consultation with all political parties and the ethnic nationalities;
- To take immediate and urgent action to tackle religious hatred and violence, to ensure adequate protection for all religious and ethnic communities, to bring the perpetrators of religiously-motivated violence and those who are complicit in such violence to justice, and to promote inter-religious dialogue, reconciliation and harmony;
- To reform the curriculum for religious education in schools to ensure that children are taught a basic understanding of all major religions, not only Buddhism, and to promote understanding and respect for all religions in Burma;
- To announce a nationwide ceasefire and establish a nationwide peace process with all ethnic armed resistance organisations, involving a genuine political dialogue in search of a political solution to decades of civil war;

⁷ Democratic Voice of Burma, 'Suu Kyi calls on citizenship law to be revised', 17 April 2013 <http://www.dvb.no/news/suu-kyi-calls-on-citizenship-law-to-be-revised/27605>

⁸ Council of the European Union, *Council conclusions on Myanmar/Burma*, 22 April 2013 http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/136918.pdf

⁹ CSW, 'CSW urges European Union to prioritise human rights in Burma despite lifting sanctions', 23 April 2013 <http://dynamic.csw.org.uk/article.asp?t=press&id=1526>

¹⁰ Council of the European Union, *Council conclusions on Myanmar/Burma*, 22 April 2013 http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/136918.pdf

- To immediately end all military offensives in Kachin State and northern Shan State, and establish a genuine peace process with the Kachin Independence Organisation (KIO), involving a political dialogue;
- To immediately end all violations of the ceasefire in Shan State;
- To allow unhindered and regular access for international and national humanitarian organisations to provide urgently needed humanitarian assistance to Internally Displaced Persons in Kachin State and Arakan State;
- To end violations of freedom of religion or belief and ensure protection of freedom of religion or belief, as defined in Article 18 of the Universal Declaration of Human Rights, in all parts of the country;
- To invite the UN Special Rapporteur for Freedom of Religion or Belief to visit Burma at the earliest opportunity, with unrestricted access to all parts of the country, particularly to Christian communities and others in Chin State and Kachin State, Muslim communities affected by recent violence in central Burma, and Rohingya and Rakhine communities in Arakan State;
- To urgently review and amend or repeal the 1982 Citizenship Law, in accordance with international norms;¹¹
- To sign and ratify the International Covenant on Civil and Political Rights without reservation.

2.3. To the international community, including the United States, Canada, Australia, and the United Nations

CSW urges the United States, Canada, Australia and the United Nations to increase diplomatic and political pressure on the Government of Burma to adopt the recommendations detailed above, and to take steps to end the climate of impunity and religious intolerance. In particular, CSW urges the UN Special Rapporteur on Freedom of Religion or Belief, the US Ambassador-at-Large for International Religious Freedom, the US Commission on International Religious Freedom and Canada's recently appointed Ambassador of Religious Freedom to coordinate efforts to urge the Government of Burma to address increasing religious intolerance and violations of freedom of religion or belief, including working with the European Union and others in the international community to consider developing a taskforce to provide assistance to Burma to address religious and ethnic conflict.

CSW also urges the international community to consider options for establishing an independent inquiry into the status of the Rohingya people in Burma, to independently assess the historical claims to citizenship, and to provide independent analysis to all parties concerned.¹²

CSW urges the UN to consider the recommendations of the UN Special Rapporteur on the situation of human rights in Burma regarding questions of truth, justice and accountability

¹¹ Democratic Voice of Burma, 'Suu Kyi calls on citizenship law to be revised', 17 April 2013 <http://www.dvb.no/news/suu-kyi-calls-on-citizenship-law-to-be-revised/27605>

¹² UNHCR, 2013 country operations profile – Myanmar <http://unhcr.org/pages/49e4877d6.html>

generally, and particularly the need for an independent, international inquiry into the violence in Arakan State.¹³

2.4. To the governments of the People's Republic of China, India, Japan, Bangladesh and the Association of Southeast Asian Nations (ASEAN)

CSW recognises the significant role that Burma's immediate neighbours and countries in the region play in the current situation, and urges the governments of the People's Republic of China, India, Bangladesh, Japan, and member states of ASEAN to encourage the Government of Burma:

- To seek a genuine peace process in Kachin State, in as transparent a way as possible, with the constructive and active support of international observers and advisers;
- To announce a nationwide ceasefire and establish a nationwide peace process with all ethnic armed resistance organisations, involving a genuine political dialogue in search of a political solution to decades of civil war;
- To immediately end all violations of the ceasefire in Shan State;
- To allow unhindered and regular access for international and national humanitarian organisations to provide urgently needed humanitarian assistance to Internally Displaced Persons in Kachin State and Arakan State;
- To take immediate and urgent action to tackle religious hatred and violence, to ensure adequate protection for all religious and ethnic communities, to bring the perpetrators of religiously-motivated violence and those who are complicit in such violence to justice, and to promote inter-religious dialogue, reconciliation and harmony;
- To urgently review and amend or repeal the 1982 Citizenship Law, in accordance with international norms.¹⁴

¹³ UN Office of the High Commissioner for Human Rights, 'Myanmar: "Reforms continue apace, but key human rights issues remain unaddressed" – UN expert', 20 February 2013

<http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=13020&LangID=E>

¹⁴ Democratic Voice of Burma, 'Suu Kyi calls on citizenship law to be revised', 17 April 2013

<http://www.dvb.no/news/suu-kyi-calls-on-citizenship-law-to-be-revised/27605>

3. About Christian Solidarity Worldwide

Christian Solidarity Worldwide (CSW) works for religious freedom through advocacy and human rights, in the pursuit of justice. With advocacy staff based in London, Brussels and Washington, DC, CSW has partners and affiliates around the world, including the UK, USA, Hong Kong, India, Sri Lanka, Nigeria, Norway and Denmark. CSW has been working on human rights and religious freedom in Burma for 20 years, and has made many fact-finding visits inside Burma and to the Thailand-Burma border, the India-Burma border, the China-Burma border and the Bangladesh-Burma border. CSW is primarily an advocacy organisation, but to complement our advocacy, we provide financial support to three projects: an orphanage in a refugee camp on the Thailand-Burma border; the work of the Free Burma Rangers, providing humanitarian relief and documenting human rights violations in the ethnic states; and the work of the Chin Human Rights Organisation (CHRO) in documentation and advocacy. CSW has also provided training workshops, focused on human rights documentation, media, freedom of religion or belief, and advocacy skills.

