



DOCUMENTING ATROCITY CRIMES COMMITTED AGAINST THE ROHINGYA IN MYANMAR'S RAKHINE STATE

THE PUBLIC INTERNATIONAL LAW & POLICY GROUP'S
2018 HUMAN RIGHTS DOCUMENTATION MISSION

—
FACTUAL FINDINGS

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*The Public International Law & Policy Group's
2018 Human Rights Documentation Mission*

FACTUAL FINDINGS REPORT

September 2018



PEACE NEGOTIATIONS
POST-CONFLICT CONSTITUTIONS
WAR CRIMES PROSECUTION

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All of my interactions with the refugees were polite, generous and positive. This never ceased to amaze me, given the circumstances under which I was meeting them. The Rohingya are a pervasively persecuted minority, accustomed to being aliens in a land so hostile to them that the agents of law and order regularly brutalized them. Even the Rohingyas' neighbors regularly betrayed and victimized them. I would have thought they'd have earned the sort of distrust, cynicism, and fear that would have caused them to refuse to speak to any strangers, let alone those seeking to ask personal questions about their repression.

- Quote from an investigator

They cried from the pain of having lost loved ones, from the anguish of watching their houses, businesses and animals burn, from the horror of stepping over bodies on the banks of the river to climb on to the ferry that would take them away from a place they unfailingly called their "homeland." Most often, though, people started to cry when they described the injustice of what they had experienced. One man, who was in a refugee camp for the third time in his life because of government sponsored or tolerated repression (1978, 1991, 2017) said, "We did nothing to them. Nothing. When we saw the military, we would go the other way. We didn't touch a thing that was theirs. Why did they do this to us?"

- Quote from an investigator

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ABOUT THIS REPORT

In March and April 2018, the Public International Law & Policy Group (PILPG), at the request of the U.S. Department of State, undertook an as yet unprecedented large-scale and comprehensive human rights documentation investigation mission in the refugee camps and settlement areas in Eastern Bangladesh. The purpose of this investigation mission was to provide an accurate accounting of the patterns of abuse and atrocity crimes perpetrated against the Rohingya in Myanmar's Rakhine State and to help inform the policy decisions of the U.S. government related to accountability in Myanmar. PILPG's investigation team ultimately conducted 1,024 interviews with Rohingya refugees, and those interviews are the basis of this Report.

The factual findings of PILPG's investigation mission formed the basis of the State Department's recently released report on human rights violations against the Rohingya - *Documentation of Atrocities in Northern Rakhine State*. At the conclusion of its investigation, PILPG provided the State Department with the more than 15,000 pages of documentation collected from the 1,024 interviews conducted by PILPG. Along with this information, PILPG drafted an initial qualitative report for the State Department to outline the findings and initial conclusions from PILPG's investigation mission. PILPG also provided to the State Department a quantitative database with more than 13,000 coded instances of grave human rights violations.

The purpose of this separate and independent *Factual Findings Report* ("Report") is to present the key factual findings of PILPG's investigation mission, including the patterns of violence and violations perpetrated against the Rohingya. This Report is the first of two PILPG reports on the investigation mission.

Since the conclusion of the investigation mission, and with substantial support from an array of international attorneys and international criminal law experts, PILPG has also been drafting an extensive legal analysis of the factual findings. PILPG will publish this analysis, along with recommendations for future justice accountability efforts in its second report. PILPG's second report on the investigation mission, the *Factual Findings & Legal Analysis Report*, is forthcoming October 2018.

Dr. Paul R. Williams
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September 2018

EXECUTIVE SUMMARY

In late August 2017, the Myanmar (formerly and still commonly known as “Burma”) armed forces launched a so-called “clearance operation” against the Rohingya population in Myanmar’s northern Rakhine State. Within a few months, more than 700,000 Rohingya had fled their homes to seek refuge in sprawling and overcrowded refugee camps and settlements in Eastern Bangladesh. These Rohingya men, women, and children fled to escape mass shootings and aerial bombardments, gang rapes and severe beatings, torture and burning, and attacks from flamethrowers and grenade launchers.

Even as the Rohingya fled from Myanmar, they had to step over the bodies of thousands of slain or drowned Rohingya who had been killed by the Myanmar armed forces mere moments before they could escape across the border to Bangladesh. The Rohingya who did make it to Bangladesh left behind a place of terror, violence, and destruction. Yet, despite the horrors they faced there, it is a place that the Rohingya refugees still unfailingly call their “homeland.”

To provide an accurate accounting of the patterns of abuse and atrocity crimes perpetrated against the Rohingya in Rakhine State, and to support future justice and accountability efforts, the Public International Law & Policy Group (“PILPG”), at the request of the U.S. Department of State (“State Department”), undertook a human rights documentation mission in the refugee camps and settlement areas in Eastern Bangladesh. PILPG’s investigation represents a large-scale and comprehensive effort to document the experiences of the victims who fled the violence in Rakhine State since October 2016.

In February 2018, PILPG assembled an investigation team of 18 highly experienced and trained international investigators from 11 countries to conduct its investigation mission. This investigation team included former prosecutors and investigators from a range of countries and international criminal tribunals, former investigators from Darfur and South Sudan investigation missions, military and security experts, and international criminal accountability experts. The investigation team also included 18 local Rohingya and Bengali interpreters, all of whom were trained by PILPG and an interpretation expert with extensive experience working on International Criminal Court field missions.

Drawing from previous large-scale missions that investigated violence and crimes in Darfur and South Sudan, PILPG and the State Department designed an investigation mission focused on systematically collecting first-hand accounts from a random and representative sample of refugees living in camps in Bangladesh to enable the State Department to formulate policy decisions to address the situation faced by the Rohingya.

From March to April 2018, PILPG’s investigators collected 1,024 interviews from

Rohingya refugees in 34 refugee camps in Eastern Bangladesh. Having a team of experienced investigators to systematically conduct such a large number of interviews using random sampling protocols allowed PILPG to obtain the most broadly representative information possible about the experiences of the Rohingya refugees who fled Myanmar. PILPG provided quantitative data from the interviews to the US State Department, which is captured in its recent report *Documentation of Atrocities in Northern Rakhine State*.¹ PILPG's Report, in turn, complements the State Department's report by providing the underlying qualitative data. As such, this Report in its Part II – *Factual Findings of the Investigation Mission* – does not present statistical and numeric findings; rather, it provides a qualitative analysis of the documentation, with a focus on identifying patterns in the documented violations. Although the factual analysis is limited to the data collected in the 1,024 interviews, the statistical methodology applied in the investigation mission allows for more generalized conclusions.