4. Itinerary and purposes

CSW visited Burma from 18 March-12 April 2013 and travelled to the capital, Naypyidaw, the former capital, Rangoon, as well as Myitkyina in Kachin State, and Mandalay. CSW was accompanied for part of the visit by Lord Alton of Liverpool, a member of the House of Lords in the British Parliament.¹⁵

During Lord Alton's visit, the delegation had meetings with the Deputy Minister of Education, Dr Myo Myint; Daw Aung San Suu Kyi; U Tin Oo, Patron of the NLD; the British Ambassador; and representatives of religious and ethnic groups, including the Roman Catholic Archbishop of Rangoon and the Catholic Bishops' Conference of Myanmar, the Rohingya community, and the Burmese Muslim community. The delegation, including Lord Alton, visited a Muslim community in Ayela, a village near Naypyidaw, three days after a violent attack led by a Buddhist mob which resulted in the destruction of the madrassa and serious damage to and desecration of the mosque. Lord Alton delivered an address to a gathering of political and civil society activists including senior representatives of the NLD, the 88 Generation Student Movement, and other civil society groups and religious and ethnic representatives; and gave a lecture at the British Council.

CSW also interviewed internally displaced people in camps in Kachin State; met representatives of the Kachin community in Myitkyina and Rangoon; and had meetings with the 88 Generation Student Movement, the Assistance Association for Political Prisoners (AAPP), the Myanmar Council of Churches, Religions for Peace, Co-exist, representatives of the Karen and Chin communities, representatives of national media, civil society, the British Embassy, and the US Embassy. CSW also delivered a three-day training workshop, focusing on human rights documentation and advocacy skills, in Kachin State.

The purposes for the visit were as follows:

1. To consult with relevant actors and stakeholders, including representatives of the churches, other religious organisations, civil society organisations working for religious harmony, inter-religious dialogue and freedom of religion or belief, civil society organisations involved in human rights, media organisations, political parties, ethnic nationalities and others, to discuss the current situation regarding freedom of religion or belief, other human rights concerns, religious intolerance, conflict, political reform and humanitarian needs;
2. To provide training in human rights documentation and advocacy skills in Kachin State;
3. To document violations of human rights, particularly in Kachin State and affecting the Muslim community;
4. To assess current and future needs and opportunities for assistance;
5. To discuss advocacy messages and strategies;
6. To promote freedom of religion or belief, other human rights, religious harmony and democratisation, through lectures delivered by Lord Alton of Liverpool.

¹⁵ David Alton's website <http://davidalton.net/tag/michael-aris/>

5. Human rights concerns

CSW believes it is essential to acknowledge, welcome and encourage the progress that has been made in increasing basic freedoms for the people of Burma over the past eighteen months, particularly in the fields of media, civil society, freedom of expression and political participation. In Rangoon, space for civil society activities, freedom of expression and media has increased significantly, as illustrated by several of CSW's activities during this visit, including the opportunity to help organise a public meeting of political and civil society activists and representatives of religious and ethnic groups, addressed by Lord Alton. While increased freedom is particularly noticeable in Rangoon, it should also be noted that CSW's ability to deliver a training workshop in human rights documentation and advocacy skills in Myitkyina, and the opportunity to visit camps for Internally Displaced Persons in Kachin State without interference from the authorities, are also signs of a change in atmosphere.

Nevertheless, while this change in atmosphere is welcome, grave human rights violations continue to be perpetrated, directly by or with the collusion of the military, police and other authorities. There is an urgent need to address the culture of impunity that persists, end the widespread and systematic abuses of human rights, end the conflict in Kachin State and engage in a nationwide political dialogue leading to a genuine peace process with the ethnic nationalities, and address rising religious intolerance and violence.

During this assignment, CSW focused specifically on two major areas of concern: rising religious intolerance, and the conflict in Kachin State.

5.1. Religious intolerance

Burma is a multi-ethnic and multi-religious society, in which the majority practise Theravada Buddhism but there are sizeable Christian and Muslim populations. Official estimates claim that Buddhists account for 89% of the population, with Christians and Muslims representing four per cent each, but it is believed that the population of Christians and Muslims could be higher than official estimates suggest.

Relations between Buddhists and Christians at a societal level have generally been good, although successive regimes in Burma have adopted policies that discriminate against Christians,¹⁶ including denying promotion to Christians in government service and the military, restricting the construction or renovation of churches and the activities of house churches,¹⁷ as well as pursuing a campaign of persecution against Christians among ethnic nationalities, particularly in Chin State and Kachin State and to some extent in Karen and Karenni States. In Chin State there is well-documented evidence of the destruction of crosses, forcing Christians to build Buddhist pagodas in place of crosses, and forcibly converting Chin Christian children to Buddhism through military-controlled monastic schools.¹⁸ In Kachin State, during the current conflict, at least 66 churches have been destroyed by the Burma Army.¹⁹ Persecution or discrimination against Christians in Burma, has, however, almost entirely been driven by the regime and the military, and is closely interlinked with the ethnic conflict.