The investigation mission's findings reveal clear patterns of abuse against the Rohingya, some of which stretch back for decades. Though the investigators only interviewed refugees who had fled Rakhine State after October 2016, the interviews revealed years-long patterns of violence and widespread human rights violations targeted against the Rohingya, including curfews and movement restrictions, property and land confiscation, restricted access to food, marriage and family restrictions, religious persecution, extortion and threats of violence, forced labor, and regular beatings, rapes, and murder.

The investigation uncovers that a period of the most consistent persecution and escalating violence against the Rohingya began in 2012 and steadily intensified through the major attacks that began in August 2017 and culminated in the mass displacement of Rohingya to Bangladesh. Over these years, the violations and abuses against the Rohingya were predominantly perpetrated by the Myanmar armed forces—mainly the Tatmadaw-Army, but also the Border Guard Police, Combat Police Force, and Rakhine State Police.

The investigation further finds that, the military and police presence in and around Rohingya villages across northern Rakhine State increased noticeably in the weeks before the major systematic attacks of August–September 2017. This buildup of forces was accompanied by increasingly common raids and searches of Rohingya homes, seizures of cooking knives and other potential 'weapons,' public attacks on Rohingya women and religious leaders, mass detentions and beatings of young Rohingya men, regular interrogations and instances of torture, the removal of fences that might impede the progression of Myanmar armed forces, and a marked increase in killings, beatings, and other violent acts against the Rohingya.

¹ United States Department of State, *Documentation of Atrocities in Northern Rakhine State* (2018), available at <https://www.state.gov/documents/organization/286307.pdf>.

Then, in late August 2017, after months of military buildup and escalating violence, Myanmar armed forces launched widespread and systematic attacks against Rohingya civilians across northern Rakhine State. These major attacks included large-scale and coordinated ground assaults that were sometimes accompanied by aerial support and typically involved dozens or hundreds of Myanmar armed forces personnel attacking Rohingya villages, burning homes, and killing or driving away the Rohingya inhabitants.

The attacks were brutal. They included indiscriminate shooting, mass killings, numerous rapes and gang rapes of young women, mutilation of pregnant women and newborns, widespread beatings and killings of young men, the burning and drowning of children, executions of religious leaders, the desecration of religious structures and symbols, the destruction of homes and villages, crops and food stores, looting, and mass disappearances.

Of the 1,024 Rohingya interviewed, 20 percent were themselves physically injured in the attacks, nearly 70 percent witnessed their homes or villages being destroyed, and 80 percent witnessed the killing of a family member, friend, or personal acquaintance. The Myanmar armed forces, led by the Tatmadaw-Army and often in coordination with other security forces, only targeted Rohingya civilians in these attacks. Non-Rohingya civilians were left alone or evacuated by the armed forces prior to attacks. In some instances, non-Rohingya civilians joined in the attacks against the Rohingya, sometimes with weapons reportedly provided to them by the Myanmar armed forces.

After most of the Rohingya had been killed or had fled their villages, a second wave of Myanmar armed forces came to attack or kill the remaining Rohingya civilians, often going door-to-door to systematically kill those left alive. They also destroyed the remaining vestiges of their villages by leveling them with bulldozers or burning them to the ground. The Myanmar armed forces burned many of the bodies or sought to dispose of them in mass graves or in nearby bodies of water, including wells.

The investigation mission's findings suggest that these attacks were all part of a highly coordinated military campaign that required tactical and logistical planning. Specifically, interviewees reported the use of aircraft, artillery, and the transport of thousands of soldiers to remote villages. Furthermore, Myanmar armed forces executed this campaign in multiple places across northern Rakhine State within a matter of hours or days. The vast majority of these attacks occurred between August 25, 2017 and September 4, 2017, with the respondents commonly referring to the day their respective villages were attacked as "Massacre Day."

The Myanmar armed forces claimed that these attacks were part of a "clearing operation" designed to target the Arakan Rohingya Salvation Army (ARSA) following ARSA attacks on an army base and border guard police posts on August 25, 2017. However, the chronology, speed, and widespread scope of the attacks, as well as the systematic and exclusive targeting of all Rohingya people suggest that the

Myanmar armed forces were carrying out a planned, coordinated, and systematic attack against the Rohingya for which the ARSA attacks provided a convenient justification.

Even as the Rohingya fled their villages and made their way to Bangladesh, they faced violent attacks. As many interviewees recounted witnessing first hand, Myanmar armed forces regularly shot at columns of Rohingya about to cross into Bangladesh, military helicopters hunted for and fired upon groups of fleeing Rohingya, and the Myanmar Navy shot Rohingya with boat-mounted guns or intentionally rammed overcrowded ferries to drown those on board as they sought to flee across the Naf River into Bangladesh.

Every person interviewed by PILPG's investigation mission had personally experienced or witnessed large-scale attacks, killings, destruction of property, consistent intimidation and harassment, or contempt for their culture and religion. The scale and severity of the attacks and abuses—particularly the mass killings and accompanying brutality against children, women, pregnant women, the elderly, religious leaders, and persons fleeing into Bangladesh—suggest that, in the minds of the perpetrators, the goal was not just to expel, but also to exterminate the Rohingya. The factual findings of the investigation mission thus reveal that the violence against the Rohingya in northern Rakhine State was well-planned, widespread, systematic, and aimed at terrorizing the Rohingya, rendering them defenseless, and ensuring their removal from Myanmar—whether by displacement or death.

Following its investigation mission, and with substantial support from an array of international attorneys and international criminal law experts, PILPG has been conducting an extensive legal analysis of the factual findings to determine whether and to what extent the information from the investigation mission provides a reasonable basis upon which to believe that atrocity crimes were committed against the Rohingya in Myanmar's Rakhine State. PILPG will publish this analysis, along with related recommendations for future justice and accountability efforts in its complete *Factual Findings and Legal Analysis Report*, forthcoming October 2018.

Overall, this *Factual Findings Report* provides a comprehensive review of the context, design, conduct, and findings of PILPG's investigation mission in the refugee camps in Eastern Bangladesh. Specifically, Part I of the Report describes the historical context of the situation in Rakhine State, as well as the design and conduct of PILPG's investigation mission. Part II then lays out the factual findings of the investigation mission, including the key patterns of violence and violations perpetrated against the Rohingya that were identified through the investigation.

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PART I

BACKGROUND & CONTEXT

This Part of the Report provides a brief background on Myanmar, the context of the situation in Rakhine State, and an overview of the conditions leading to mass displacement of the Rohingya since late 2016. It also outlines the context of PILPG's investigation mission, as well as the methodological details of the mission's design and function. This Part it is not intended to provide an exhaustive or comprehensive history or contextual background. Rather, its purpose is to introduce the context and conditions giving rise to PILPG's investigation mission in the refugee camps in Eastern Bangladesh, and how that context shaped PILPG's applied methodology.

CHAPTER 1

BACKGROUND ON MYANMAR

MYANMAR'S PATH FROM INDEPENDENCE AND DEMOCRACY TO MILITARY RULE AND ITS RECENT MOVEMENTS BACK TOWARDS DEMOCRACY

Myanmar (formerly and still commonly known as “Burma”) has a complex and turbulent political history. Following its independence from the United Kingdom in 1948, Myanmar has been primarily ruled by a repressive military junta or military-backed government. While Myanmar initially had a democratically-elected government following its independence, years of civil conflict and perceived mismanagement of the state led the military to oust the elected government in 1962. The military junta controlled all aspects of life, including the economy, media, election laws, and freedom of association. A hallmark of the military junta's rule was its severe and often violent marginalization of ethnic minority populations across Myanmar. This included human rights abuses in the context of armed conflict with ethnic armed organizations, as well as in the routine repression of political opposition and minority populations.²

Mounting political tensions came to a head in 1988, when a student uprising resulted in the deaths of 3,000 students and other civilians at the hands of the military. In 1990, the National League for Democracy (NLD) and members of the United Nationalities Alliance (UNA)—an alliance of ethnic political parties—were finally able to contest Myanmar's elections. However, when the NLD won a majority of seats in parliament, the military nullified the results.³

After refusing to accept the NLD's 1990 election victory, the military junta imposed further restrictions, arresting the NLD leader Aung San Suu Kyi and NLD party members, many of whom remained in prison for decades. Subsequent popular uprisings against the military-backed government and growing internal and international pressure led the government to slowly introduce democratic reforms, along with the release of Aung San Suu Kyi and other prominent political opposition leaders. Eventually, the military-backed government allowed the NLD to run candidates for parliamentary bi-elections in 2012, and Aung San Suu Kyi

² Konsam Shakila Devi, *Myanmar Under Military Rule*, 3 INTERNATIONAL RESEARCH JOURNAL OF SOCIAL SCIENCES 46 (2014); Sean Turnell, *Myanmar's Fifty-Year Authoritarian Trap*, JOURNAL OF INTERNATIONAL AFFAIRS (2011); Mohamad Faisol Keling, et. al., *A Historical Approach to Myanmar's Democratic Process*, 1 JOURNAL OF ASIA PACIFIC STUDIES 132 (2010).

³ Ishaan Tharoor, *What Happened When Aung San Suu Kyi's Party Last Won an Election in Burma*, WASHINGTON POST (Nov. 9, 2015); National Public Radio, *As Myanmar Opens Up, A Look Back On A 1988 Uprising* (Aug. 8, 2013); Human Rights Watch, *Burma: Justice for 1988 Massacres* (Aug. 6, 2013), available at <https://www.hrw.org/news/2013/08/06/burma-justice-1988-massacres>; Derek Tonkin, *The 1990 Elections in Myanmar*, 29 CONTEMPORARY SOUTHEAST ASIA 33 (2007).

was elected to a seat in parliament.⁴

In late 2015, Myanmar held its first democratic elections in half a century, and the NLD won a commanding majority of seats in parliament. The NLD-led government took office in March 2016.

Despite the NLD's electoral success, Myanmar's 2008 Constitution still preserves much of the military's dominance over the government. For instance, the Constitution exempts the military from civilian control. It also guarantees the military 25 percent of the seats in both the upper- and lower-chambers of Myanmar's parliament, providing the military with a *de facto* veto authority. Moreover, the 2008 Constitution reserves a range of positions and powers in every branch of government for the military. In effect, the Myanmar government design under the 2008 Constitution enables the military to control legislative outcomes, exert strong pressure on the President, and maintain authority over a range of executive powers.⁵

MYANMAR'S LONG HISTORY OF REPRESSION AND MARGINALIZATION OF ETHNIC AND RELIGIOUS MINORITIES

Myanmar has a highly diverse population, with 135 legally recognized ethnic groups. When Myanmar gained its independence, the Myanmar government decided not to adopt a federal structure that had previously been agreed upon in pre-independence talks. This federal structure would have provided autonomy to the ethnic minority regions that co-existed alongside the ethnic Bamar majority. In response, the ethnic minorities took up arms against the government. These armed conflicts between the military and dozens of ethnic armed organizations have been ongoing for decades, with varying degrees of intensity depending on the time period and the ethnic group involved. In fact, Myanmar is considered to have one of the world's longest-running civil wars, with conflicts with ethnic armed organizations ongoing for nearly 70 years.⁶

The political changes surrounding the 2015 elections opened up space for the negotiation of a Nationwide Ceasefire Agreement. However, only eight ethnic armed organizations out of almost two dozen signed the agreement, and conflicts continue to escalate. As efforts to expand the Nationwide Ceasefire Agreement to include more ethnic armed organizations proceed, conflicts continue across Myanmar, and political reforms have stalled or are making slow progress. Deep concerns remain about the

⁴ Mohamad Faisol Keling, et. al., *A Historical Approach to Myanmar's Democratic Process*, 1 JOURNAL OF ASIA PACIFIC STUDIES 132 (2010); Susanne Kempel, Chan Myaw Aung San, & Aung Tun, *Myanmar Political Parties at a Time of Transition*, PYOE PIN PROGRAMME (Apr. 2015).

⁵ MYANMAR CONST. (2008); The Economist, *What is Wrong with Myanmar's Constitution* (May 4, 2014); Reuters, *New Myanmar Constitution Gives Military Leading Role* (Feb. 19, 2008).

⁶ Burma News International, *Deciphering Myanmar's Peace Process: A Reference Guide 2016* (Jan. 2017); Beina Xu & Eleanor Albert, *Understanding Myanmar*, COUNCIL ON FOREIGN RELATIONS (Mar. 25, 2016).

preparations for a comprehensive national dialogue and potential constitutional reform, as part of a process to end the decades of conflict.⁷

In the midst of these decades of political turmoil and ethnic conflict, there has also been extensive religious persecution and violence within Myanmar, predominantly towards the Rohingya Muslim population in northern Rakhine State, which the next Chapter discusses in further detail.

⁷ Burma News International, *Deciphering Myanmar's Peace Process: A Reference Guide 2016* (Jan. 2017).

CHAPTER 2

BACKGROUND ON THE ROHINGYA AND THE CONTEXT OF THE ROHINGYA REFUGEE CRISIS

I believe that the level of harassment and violence prior to the August/September 2017 attack was more severe and widespread than previously documented. I lived in Rakhine State, read reports from UN trips up to northern Rakhine State, and knew Burmese and international staff that worked in northern Rakhine State. Yet, I did not learn that life for the Rohingya prior to the attacks was so restrictive and violent.