¹⁶ CSW, *Carrying the Cross: The military regime's campaign of restrictions, discrimination and persecution against Christians in Burma*, 2007 <http://dynamic.csw.org.uk/article.asp?t=report&id=36>

¹⁷ CSW, 'MPs express concern at church closures in Rangoon', 10 February 2009 <http://dynamic.csw.org.uk/article.asp?t=news&id=830>

¹⁸ Chin Human Rights Organisation, *Threats to Our Existence: Persecution of Ethnic Chin Christians in Burma*, 2012 http://www.chro.ca/images/stories/files/PDF/Threats_to_Our_Existence.pdf

¹⁹ CSW, 'CSW and CHRO welcome letter by MEPs to EU foreign policy chief on human rights violations in Burma', 1 February 2013 <http://dynamic.csw.org.uk/article.asp?t=press&id=1492>

Muslims in Burma have, however, faced rising religious and racial intolerance for many years, within society as well as from the government. There is a history of clashes between Buddhists and Muslims, with anti-Muslim riots occurring on several occasions, notably in 1938, 1997 and 2001. This is coupled with an extreme Burman Buddhist nationalist sentiment, exacerbated significantly after the democratically elected leader U Nu attempted to make Buddhism the state religion, and even more seriously after General Ne Win seized power in a coup d'état in 1962. Ne Win was notably prejudiced against non-Burman ethnic minorities and non-Buddhist religious minorities, particularly Muslims. A contemporary movement known as '969' (a name derived from references to Buddhist scriptures),²⁰ founded by monks in Mon State and currently closely associated with a prominent ultra-nationalist Buddhist monk, U Wirathu,²¹ has grown in influence and visibility in recent months,²² and a new wave of anti-Muslim violence has erupted. U Wirathu delivers regular inflammatory sermons around the country and communicates with followers using Facebook. During the visit, CSW obtained examples of '969' propaganda, with disturbing anti-Muslim messages.²³

This current anti-Muslim violence is distinct from, although related to, the violence against the Rohingya Muslims in Arakan State which occurred in June and October 2012, resulting in the displacement of at least 130,000 people, and hundreds of deaths. The Rohingya situation is addressed below, but it has developed into a wider and more general anti-Muslim campaign. On 20 March 2013, an argument between a Muslim shop owner and two Buddhist customers over an item of jewellery triggered riots in Meikhtila, Mandalay Division, that tore the town and the two communities apart. Violence continued in Meikhtila for two days, with a mob attack on a Muslim school in Mingalar Zayong quarter on 21 March, which left 32 students aged between 14 and 24, and four teachers, dead.²⁴ The local Member of Parliament, U Win Htein, from the NLD, witnessed the attack and said he saw eight people killed while the police "stood and watched".²⁵ The BBC has released video footage showing the security forces standing by as Muslims were killed and Muslim properties looted and burned.²⁶ According to official figures, 44 people were killed, over 12,800 displaced, and at least 1,174 houses and 13 mosques destroyed in Meikhtila.

On 22 March, President Thein Sein declared martial law in Meikhtila as well as three other townships, Wundwin, Tharzi and Mahlaing, and on 23 March Burma Army soldiers restored order in Meikhtila; but tensions remain and the communities are segregated. In effect a form of ethnic or religious 'cleansing' has occurred, with the Muslims having either fled to families in other cities or been removed from the town and relocated to camps for displaced people.

The violence spread from Meikhtila to three other townships in Mandalay Division, and from there to eight townships in Pegu Division, involving the destruction of mosques and Muslim shops and homes.

²⁰ Foreign Policy, "The Monks Who Hate Muslims," by Francis Wade, 22 April 2013 - http://www.foreignpolicy.com/articles/2013/04/22/the_monks_who_hate_muslims

²¹ The Guardian, 'Buddhist monk uses racism and rumours to spread hatred in Burma', 18 April 2013 <http://www.guardian.co.uk/world/2013/apr/18/buddhist-monk-spreads-hatred-burma>

²² The Irrawaddy, 'New numerology of hate grows in Burma', 29 April 2013 <http://www.irrawaddy.org/archives/33203>

²³ Available from CSW

²⁴ Physicians for Human Rights, 'Burma's Leaders Should Take Steps to Investigate and Prevent Anti-Muslim Violence', 5 April 2013 <http://physiciansforhumanrights.org/press/press-releases/burmas-leaders-should-prevent-anti-muslim-violence.html>

²⁵ The Irrawaddy, '32 Students Allegedly Massacred in Recent Meikhtila Violence', 9 April 2013 <http://www.irrawaddy.org/archives/31756>

²⁶ BBC, 'Burma riots: Video shows police failing to stop attack', 22 April 2013 <http://www.bbc.co.uk/news/world-asia-22243676>

CSW, accompanied by Lord Alton of Liverpool from the House of Lords in the British Parliament, travelled to Ayela, two miles from the capital, Naypyidaw and very close to Naypyidaw airport, to visit a Muslim community which had been attacked three days earlier on 22 March. One Muslim community leader told the delegation what had happened:

“At 10pm on 22 March, people gathered in the village, having heard that a mob was on the way. I sent news to the authorities. Then a big crowd – maybe as many as 1,000, but I am not sure – came. When the mob came, the people ran away. Only 15 police came, but they also ran away, instead of doing their duty. The mob came from outside, maybe from Meikhtila or motivated by Meikhtila. Now, only a small number of Muslims remain. Out of 260 Muslims, only 15 have stayed.

The mob burned down the madrassa, attacked another building, our dining hall, and destroyed the inside of the mosque. They went into houses, stole possessions – clothes, money, food. They were shouting “Kill Muslims, kill Muslims, kill ‘Kala’.” No one was injured or killed, but that was only because they all managed to run away. It was very frightening.

We have never had problems before. Buddhists and Muslims never had any conflict in this area. We have lived here for 200 years with no problems, but now there is absolutely no communication with Buddhist neighbours. We don’t dare greet each other on the street. If the security forces are here and do their duty, then we will dare to live here. If they cannot protect us, we won’t dare to live here.

Four or five people were subsequently arrested for the violence, and we were asked to write a list of what was destroyed, which we submitted to the authorities. But we don’t think people will pay compensation. We just hope everything will be peaceful.”



It is widely believed that there are political elements behind the anti-Muslim violence, and that the wave of violence was pre-planned and orchestrated. It is unclear precisely who is behind the campaign, but almost everyone believes that it involves elements of the military, intelligence services and government who are opposed to the political reform process and wish to create instability and derail the reforms. One Buddhist civil society activist told CSW, "It is not a religious clash, it is a creation. There is something behind it. Muslims, Christians and Buddhists have been living here a long time together. How and why did this happen? It is created by elements who do not want change, or who are trying to bolster votes for a particular party, or want to create the circumstances whereby the military can retake direct power due to unrest." Another activist said, "Most communities want peace. Some political actors created this issue. They want to unsettle the situation ahead of 2015. If the situation is too unsettled, there will be no election."