- Quote from an investigator

DECADES OF VIOLENCE AGAINST THE ROHINGYA MUSLIM POPULATION IN MYANMAR

Since 1978, the Rohingya, a Muslim minority population, has been subject to widespread state-sponsored violence in Myanmar's Rakhine State. Myanmar state media, official policy documents, politicians, and public sentiment portray the Rohingya as illegal 'Bengali' migrants who pose a threat to national security. Because Myanmar's government does not consider the Rohingya to be among the country's 135 official ethnic groups, the Rohingya are effectively ineligible for citizenship or associated rights.⁸

While accounts of persecution and violence against the Rohingya date back decades, a period of more consistent attacks began in June 2012, following the alleged rape of a Buddhist woman. Three Rohingya men were accused of the rape, inciting widespread mob attacks against the Rohingya. The state security forces refused to intervene, and they later actively joined in the killing, beating, and displacement of Rohingya. Numerous accounts detailed military forces surrounding Rohingya villages, shooting at random, and looting the homes of fleeing Rohingya after June 2012. The Myanmar government has not prosecuted anyone for these attacks. The resulting violence ultimately displaced

⁸ Katie Hunt, *How Myanmar's Buddhists Actually Feel About the Rohingya*, CNN (Sept. 20, 2017); Doctors Without Borders, *The Statistics from our Rohingya Report Are Sickening* (Dec. 15, 2017); Human Rights Watch, *Burma: Events of 2016*, in HUMAN RIGHTS WATCH WORLD REPORT 2017 (2017); Human Rights Watch, 'All You Can Do is Pray': *Crimes Against Humanity and Ethnic Cleansing of Rohingya Muslims in Burma's Arakan State* (April 22, 2013); Human Rights Watch, *Burma: End 'Ethnic Cleansing' of Rohingya Muslims*, (Apr. 22, 2013); *Citizenship Law* (Myanmar, 1982); Nora Rowley, *Burma's Authoritarian Rule and Depopulation of Rohingya*, THE SENTINEL PROJECT (July 29, 2013); Human Rights Watch, *Historical Background in BURMESE REFUGEES IN BANGLADESH*, (May 2000).

approximately 140,000 Rohingya within Rakhine State, with other Rohingya fleeing to Bangladesh where other Rohingya refugees had been for years.⁹

By September 2012, approximately 200,000 Rohingya were staying in makeshift relief camps in Bangladesh. From 2012 through 2016, tens of thousands more Rohingya fled violence in Rakhine State and lived in temporary camps in Myanmar that were physically segregated from the villages of other Rakhine civilians. Meanwhile, national and local policies prevented humanitarian assistance from reaching many of those interned populations. Other Rohingya attempted to flee by boat, which resulted in a highly publicized migrant crisis in May 2015 when thousands of fleeing Rohingya became stranded at sea.¹⁰

As documented in the factual findings presented in Part II of this Report, the violence and persecution against the Rohingya increased in both scale and severity after 2012, culminating in the major outbreaks of violence against them in 2016 and 2017 that led to the mass displacement of the Rohingya.

ESCALATION OF VIOLENCE AGAINST THE ROHINGYA IN 2016–2017, RESULTING IN THE MASS DISPLACEMENT OF AT LEAST 700,000 ROHINGYA

On October 9, 2016, Myanmar armed forces responded violently to armed attacks in Rakhine state by suspected Rohingya militants. This violence led to further widespread internal displacement of Rohingya, as well as displacement to countries in the region.¹¹

Ten months later, on August 25, 2017, the Arakan Rohingya Salvation Army (ARSA)—a small Rohingya militant group that is one of the most recent armed groups to emerge in Rakhine State and about which relatively little is known—launched attacks on a range of military outposts, with the violence between the parties lasting for several days. The death toll from this encounter reportedly included 14 members of the security forces, 1 government official, and 371 ‘militants.’¹²

The Myanmar government immediately declared ARSA a terrorist organization,

⁹ UN Office for the Coordination of Humanitarian Affairs, *Rakhine Response Plan (Myanmar)*, (July 2012 – December 2013); Human Rights Watch, ‘*All You Can Do is Pray*’: Crimes Against Humanity and Ethnic Cleansing of Rohingya Muslims in Burma’s Arakan State (Apr. 22, 2013).

¹⁰ UNHCR, *2015 UNHCR Country Operations Profile – Myanmar* (2015); Lizzie Dearden, *Rohingya Migrant Boat Crisis: Who is to Blame for Thousands of People Stranded at Sea?*, THE INDEPENDENT (May 20, 2015); BBC, *Why are so Many Rohingya Migrants Stranded at Sea?* (May 18, 2015); United States Holocaust Memorial Museum, “*They Want Us All to Go Away*”: Early Warning Signs of Genocide in Burma, (May 5, 2015); Human Rights Watch, *Bangladesh: Assist, Protect Rohingya Refugees* (Aug. 22, 2012).

¹¹ Aung Hla Tun, *Myanmar Says Nine Police Killed by Insurgents on Bangladesh Border*, REUTERS (Oct. 9, 2016).

¹² International Crisis Group, *Myanmar’s Rohingya Crisis Enters a Dangerous New Phase* (Dec. 7, 2017) (citing Global New Light of Myanmar, *Humanitarian Aid Provided to Displaced People Without Segregation* (July 22, 2017) (representing Myanmar’s state-owned English-language daily newspaper)).

and the Myanmar military escalated and expanded its military campaign against the Rohingya. This campaign caused the mass displacement of over 700,000 Rohingya to Bangladesh,¹³ which gave rise to the State Department's request to PILPG to initiate an investigation mission. As detailed in Part II, the investigation mission revealed an unprecedented level of brutality and widespread violence against the Rohingya in northern Rakhine State.

THE DIRE CIRCUMSTANCES AND AN UNCERTAIN FUTURE FACED BY DISPLACED ROHINGYA

At the time of writing, more than 700,000 Rohingya, over half of which are children, have escaped across the Myanmar border to neighboring Bangladesh, settling in two refugee camps in Cox's Bazar run by the UN Refugee Agency UNHCR (Kutupalong Refugee Camp and Nayapara Refugee Camp) and in makeshift settlements in the surrounding areas. As few as 10 percent of the original Rohingya population reportedly remain in northern Rakhine state. Most refugees are in Bangladesh, while others fled to Malaysia, Pakistan, Saudi Arabia, India, the United Arab Emirates, Thailand, and Indonesia.¹⁴

The refugee camps in Eastern Bangladesh—where the investigation mission took place—are overcrowded and underserved. The displaced Rohingya face grim conditions within the camp, including personal security concerns, public health issues due to contagious diseases and contaminated water, limited access to food, and major environmental threats. With most of the Rohingya refugees living in hastily constructed and flimsy huts with mud foundations, the safety risks related to monsoons and heavy rains are particularly pressing.

Bangladesh and Myanmar have signed an agreement outlining a plan for the return and repatriation of Rohingya refugees in Bangladesh, but flaws with that agreement have drawn widespread criticism and led to perpetual delays that have prevented its implementation. Though it was not a focus of the investigation, many respondents were concerned about repatriation, having heard rumors of potential repatriation plans. Generally, those interviewed wanted to return to their homes in Rakhine State, but only if they could be guaranteed their ethnic identity, the return of their possessions, and a real future for their children. They wanted to be

¹³ Inter Sector Coordination Group, *Situation Report: Rohingya Refugee Crisis* (Aug. 16, 2018); Eleanor Albert, *The Rohingya Crisis*, COUNCIL ON FOREIGN RELATIONS (April 20, 2018); UNOCHA, *The Rohingya Crisis in Numbers* (Oct. 23, 2017); The Republic of the Union of Myanmar, *Arakan Rohingya Salvation Army (ARSA) Declared as Terrorist Group* (Aug. 25, 2017); UNICEF, *Bangladesh Humanitarian Situation Report No. 1* (May 2017).

¹⁴ UNOCHA, *Rohingya Refugee Crisis* (2018); Inter Sector Coordination Group, *Situation Report: Rohingya Refugee Crisis* (Aug. 16, 2018); Moe Myint, *Ninety Percent of Rohingya Population Ejected from Rakhine*, THE IRRAWADDY (Feb. 23, 2018); International Crisis Group, *Myanmar's Rohingya Crisis Enters a Dangerous New Phase* (Dec. 7, 2017); Stephanie Hancock & Skye Wheeler, *'The Darkness of Humans': Investigating Mass Rape in Burma*, HUMAN RIGHTS WATCH (Nov. 15, 2017); Shakeeb Asrar, *Rohingya Crisis Explained in Maps*, AL JAZEERA (Oct. 28, 2017).

recognized as “Rohingya,” wanted the Myanmar government to compensate them for the things that had been stolen or destroyed, and wanted their children to have an equal opportunity for government jobs. Respondents expressed their concern about being repatriated without being guaranteed safety and these basic citizenship rights. They reiterated frequently that they did not want to return to Myanmar unless those rights were secured and they would be treated with dignity, including respect for their religion, something that they at least felt they had received in Bangladesh, despite the difficult conditions of the camp.

CHAPTER 3

BACKGROUND, CONTEXT, AND APPLIED METHODOLOGY OF PILPG’S INVESTIGATION MISSION

Following the mass displacement of the Rohingya into Bangladesh, PILPG—at the request of and with support from the State Department—undertook an investigation mission in the refugee camps in Eastern Bangladesh to document patterns of violence perpetrated in northern Rakhine State.

The methodology for the mission was developed by the State Department, in consultation with PILPG and building upon previous investigation missions conducted in Darfur and South Sudan. The mission’s target was to collect over 1,000 interviews from a statistically significant and random sample of respondents, throughout all the refugee camps and settlement areas in Eastern Bangladesh. In total, PILPG’s investigation team conducted 1,024 interviews of Rohingya refugees in 34 refugee camps.

Key elements of the methodology included: (1) the assembly of a highly experienced team of international investigators and trained interpreters to conduct the mission; (2) the random selection of respondents throughout all the refugee camps and settlement areas; (3) interviewing only persons above the age of 18; (4) interviewing only respondents who had fled Myanmar since October 2016; (5) collecting only first-hand accounts of human rights violations suffered or witnessed (i.e., not documenting hearsay); (6) a standardized interview format and approach to information collection; and (7) interview coding according to alleged perpetrator, crime, and location. Although the investigation randomly selected all respondents for interviews, all 1,024 interviewees were Rohingya, which was expected, as the Rohingya make up the vast majority of residents in the camps. Specifically, almost all of the respondents came from three townships in northern Rakhine State in Myanmar: Maungdaw, Buthidaung and Rathedaung.¹⁵

The applied methodology was a hybrid, using a combination of classical survey and criminal investigation methods. By conducting interviews to a criminal investigation standard, the mission’s aim was to document the totality of violent events occurring in northern Rakhine State since 2016.

The mission was conducted by a team of 18 highly experienced and trained international investigators from 11 countries. The team included former investigators from Darfur and South Sudan investigation missions, former prosecutors and investigators from a range of countries and international criminal

¹⁵ Only four respondents came from other townships in Rakhine State: Kyautaw (two respondents), Ponnayun (one respondent), and Pauktaw (one respondent).

tribunals, military and security experts, and international criminal accountability experts. Before starting the interviews, the investigators were trained on methodology, self-care in the field, security, logistics, and the challenges involved in interviewing vulnerable populations. Professional psycho-social support was made available to the investigation team, including interpreters, throughout the mission. At the conclusion of the mission, each investigator prepared a report documenting their observations and conclusions based on the information they had collected.

The investigators were teamed with local interpreters trained by PILPG's interpretation expert, who has extensive experience working on International Criminal Court field missions. Each team was also assigned a local guide, a Rohingya refugee from within the camps, who was responsible for helping the teams navigate through the camps and securing privacy during the interviews by dispersing curious crowds.

Each team had at least one female member, either a female investigator or interpreter, to ensure gender sensitivity when interviewing female respondents. PILPG's training for the investigators and the interpreters also included gender-specific considerations.

Using the State Department-developed questionnaire, the investigators performed a qualitative analysis of each interview collected. Namely, the investigators manually "coded" key pieces of information in each interview, including: (1) whether the respondent was a victim or witness of the reported violation; (2) the violation or "event" documented; (3) any identifiable perpetrator(s), including the perpetrators' unit, weapons used, and/or ethnic identity; (4) the date of the violation; (5) the number of victims of the reported violation or event; and (6) the location of the violation.

The codes for "events" and perpetrators were determined in advance and later expanded during the investigation mission. The "event codes" included 56 different types of violations (e.g., code 5 = killing by burning; code 23 = injury by knifing; code 39 = mass grave seen; code 54 = mutilation, etc.), while the "perpetrator codes" included 21 categories (e.g., code 2 = Tatmadaw-Army; code 10 = ARSA; code 15 = aircraft, etc.). Over 13,000 "events" were coded across the 1,024 questionnaires. PILPG used a documentation software to record all of the event and perpetrator codes for subsequent analysis.

In preparing this Report, PILPG drew upon (1) the aforementioned coded information, (2) each investigator's individual reports, and (3) a comprehensive qualitative review of each of the 1,024 questionnaires, performed by PILPG and attorneys from Orrick, Herrington & Sutcliffe LLP.