There may be truth to such conspiracy theories, but it is also true that there is a disturbing level of religious intolerance, particularly directed at Muslims, within wider Burmese society. These attitudes need to be addressed through long-term initiatives involving public awareness, education, dialogue and reconciliation. A coalition of civil society organisations and different faith-based groups and individuals has been set up with this purpose, and on 10 April they organised a 'Pray for Myanmar' day, bringing together Buddhists, Muslims, Christians, and people of no religion. As Htuu Lou Rae, founder of Co-exist, an organisation working for inter-religious harmony, said, "The tensions between Muslims and Buddhists arise because of misunderstanding about one's own religion and about other religions. We need to raise awareness, to see the relationship between Muslims and Buddhists improve. We are not alone. There are many like-minded people. We encourage people to take part." He called on the international community to urge the Government of Burma "to do something effective, efficient and timely to protect the livelihood of every faith-based community. If not, there is a danger that religious riots could spread, and then the danger that this could make Muslims so insecure that they become extremist."

Another activist, Thet Swe Win of Myanmar Youth Empowerment Programme, said that after the violence in Meikhtila "we felt unsafe and uneasy", and for that reason he and other young activists contacted young Muslims and requested a meeting. "Our common ground is peace." He acknowledged that "hatred between Muslims and Buddhists started a long time ago," and that even though the violence may have stopped temporarily, "it is still burning inside." His group and others have launched a sticker campaign promoting religious harmony and peace. "Hate speech is still circulating, and we are trying to counter it. We can never get true peace without dialogue and transparency, and just posting stickers cannot bring harmony, but we want to post stickers to our inner hearts and minds. It will take time. We just want peace. We must open our fists, and show we have nothing, show that we are willing for peace, and then we can start the conversation."

There is a danger that if the anti-Muslim hatred is not tackled, it could spread into a wider intolerance of all non-Buddhist minorities. CSW has received reports of propaganda DVDs circulating which describe Christianity as a "guest religion" and which contain false accusations of Christian involvement in forcible conversion. Rumours, which proved to be unsubstantiated, of possible violence against churches in Rangoon were also allegedly spread. These reports have been confirmed by several sources, although CSW has not had the opportunity to see the propaganda directly. When asked whether religious intolerance could spread to target other non-Buddhist minorities such as Christians and Hindus, one civil society activist said that "everything is possible in Burma. If these people really want to establish their Burman Buddhist nationalism, they may attack other minorities."

There is also a danger that outside radical Islamist or jihadi groups will turn their attention to Burma, and foment retaliatory violence and extremism among the Muslim community.

The Indonesian Islamist cleric Abu Bakar Bashir, in prison on charges of terrorism, has called for 'jihad' against Burma,²⁷ and an attempt to attack the Burmese Embassy in Jakarta was recently discovered and prevented by the Indonesian authorities. Growing radical Islamism in Bangladesh and attacks by Muslims against Buddhists on the Bangladesh side of the border with Burma indicates the potential for a disturbing cycle of religiously-motivated violence which could have devastating consequences for the region.

On 28 March, President Thein Sein made a televised address to the nation in which he blamed "political opportunists and religious extremists" for sowing hatred between faiths and warned that he would "not hesitate to use force as a last resort" to quell religious violence.²⁸ Two days later he appointed a committee responsible for tackling the violence, consisting of five ministers and five deputy ministers. On 3 April, the Foreign Minister announced that 142 people had been arrested for their alleged involvement in violence. Despite these promises of action, however, there is still widespread concern about the attitudes of the security forces. A junior police officer in Meikhtila reportedly said, "We received an order to do nothing but extinguish fires. Obedience is more important than anything else in our service."²⁹ The UN Special Rapporteur on Human Rights in Burma, Tomás Ojea Quintana, has said he has received reports of "state involvement in some acts of violence" and that the Government of Burma had "not done enough" to address the rising religious intolerance or tackle the "organised mobs" inciting hatred and violence against Muslims.³⁰ The UN Secretary-General's Special Adviser on Burma, Vijay Nambiar, said that the attacks were "clearly targeted" and carried out with "brutal efficiency".³¹ Unless and until the culture of impunity and the attitude of complicity on the part of the security forces are addressed, religious intolerance and violence will continue, with potentially devastating consequences.

5.2. The Rohingya

The Rohingya people, who number in total approximately 1.2 million, with approximately 800,000 in Burma, are among the most marginalised and persecuted people groups in the world. For decades they have faced severe discrimination in Burma, and in 1982 a new Citizenship Law stripped them of their citizenship, rendering them stateless, even though there is clear historical evidence to show that Rohingyas have lived in northern Arakan State for generations. CSW visited Rohingya refugees on the Bangladesh-Burma border in 2008, and detailed the background to the Rohingyas in a report available on CSW's website.³²

In June 2012 a horrific wave of violence erupted in Arakan State, in which both the predominantly Buddhist Rakhine, who number approximately 3.2 million, and the Muslim Rohingya communities suffered, and violence was committed by both sides; but it was primarily a campaign of violence against the Rohingyas. A further wave of violence occurred

²⁷ The Irrawaddy, "Indonesian Groups Call for Jihad Against Burma, to Dismay of Burmese Muslims," 3 May 2013 <http://www.irrawaddy.org/archives/33729>

²⁸ Associated Press, 'Myanmar's president says force could be used to end unrest', 28 March 2013 <http://www.ctvnews.ca/world/myanmar-s-president-says-force-could-be-used-to-end-unrest-1.1215009>

²⁹ New York Times, 'Kristallnacht in Myanmar', 29 March 2013 <http://latitude.blogs.nytimes.com/2013/03/29/violence-against-muslims-in-meiktila-myanmar/>

³⁰ Democratic Voice of Burma, 'Reports of 'state involvement' in Burma unrest: UN expert', 29 March 2013 <http://www.dvb.no/news/reports-of-state-involvement-in-burma-unrest-un-expert/27315>

³¹ VOA News, 'UN Official Says Muslims Targeted in Burma', 26 March 2013 <http://www.voanews.com/content/un-official-says-muslims-in-burma-targeted/1629197.html>

³² CSW, CSW visit to the Bangladesh-Burma border, 26 August 2008 <http://dynamic.csw.org.uk/article.asp?t=report&id=100>

in October 2012. CSW issued several statements about the crisis, available on our website.³³ Since the large-scale violence in June and October 2012, a continuing campaign of sporadic violence and arrests of Rohingyas has continued.