PART II

FACTUAL FINDINGS OF THE INVESTIGATION MISSION

Part II presents the key factual findings of the investigation mission, including the key patterns of violence and violations perpetrated against the Rohingya identified through an analysis of the 1,024 interviews conducted by the investigation team. Chapter 4 lays out the investigation’s findings of *pre-attack patterns* of violence and widespread human rights violations targeted against the Rohingya over many years, including more consistent violations since 2012 or 2016. Chapter 5 describes the patterns of escalating violence and violations that escalated throughout 2016–2017, while Chapter 6 details how Myanmar armed forces launched widespread and systematic major attacks against Rohingya civilians across northern Rakhine State beginning in August–September 2017, resulting in the displacement of hundreds of thousands of Rohingya. Finally, Chapter 7 summarizes the overall factual findings and conclusions of the investigation team.

CHAPTER 4

PATTERNS OF CONTINUOUS VIOLATIONS (2012–2017)

Though the investigators only interviewed refugees who had fled northern Rakhine State after October 2016, with a focus on the events that made them leave Myanmar, the interviews revealed years-long patterns of escalating persecution and violence against the Rohingya, culminating in the most recent waves of mass displacement in late 2017. The investigation further revealed that persecution and violence against the Rohingya began to noticeably escalate first in 2012 and then in 2016. This persecution and violence sporadically intensified through to the major attacks that began in August 2017 and resulted in the mass displacement of the Rohingya to Bangladesh. Over these many years, the violations and abuses against the Rohingya were predominantly perpetrated by the Myanmar armed forces—mainly the Tatmadaw-Army, but also commonly the Border Guard Police, Combat Police, and Rakhine State Police.

This Chapter describes the documented range of violations and abuses against the Rohingya during this period, including: (1) curfews and movement restrictions; (2) confiscation of land; (3) restricted access to food; (4) marriage and family restrictions; (5) religious-based restrictions; (6) extortion and threats of violence; (7) beatings; and (8) forced labor.

CURFEWS AND MOVEMENT RESTRICTIONS

“We couldn’t light bulbs at night, we had to stay in darkness.”

- Quote from 27-year old Rohingya woman from Maungdaw

Among the many restrictions imposed on the Rohingya, restrictions on movement—namely the imposition of curfews and the prevention of travel—were among the most consistently documented in PILPG’s investigation mission. In some areas in northern Rakhine State, curfews and restrictions on movement were imposed as far back as 2012,¹⁶ following the violence that arose from the alleged rape of a Buddhist woman and resulting mob attacks against the Rohingya. In other areas of northern Rakhine State, however, these restrictions were almost uniformly imposed against the Rohingya in northern Rakhine State as of 2016, and

¹⁶ Questionnaire No. 09SH13.

particularly in the period immediately before attacks in 2016 and 2017.¹⁷ Many respondents described life in this period as “jail” or “hell.”¹⁸

Throughout this time, curfews ran from 6:00pm to 6:00am or 8:00am,¹⁹ during which time even lights or fires were prohibited,²⁰ and Rohingya could not leave their homes. A female respondent spoke of the difficulties of taking care of babies in complete darkness.²¹

The Rohingya also needed permission to go to funerals²² or visit neighbors and family in other villages.²³ One respondents described how the Rohingya were prohibited from hosting people from other villages in their homes.²⁴ Pregnant women and others seeking medical assistance needed approval to go to hospitals or otherwise travel outside of their villages.²⁵ Without a permit, Rohingya were unable to pass the many checkpoints set up around their villages.²⁶ The various village chairmen, who were answerable to the military and thus often unlikely to grant them, were the only ones allowed to grant permits.²⁷ When they did grant permits, it was usually through extortion for exorbitant sums of money.²⁸

These restrictions were only imposed in Rohingya-only villages or in Rohingya neighborhoods of mixed villages. Respondents explained that the Rohingya caught violating any of these rules were beaten,²⁹ arrested,³⁰ or shot dead.³¹ One interviewee recounted the military cutting off a boy’s finger because he was out of the house after 6:00pm.³² The Rohingyas’ fear of repercussions for violating these restrictive rules is well illustrated in this interview:

One respondent told me that others in her village had gotten into “trouble” when their dogs barked after the curfew. Her fear of the situation was so high that she and her family decided to kill the family dogs.

- Quote from an investigator

¹⁷ E.g., Questionnaire Nos. 04VG04; 09KF12; 09SH14; 10CM12; 09KF10.

¹⁸ E.g., Questionnaire Nos. 03SM16; 10CM13; 11CM04; 04MS03.

¹⁹ E.g., Questionnaire Nos. 14CM12; 14CM12; 14CM12; UNVG48; 1WAF17; 15SO03.

²⁰ E.g., Questionnaire Nos. 14CM12; 12CM04; 1EPN02.

²¹ Questionnaire No. NESM76.

²² E.g., Questionnaire No. 03SM44.

²³ PN Investigator Report, p. 17.

²⁴ Questionnaire No. 2EVG18

²⁵ E.g., Questionnaire Nos. 2WSM32; JASM57.

²⁶ E.g., Questionnaire No. 2WSM18.

²⁷ E.g., Questionnaire No. 2WSM23.

²⁸ E.g., Questionnaire Nos. 09CM04; 2EVG24; 2WSM23; 14CM07.

²⁹ E.g., Questionnaire Nos. 15SA35; 1WOO20; NASM65.

³⁰ E.g., Questionnaire Nos. 2WSM32; 09SH02; NERK123.

³¹ E.g., Questionnaire Nos. 2WMS07; 8WSO02; UNVG48; 1WOO12.

³² Questionnaire No. 15SA43.

CONFISCATION OF LAND

Dozens of respondents spoke about their land being confiscated, most often in the weeks and months prior to an attack on their village. In most instances, the land was used to set up military camps.³³

One respondent indicated that the military made him sign a document indicating that he was not using his land for cultivation.³⁴ In another instance, Rohingya land was confiscated for the purpose of building a Buddhist temple, but was ultimately only used by local ethnic Rakhine families.³⁵ The confiscation of land and/or restrictions on land use for cultivation was closely connected to Rohingya's restricted access to food.

RESTRICTED ACCESS TO FOOD

"There were restrictions everywhere. We could not go to work, to madrassa, or school or mosque. Many times we had to stay without food."

- Quote from 25-year old Rohingya woman from Maungdaw

The investigation revealed regular patterns of the Rohingya having their access to food restricted or blocked altogether for many years, but most often in the months prior to attacks on their village. One interviewee described how the military banned cultivating land,³⁶ with the Rohingya having to grow what crops they could in secret.³⁷ Ethnic Rakhine civilians also chased away the Rohingya from their own fields to prevent them from cultivating the land.³⁸

Fishing, a livelihood for many Rohingya, was also banned for the Rohingya throughout northern Rakhine State,³⁹ with the military confiscating or destroying Rohingya fishing boats in some cases.⁴⁰ In some villages, only ethnic Rakhine civilians were allowed to use the boats or go fishing.⁴¹ In other instances, Rohingya fishermen had to pay for permission to fish⁴² or had to pay bribes to sell fish at the markets.⁴³ As indicated by interviewees, if they were caught fishing, Rohingya men were arrested,⁴⁴ or they were threatened or attacked by the ethnic

³³ E.g., Questionnaire Nos. 14CM09; WSA01; NASH05.

³⁴ Questionnaire No. NEPN84.

³⁵ Questionnaire No. 03SM08.

³⁶ E.g., Questionnaire No. NEPN84.

³⁷ E.g., Questionnaire No. JASM59.

³⁸ E.g., Questionnaire Nos. 04VG04; 07RK45.

³⁹ E.g., Questionnaire Nos. 1WOO17; 09CM06; 11CM02.

⁴⁰ E.g., Questionnaire No. 11CM03.

⁴¹ E.g., Questionnaire No. 2EVG22.

⁴² E.g., Questionnaire Nos. 14SH55; 12CM04; RKMS149.

⁴³ Questionnaire No. UNVG54.

⁴⁴ E.g., Questionnaire No. 11CM08.

Rakhine civilians.⁴⁵

The aforementioned movement restrictions also made it difficult or impossible to collect firewood for cooking or to buy food and cooking supplies outside the village. These restrictions drove prices for rice, vegetables, and other staple foods drastically upwards.⁴⁶ In a number of villages, Myanmar armed forces burned the remaining local markets and food stores weeks prior to attacks on the villages.⁴⁷ In other villages, the military and Rakhine civilians stole or killed livestock, crops, and vegetables, and they also often destroyed food stores during searches of Rohingya homes.⁴⁸

MARRIAGE AND FAMILY RESTRICTIONS

They beat the males in the village and took all the hens and roosters away as punishment for having children.

- Quote from 22-year old Rohingya woman from Maungdaw

To get married, the Rohingya needed permission from the village chairman.⁴⁹ Typically, this permission required a large sum of money.⁵⁰ In one representative instance, a young man got married without permission, and he and his new wife were arrested because he could not afford to pay the fee.⁵¹

Once married, the Rohingya were only permitted two children, a restriction that did not apply to the Rakhine or other ethnicities.⁵² If a Rohingya woman was pregnant before getting married, she was fined.⁵³

RELIGIOUS-BASED RESTRICTIONS

“If we wanted to pray we needed to have guards set up to warn us.”

- Quote from 35-year old Rohingya man from Maungdaw

Religious-based restrictions against the Rohingya became common after 2012, and stricter still in 2016.⁵⁴ The Rohingya in many villages could not access mosques, and there were prohibitions on group prayer and religious learning.⁵⁵

⁴⁵ E.g., Questionnaire No. 04VG02.

⁴⁶ E.g., Questionnaire Nos. 03SM48; 1WAF08; 1WAF11; 1WAF08; 03SM02; 11CM02.

⁴⁷ E.g., Questionnaire Nos. SHVG43; UNVG53; 19SH41.

⁴⁸ E.g., Questionnaire Nos. 15SA43; SHVG42; RKMS137; 14CM06; 16LW47; 14CM02; 10KW12; 14SH59; 14CM08; UNVG53; 11CM12.

⁴⁹ E.g., Questionnaire Nos. 13LW44; 12KF37.

⁵⁰ E.g., Questionnaire Nos. 10CM15; 06VG28; 12KF33.

⁵¹ Questionnaire No. 2WSM29.

⁵² E.g., Questionnaire Nos. 09KF02; 09KF03; 12KF33.

⁵³ E.g., Questionnaire Nos. 09KF02; JAPN69; NARK112.

⁵⁴ E.g., Questionnaire Nos. 10CM11; 11KW08.

⁵⁵ E.g., Questionnaire Nos. 06OO08; 14CM08.

Madrassas across northern Rakhine State were closed in the years after 2012.⁵⁶ Village mosques were locked, and the call to prayer (azaan) was forbidden after October 2016.⁵⁷ One respondents described how in his village, the mosque and madrassa were not locked, but the Rohingya who went there were arrested.⁵⁸

The tradition of slaughtering cows for Eid was effectively banned after the military confiscated livestock in anticipation of the holiday, and later Eid celebrations were banned altogether.⁵⁹

People sometimes went to the mosque secretly to pray while others, including in one instance a myna bird, kept watch.⁶⁰

We interviewed a woman, head of the household, 4 children and a myna bird that travelled with the family from Myanmar (perched on the interviewee's shoulder). . . . The bird stood guard over the door and prevented people from entering. She later explained that when she wanted to pray the bird would stand at the door way and alert her if people were approaching.

- Quote from an investigator

One respondent noted that the Rohingya would hide their Korans.⁶¹ Several interviewees reported that if the military or police found the Rohingya praying, they were beaten, arrested, or killed.⁶²

Muslim leaders were typically singled out for particularly violent treatment, and they were often accused of being members of ARSA.⁶³ Imams (worship leaders of Rohingya Muslim communities) were regularly detained⁶⁴ and had their beards forcibly shaved—or even burned—off.⁶⁵ Imams were also often killed in a myriad of brutal ways, as set out further in Chapters 5–6.

EXTORTION AND THREATS OF VIOLENCE

Bribes and extortion levied by the military and police were commonplace, including the exorbitant sums of money required for the permits and taxes related to land use, travel, and marriage described above. If Rohingya were unable to pay, their livestock and personal belongings would be taken.⁶⁶ One respondent

⁵⁶ Questionnaire No. 09KF10.

⁵⁷ E.g., Questionnaire Nos. LDOO05; 14CM06; 13LW43; 2WSM32; UNVG55; 09KF01.

⁵⁸ Questionnaire No. NASH02.

⁵⁹ E.g., Questionnaire Nos. 1WOO12; 14CM10; 09CM01.

⁶⁰ E.g., Questionnaire Nos. 13LW42; UNVG55; UNVG57; 8ELW11; 13LW35.

⁶¹ E.g., Questionnaire No. 09KF14.

⁶² E.g., Questionnaire Nos. JAVG63; UNVG57; UNVG53; UNVG55; 09CM07.

⁶³ E.g., Questionnaire Nos. 04MS02; 2EOO01.

⁶⁴ E.g., Questionnaire Nos. 03SM09; 8EJW06.

⁶⁵ E.g., Questionnaire Nos. 8EJW12; 2EMS03; 1WAF20; 1EOO02.