Altogether at least 130,000 Rohingyas were displaced as a result of the violence, and are currently in camps which have been described by the UN Under-Secretary General for Humanitarian Affairs, Baroness Amos, as “dire”.³⁴ The death toll is unknown, but is believed to number in the thousands. One Rohingya source told CSW during this visit that there are at least 1,000 confirmed dead, 547 injured, 784 Rohingyas arrested and detained, 52 cases of rape, 13,000 houses burned, 60 mosques destroyed, 50 madrassas damaged, 36 shops looted, and 135 shops or properties confiscated. Between 20,000-30,000 Rohingyas have fled to other countries or been forcibly expelled from Burma. CSW has not been able to verify these figures independently. The violence, according to a Rohingya representative, was “pre-planned, co-ordinated and organised”. There is an urgent need for “preventive action” to prevent further violence, “corrective action” to address the humanitarian emergency resulting from the violence, and “resettlement and reconciliation” in the longer-term.

The central issue for the Rohingyas is the question of citizenship, and there is an urgent need for the amendment or repeal of the 1982 Citizenship Law, to bring Burma’s legislation on citizenship into compliance with international norms. The Government of Burma and many in Burmese society refuse to use the term ‘Rohingya’ and describe the people as ‘Bengalis’, accusing them of being “illegal immigrants” from Bangladesh. According to one prominent Rohingya activist, however, if the Citizenship Law was revised in accordance with international norms, at least 90% of Rohingyas would qualify for citizenship - even under the current requirement to be able to prove your ancestry in Burma dating back to before 1823.

There is a need, according to one Rohingya activist, for international mediation to find a sustainable solution and to facilitate a process of reconciliation between the Rakhines, the Rohingyas and the Government of Burma. One proposal for the international community to consider is the idea of establishing an independent panel of experts, to include academics, legal experts and human rights experts, and perhaps including the participation of, or mandated by, respected international statesmen, to conduct an inquiry to establish the historical facts about the existence of the Rohingyas in Burma and their claims to citizenship. In the meantime, the international community must urgently address the humanitarian crisis by providing emergency assistance and pressing the Government of Burma to allow unhindered humanitarian access to all displaced peoples in Arakan State.

³³ CSW <http://dynamic.csw.org.uk/country.asp?s=gi&urn=Burma>

³⁴ BBC, ‘Burma camp for Rohingyas ‘dire’ – Valerie Amos’, 5 December 2012
<http://www.bbc.co.uk/news/world-asia-20615778>

5.3. The Kachin

On 9 June 2011 the Burma Army launched a new military offensive against the Kachin people, breaking a 17-year ceasefire with the Kachin Independence Organisation (KIO) and its armed wing, the Kachin Independence Army (KIA). In the war that has continued for almost two years, more than 100,000 Kachin civilians have been displaced, and are in camps either in KIO-controlled areas around Laiza, on the China-Burma border; or in government-controlled areas around Myitkyina, the capital of Kachin State. CSW visited IDP camps in Laiza in January 2012,³⁵ and has visited Laiza on several occasions previously, including during the ceasefire period. In April 2013 CSW visited government-controlled Myitkyina and three camps for IDPs nearby, for the first time.

In late December 2012 the Burma Army launched a dramatic escalation of its offensive against the KIA, including aerial bombardment and the use of artillery shells to attack Laiza, the town on the China-Burma border where the KIO/KIA is headquartered.³⁶ This significant escalation in attacks continued into January 2013, but since then the fighting has de-escalated and further rounds of ceasefire talks, brokered by China, have taken place. However, the most recent round of talks (due to be held in Myitkyina in early April 2013) was postponed, and fighting continues.

According to the Kachin Peace Talk Creation Group, an independent group of Kachin businessmen who have volunteered to assist in mediating between the government and the KIO/KIA, the current conflict is on a different scale to the long-running war fought between 1961 and the agreement of a ceasefire in 1994. One member of the Peace Talk Creation Group said:

“The impact of the war this time has been enormous. Many have lost land, plantations, livelihood. Those people can no longer support their children. People are living in the middle of nowhere, hopeless, desperate, suffering.”

Over 200 villages and more than 66 churches have been destroyed, according to Kachin sources. “People are hopeless and desperately need help.”

According to the KIA, as of 21 February, 367 KIA soldiers have been killed, and there have been 601 casualties. Eight KIA soldiers are missing and eight have been captured as prisoners of war. The suffering of civilians is unquantifiable but even higher.

Feelings of hatred for President Thein Sein’s government among Kachin people run high. “Right now, this civilian government is worse than the military regime,” one Kachin told CSW. “Whether it is a legitimate government or not, they have taken the seat as a government, and so have the power to have a political dialogue. They should start with dialogue. Imposing demands with military action is wrong.”

One member of the Peace Talk Creation Group summed up the loss of trust:

“Both the KIO and the Kachin people were looking forward to a peaceful solution to our problems. When the Thein Sein government took over, the KIO expected a better environment in which to discuss our issues. People had hope. Now, after more than one and a half years, civilians have experienced more hardship under the new regime, and so instead of hope, they hate the government. People hoped for a better future, but now

³⁵ CSW, *Visit to Burma and Kachin ethnic group on the China-Burma border*, 13 February 2012 <http://dynamic.csw.org.uk/article.asp?t=report&id=151>

³⁶ CSW, ‘CSW calls for international action to pressurize Burmese government to stop attacks in Kachin State’, 14 January 2013 <http://dynamic.csw.org.uk/article.asp?t=press&id=1479>

people realise that Thein Sein's government talks but does not take action, and does not live up to expectations. Even after eight rounds of talks, there has been no implementation. In their heart, there is no sincerity, even if they say the right things."

A particular source of contention is the government's focus on development as a solution to conflict, and the KIO's emphasis on a political solution. The Peace Talk Creation Group emphasised that "there is a vicious circle of conflict: after a ceasefire is agreed, there is development. Then there is more fighting. Then another ceasefire, more development, and then more fighting. We just want a guarantee of genuine peace and federalism." While the KIO/KIA has proven more than capable of developing the areas under their control, government-controlled development does not benefit the people. Kachin State is rich in natural resources, including jade, gold, timber, iron and other minerals. "But we are not the people who benefit from those natural endowments. We have timber, but we don't have good wooden houses. People from the government say Kachin is a rich state, and if we have peace, there would be development overnight. But from 1994-2011 there was no conflict, but why was there no development [in Government-controlled areas]? There is no fighting in lower Burma, but they can't even develop those areas – many Burmans are still in poverty. If peace alone is the answer, why is there no development? The majority of the beneficiaries of the economy are Chinese. What China is doing is not for the rights of the Burmese people." He added that in addition to his concern about China, he believed the United Kingdom, the United States and the United Nations have a particular responsibility. "The UK's involvement is crucial, due to its history and legacy. The US involvement is very important, as the US is very active in human rights protection. And for equal rights and a just solution, we need the UN's involvement."

A member of the Peace Talk Creation Group posed a profound question and summed up the scale of the challenge ahead: "How does the Government consider the KIO/KIA? As a thief or a burglar? If so, if the KIO/KIA are gangsters, then we civilians can fight them. But they are not. They are an armed political organisation, and they and the civilians are inseparable. So the Government must consider the KIO as representatives of the people, fighting against injustice for the rights of the people." Air strikes, he noted, "just increase the grievances," and he emphasised that the KIO/KIA are "not fighting for independence" but for federalism and equal rights.

Dr Tu Ja Manam, a former Vice-President of the KIO who resigned in 2009 to found the Kachin State Progressive Party (KSPP) with the intention of contesting the 2010 elections,³⁷ believes, however, that there is progress towards peace. "Both sides are interested in a ceasefire agreement, and are eager to hold a political dialogue. The Government is willing to move towards political dialogue," he told CSV.

Dr Tu Ja's application to register the KSPP was rejected by the Election Commission and he was not eligible to contest the elections in 2010. Despite that, he believes the prospects for genuine dialogue are increasing. "In the past the government's policy was to hold separate talks with each ethnic armed group, but now it recognises the United Nationalities Federal Council (UNFC) as an umbrella organisation for all the ethnic groups and is willing to engage with the UNFC collectively." A letter from President Thein Sein was delivered to the KIO in February this year, guaranteeing political dialogue, and the KIO welcomed this letter.³⁸ However, Dr Tu Ja added, "the Burma Army troops are still on the frontlines, which is a bad sign".

³⁷ Democratic Voice of Burma, 'Kachin officials resign with eye to elections', 8 September 2009 <http://www.dvb.no/news/kachin-officials-resign-with-eye-to-elections/2483>

³⁸ Kachinland News, 'KIO welcomes Burma president's letter', 4 February 2013 <http://kachinlandnews.com/?p=23108>

China has played a central role since January in urging the two sides to resume talks. “The Chinese Government has played a very important role to try to stop the war. There are Kachins on the China side of the border who helped raise the issue with China. China wanted the upper hand because it is its border. The US, EU and Japan also put pressure on the government to stop fighting. Foreign pressure and domestic pressure are very important. The government needs to listen to the voice of the public inside the country, and to foreign opinion,” said Dr Tu Ja.

Peace-building in Kachin State requires efforts to build trust. “To build peace, the military must stop the offensives, agree a ceasefire and then work to build trust. There is no trust now.” A first step in efforts to build trust would be to withdraw troops to the areas agreed under the terms of the 1994 ceasefire agreement. “If they do that, trust can be built.”

Ultimately, however, peace can only be achieved through a political solution. “The Government must show the ethnic leaders that it is really interested in holding a meaningful political dialogue,” said Dr Tu Ja. “There must be a guarantee of political dialogue. Without such a promise, the KIO will not trust the government. The ceasefire was broken after 17 years, and no political dialogue was held despite the promise in the agreement in 1994. So the government broke its promise, and so for the KIO it is very difficult to trust them. They must show a programme for political dialogue.”

Such a dialogue, he argues, must focus on proposals for a federal system for Burma:

“Federalism is the only one medicine to cure the chronic disease of Burma. The government must announce a nationwide ceasefire, a general amnesty, and then call the ethnic nationalities’ leaders together for a round-table to begin a political dialogue, based on Aung San’s promise at Panglong. We must change the system. Unless they accept federalism, there cannot be peace. I love peace. I want peace. The time is ripe for Burma to change from war to peace, from battlefield to negotiating table, from confrontation to co-existence. Public awareness is higher than before. Foreign support and sympathy is higher than before. Now is a good time to build sustainable peace. We must be transformation-minded people.”

Dr Tu Ja concluded by emphasising the importance of the ethnic situation:

“Some Western governments ignore the ethnic issues and just focus on Thein Sein and Aung San Suu Kyi. But the ethnic people make up almost fifty percent of the population, and they control the border areas, major trade routes and natural resources, so the ethnic issue is key. Democratisation alone is not enough. A democracy which cannot solve the ethnic issue cannot bring genuine peace and stability to the country. If there is no peace, nothing can be done.”

He emphasised that the ethnic struggle is for federalism, not separation.

“The ethnic struggle is not for secession, not for ideology, not to topple the government. It is simply for ethnic rights. Burma should not be built on a policy of one race, one nation, but on the principle of unity in diversity – ethnic races living together.”

5.3.1. Interviews with Internally Displaced Persons in Kachin State

CSW visited two camps for Internally Displaced Persons (IDPs) in Wai Maw and one camp in Myitkyina, and interviewed a number of IDPs individually and collectively. The visits were made without any interference from the authorities.

The first camp which CSW visited was Wai Maw Minor camp, run by the Roman Catholic Church. There are 1,060 IDPs in this camp. CSW interviewed a group of people from Garayang, 27 miles from Wai Maw, who had all fled on 13 June 2011, when they heard fighting in Kasu. According to one person, “We heard fighting around 2am or 3am. The bridge exploded, and we heard gunfire, which continued sporadically. The next day we ran away. After we fled, we heard that there had been severe fighting and artillery fire. That continued from 13 June. One lady was shot dead, two or three days later, when she came up from her farm.”

The people from 300 households in Garayang fled to different locations. “We spread to many places: to the hills, to relatives, to this camp. We ran away, but not in an organised way,” said one IDP.

According to one family, “We just brought a few clothes and my four children. The youngest at the time was a one-month-old baby, and the eldest was 11 years old. I could not go into the mountains with four children so I came here.”

One man told CSW that he had secretly returned to the village two or three times since his escape, to see what the situation was, and Burma Army soldiers are still there, guarding the bridge.

CSW also met IDPs who had fled from Nam San Yang, 15 miles from Laiza, and they reported that their village was deserted, and all 1,000 families had escaped. “All the houses were burned down, except for the Catholic and Baptist churches and the Buddhist temple, which are still remaining,” said one. “I went back two or three days ago to see. But the Catholic priest’s possessions were scattered.”

One person from Nam San Yang said, “Some people left the area immediately, as soon as the fighting started; some left after two or three months. We knew that if there was more fighting, we would suffer again, and so we fled. I fled thinking that it would just be temporary. I took just a few clothes, and my four children, aged between 11 and 17. We left on 16 June. It was the first time I had had to flee.”

Several women told CSW that their husbands were serving in the KIA and when asked whether they had volunteered or were forcibly conscripted, one woman answered, “Some are directly ordered to join the KIA, others volunteer. My husband volunteered. Since the fighting started, KIA soldiers receive just one month’s training. We know the situation and we know there is no choice. But what we really want is peace and freedom.”

When asked what they thought about the KIO/KIA, one woman said, “We strongly believe in the KIO/KIA. We are all agreed. We want the KIO/KIA to lead us to freedom, and to establish the principles of the Panglong Agreement. We are fighting for autonomy, a federal state, the rights of the Kachin. We feel totally suppressed by the government. Our rights are clearly violated. For example, educated Kachins are denied positions in the military or in government service, and even if appointed, they are not promoted. We are thinking about peace – and then we can be reunited with our husbands.”

Another woman said, “The truth should be known about what is happening here. Peace should be achieved. If outsiders can help us achieve peace, then we can go home.”

One man said, “We want three things: to have our own people govern Kachin State; to have assistance to develop our livelihoods; and freedom and rights. We have no freedom at the moment. The difference between now and the past is that in the past, people ran away, into the jungle, but then when fighting was over they came back to their homes, with no problem. Now, people cannot stay in their homes. They have to run away. They are afraid of mass killings.”

In the second Wai Maw Minor camp, run by the Kachin Baptist Convention (KBC), there are 1,416 people, from 318 households. They come from 21 villages across six townships.

CSW spoke to one man, aged 81, from Kasu, who fled immediately after fighting started in his village on 15 June. He had been elected village leader in Kasu four times. “The attack started around 3am on 15 June. I heard the bullets flying. Immediately my family came out of our house to hide in a water channel, a dip, next to the house. There were nine of us – five children and four adults. The fighting continued until 7am. It was severe fighting. Even animals were killed. We stayed in the dip for another two or three hours after the fighting stopped, and then we ran deeper into the jungle to hide. We thought they would come and burn our house down. We were very afraid.”

Soldiers from Burma Army Battalion 321 had been posted in Kasu for many years. During the ceasefire there were between six and ten soldiers, but since the conflict resumed the number of troops in Kasu rose to between twenty and twenty-five. “They were 30 feet from my home,” said the 81-year-old.

One effect of the war in Kachin State, he believes, is the impact on family and social life. “In the past everything was running smoothly in family life and social life, but after the fighting started in June 2011 getting married, socialising, even visiting other villages has stopped.” He has been married three times, and his first two wives died as a result of war. His first wife died within one month of fleeing into the jungle, after his village was attacked, and his first child died at the age of three. His second wife also died in the jungle, from malnutrition. He has five children with his third wife. He concluded with these words:

“I want to express what is happening but there is no one to express it to,” he said. “I am so glad you have come. Kachin and Burmans, we know each other – and we do not trust each other. Unless the UN, the US and the UK help us, between us peace is impossible. We do not trust China – they gave us nothing and take everything.”

5.3.2. Interview with a former political prisoner and the wives of three current political prisoners

CSW interviewed one former Kachin political prisoner, and the wives of three current Kachin political prisoners, in an IDP camp. Their accounts of treatment during interrogation and detention indicate the appalling use of torture and represent severe violations of human rights.

The former political prisoner spent one year in prison, following his arrest in January 2012. He told CSW:

“I was a government official. I was imprisoned because I was suspected of being involved with the KIO. I was arrested at 11pm on 4 January 2012 when more than 20 soldiers came to my house in Myitkyina Township, surrounded the house and asked me to come out. I came out and thought I was okay, but immediately my face was covered, I was beaten, and a gun shot was fired next to my head. As a result, my hearing was damaged.

Then I was sent to a Buddhist temple nearby. My interrogators said, "Although you are a government official, you are a KIO spy." I told them that I am not a local person, I am from another town far from this area, and I didn't know about the conflict. I was tortured with a knife. They heated a knife in a fire, and cut my legs. Then they put a hand grenade in my mouth, and threatened to pull the pin. They did this several times, keeping it in my mouth for about five seconds at a time, forcing me to admit that I am KIO. But I am not KIO, and so I did not admit. They kept me in the temple for twenty days. For the first three days, I had no food and no water, and I was hung upside down for one day and one night. After putting the hand grenade in and out of my mouth, they then put a plastic bag over my face and poured water over it. They forced me to kneel on sharp stones. They beat me again and again, one after the other.

I was one of five people detained in the temple, each in a different room. After 15 days they put us all together in one room. Some of the young soldiers were compassionate and asked what we needed. They secretly went to the shops to buy medicines, and so we could give medicine to each other – painkillers and ointment, simple medical treatment for our injuries.

I am a Christian, and my faith helped me survive. I forgive those who tortured me. I thought I would be killed, and so I prayed. I surrendered to God. I prayed a lot.

When I was arrested, I was totally cut off from my family. They did not know where I was taken. My wife's mother saw I had been arrested – my wife was an IDP at the time I was arrested. It was the first time I had ever been arrested. I have two children – my son was just three months old at the time, and my elder child was four years old.

After twenty days, I was moved from the temple to Myitkyina prison. There were more than 400 prisoners there in total. In my cell, there were more than 260 prisoners, in a cell which was 100ft long and 30ft wide. We had a mat each, but we were not allowed out of the cell. My family could visit me once every two or three weeks.

I had no real trial. I was arrested under the Unlawful Associations Act, articles 171I and 384, and given a one-year sentence. I met many other prisoners, at least fifty or sixty, also with similar charges under 171I of the Unlawful Associations Act. During my interrogation, I was asked, "Do you know where you Kachin descended from?" My interrogators told me that during British colonial rule Burmese soldiers raped Kachin women, and those women had children, and the current generation of Kachins are descendants of those women who had been raped.

This experience made me develop a very strong will against the government. Previously I did not have any intention of being involved in struggling against the government. But retaliation and revenge are not good.

I have had no problems since my release from prison, and the ones who beat me were the ones who took me out of prison on my release date. A three-star officer apologised to me, saying that the soldiers had done more than they should have done. He gave me a cigarette and lemonade. But I was not given any compensation, nor any acknowledgement that the charges were false. The apology was superficial, not from the heart.

We need peace, but I don't believe there will be peace. There should not be such discrimination in the future. The outside world should know about these things."

The wives of three current Kachin political prisoners told CSW that their husbands were facing the same charges under the Unlawful Associations Act. They had had several court

hearings, but no sentence. They have been in prison since their arrest on 12 June 2012. They were selling buffalo on the road to Laiza when they were arrested. They were taken to the same Buddhist temple for interrogation. One of the women said, "If you are a Kachin, you are considered to be KIO/KIA, wherever you are."

After three days of interrogation, the three men were sent to Myitkyina prison. Their wives were able to visit them for the first time on 5 July. According to one of the wives:

"When I visited my husband, his whole face was wounded. He was covered in blood, and his nose was broken. He had faced so many different kinds of torture during interrogation. An iron bar was rubbed along his legs. He was forced to engage in homosexual sex, and forced to dance the traditional Kachin Manau dance. He was told that as he was a Christian, he should kneel on very sharp stones with his arms outstretched like Christ on the cross, and then the others were forced to dance the Manau dance around him. He was beaten on his hands and arms.

Police took off his clothes, and asked the men to have sex with each other. When they refused, they were beaten and forced to do it. One of them was tied up with ice and beaten severely. They were sent to a place where a bomb explosion had occurred, and were accused of making the bomb. They were hit in the head with guns. And this morning, I went to court. I could see my husband had a lot of knife wounds."

The severity of such abuses indicates that there is a very long way to go for Burma's reform process. The international community must address these grave violations of human rights with the Government of Burma as a matter of urgency, and press the Government of Burma to stop practices of arbitrary detention and torture, end military offensives against Kachin civilians and establish a genuine peace process, involving a political dialogue, with the KIO/KIA.

6. Conclusions

“The impact of the war this time has been enormous. Many have lost land, plantations, livelihood. Those people can no longer support their children. People are living in the middle of nowhere, hopeless, desperate, suffering... People are hopeless and desperately need help.” – Kachin Peace Talk Creation Group

As the evidence detailed in the report demonstrates, there are no grounds whatsoever for premature euphoria and many causes for very serious concern about and attention to the situation in Burma. CSW believes that the decision by the European Union to lift all sanctions, with the exception of the arms embargo, was premature. While there has been some opening and some relaxation of the repressive atmosphere, enabling civil society, media and political actors greater freedom for peaceful assembly and expression in Rangoon and in some other areas, the change of atmosphere is limited and fragile, and has not yet led to a sustainable or substantial change of system. Moreover, grave human rights violations continue to be perpetrated by the security forces and other authorities, and a culture of impunity prevails. Anti-Muslim violence and religious intolerance within society poses a significant threat to Burma's future peace, freedom and stability, and the security forces and other authorities are in some places complicit, or at best grossly negligent, in their failure to prevent violence, intervene to stop violence, or bring the perpetrators of religious hatred and violence to justice.

The international community must address these concerns as a matter of urgency with the Government of Burma. If Burma is to move forward to genuine democracy and peace, a political solution to decades of civil war with the ethnic nationalities is essential. That must involve a nationwide consultation and development of a federal democratic system. As senior NLD leader and former political prisoner U Win Tin reminded CSW, Aung San Suu Kyi and the NLD are committed to federalism, and have endorsed federalism for many years, in several statements, speeches and agreements, notably with her endorsement of the ethnic nationalities' Mae Tha Raw Hta Agreement in 1997.³⁹

A clear strategy to promote human rights and genuine democratic reform, address the culture of impunity, establish a genuine peace process and political dialogue with the ethnic nationalities, counter religious intolerance and sectarian violence, promote inter-religious dialogue, reconciliation and harmony and advocate protection of freedom of religion or belief, must be developed by the international community, including the UN, the United States, the European Union, ASEAN, China, India, Japan, Bangladesh and other actors. Recent months have seen an imbalanced approach to Burma, based on premature euphoria; and while it is absolutely right to welcome positive changes, encourage reforms and engage in a new constructive dialogue with the Government of Burma, offering a hand of assistance to further the reform process, that engagement must be critical as well as constructive; and must promote equal rights for the ethnic nationalities, freedom of religion or belief, the development of a federal democracy, the rule of law, an end to impunity, truth and accountability, and the promotion and protection of human rights for all the people of Burma. Failure to do so will result in hopes dashed, and further instability, conflict, fear, death and destruction.

³⁹ Ethnic Nationalities Seminar, 'Ethnic Nationalities Seminar Statement', 15 January 1997
<http://www.ibiblio.org/obl/docs/Mae-Tha-Raw-Tha.htm>