⁶⁶ E.g., Questionnaire No. 2WSM28.

described how the military in his village kept records of all Rohingya property and assets, such that whenever a cow was born or slaughtered, it was entered in the record, and the Rohingya farmer had to pay a fee.⁶⁷ Another respondent indicated that the Rohingya had to pay a tax for each child.⁶⁸

Several respondents reported that the military demanded protection money from Rohingya village chairmen to prevent the village from being attacked.⁶⁹ In one case, the military set up a meeting with Rohingya village leaders a week before the attack on that village and told them that if they wanted to stay in Myanmar they would face fines to run businesses, go fishing, or cultivate land.⁷⁰ In another instance, the Myanmar armed forces came into a Rohingya village and demanded that everyone pay 100,000 kyat per week to continue to live there.⁷¹ The military also often met with Rohingya village leaders in an attempt to enforce the Myanmar government's official policy of having the Rohingya accept the National Verification Cards (NVC),⁷² threatening violence if they did not.⁷³

BEATINGS

"All village people were beaten at some point since 2016."

- Quote from 72-year old Rohingya woman from Maungdaw

Beatings were a consistent theme in nearly every interview. The Rohingya were beaten constantly, often for no apparent reason.⁷⁴ As one interviewee recounted, the military "would walk around and depending on their mood, beat people up."⁷⁵ The Rohingya were regularly beaten at checkpoints⁷⁶ and for violating the curfew.⁷⁷ They were beaten during searches of their homes or shops.⁷⁸

If the Rohingya complained about the military stealing their belongings, they

⁶⁷ Questionnaire No. 10CM06.

⁶⁸ Questionnaire No. 2WRK33.

⁶⁹ E.g., Questionnaire Nos. 14CM02; 1WAF20; 1WOO13.

⁷⁰ Questionnaire No. 8ELW12.

⁷¹ Questionnaire No. SHVG43.

⁷² NVC are Myanmar identification cards and represent one of many identification regimes imposed on the Rohingya over the past several decades. The NVC does not grant citizenship; rather, it states that holders "need to apply for citizenship" under the 1982 Citizenship Law. The Myanmar government has termed this process the 'first step towards citizenship.' In reality, however, the NVCs mark the Rohingya as non-citizens, in keeping with the Government's characterization of them as foreigners in their own homeland.

⁷³ E.g., Questionnaire Nos. NEOO01; 14CM09; 10CM05; 10CM08; 1WOO06; 10CM09; 11CM01; 11CM11.

⁷⁴ E.g., Questionnaire Nos. 09KF11; 1EOO01.

⁷⁵ Questionnaire No. UNVG55.

⁷⁶ E.g., Questionnaire No. 10CM03.

⁷⁷ E.g., Questionnaire Nos. 15SA35; 07SM44.

⁷⁸ E.g., Questionnaire Nos. 10CM03; 09KF01.

were beaten.⁷⁹ If the Rohingya were caught praying in mosques or in their homes, they were beaten.⁸⁰ Parents trying to protect their daughters from being “touched” and dragged away were beaten.⁸¹ Men caught hiding in the forest—often to avoid beatings—were beaten as well.⁸²

FORCED LABOR

Forced labor was another issue that regularly came up, usually around the Burmese cantonment sites. Often forced labor occurred over a period of years. One older man with health issues explained how he was regularly tied up and beaten because he was unable to work as expected. At least in one instance, men who had been forced to work for the military were spared during the major military attacks; the witness believed it was because military officers were desperate to have the Rohingya men continue working.

- Quote from an investigator

Numerous respondents spoke of the Rohingya being forced to work in military camps or for other military or police units.⁸³ The men were taken away to work for up to seven days at a time,⁸⁴ sometimes sleeping on the floor of the work sites.⁸⁵ One respondent described a system whereby every four days the village had to choose 10 men to go and work for the military.⁸⁶ They were forced to clean, cut grass, cultivate crops, cut wood, build military houses, unload trucks, and dig canals.⁸⁷ Sometimes, the military forced the Rohingya to work in fields of Rakhine villagers.⁸⁸ Rohingya men were regularly beaten or denied food during forced labor.⁸⁹ In some instances, family members were required to pay a ransom for the release of men taken for forced labor.⁹⁰ The threat of forced labor was one of the many reasons Rohingya men often left their villages to hide in the surrounding forests.⁹¹

⁷⁹ E.g., Questionnaire Nos. 10CM10; NESM68.

⁸⁰ E.g., Questionnaire Nos. 19SH23; JAVG63.

⁸¹ Questionnaire No. 18SO01.

⁸² E.g., Questionnaire No. SHSM48.

⁸³ E.g., Questionnaire Nos. 15SA24; 14CM04; 04VG05; RKMS150; 1WAF17.

⁸⁴ E.g., Questionnaire Nos. 09KF11; UNRK83.

⁸⁵ Questionnaire No. RKMS150.

⁸⁶ Questionnaire No. 09KF11.

⁸⁷ E.g., Questionnaire Nos. 09KF11; 1EPN12; 8WSA04; UNRK83.

⁸⁸ Questionnaire No. 04VG04.

⁸⁹ E.g., Questionnaire Nos. 8WSA04; 13LW35.

⁹⁰ E.g., Questionnaire No. 15SA43.

⁹¹ E.g., Questionnaire No. 16LW51.

CHAPTER 5

PATTERNS OF ESCALATING VIOLENCE & VIOLATIONS

(OCTOBER 2016–AUGUST 2017)

The investigation mission revealed that, following the start of the Myanmar military's "clearing operation" in response to a series of purported attacks against state security forces by ARSA in October 2016, the scale and severity of mass violence and human rights abuses against the Rohingya escalated across northern Rakhine State, reaching their peak in the weeks prior to the major attacks of August–September 2017.

This Chapter describes the escalating violence following the ARSA attacks, including by: (1) conducting regular raids and searches of Rohingya villages, (2) attacking women, (3) humiliating and degrading Rohingya civilians, (4) interrogating and torturing Rohingya civilians, and (5) carrying out mass detentions, disappearances, and killings of Rohingya civilians, (6) monitoring and documenting the Rohingya civilians, (7) dramatically increasing military and police presence in and around Rohingya villages, (8) seizing anything resembling a weapon, and (9) removing fences and other barriers.

RAIDS AND SEARCHES OF ROHINGYA VILLAGES

"They used to threaten us that they would burn our houses, beat us, if we didn't give names of bad people."

- Quote from 55-year old woman from Maungdaw

After October 2016, the military often raided Rohingya villages and homes, sometimes claiming to be looking for ARSA and weapons.⁹² In one instance, the military came to the public square in the village and shouted that they were looking for ARSA. After demanding the identification of ARSA members, (whether or not any existed) the men and women present were then beaten.⁹³ During these raids, the Rohingya were told that they would get identity cards and be able to move outside the village and go to the market if they provided information related to ARSA.⁹⁴

⁹² E.g., Questionnaire Nos. UNVG47; 1EOO01; JASM57.

⁹³ Questionnaire No. UNOO07.

⁹⁴ Questionnaire No. 2EVG18.

In the course of these searches, the military often stole valuables, including clothes, money, and livestock.⁹⁵ The military dug up floors looking for weapons and destroyed or confiscated solar panels and any other valuables they found.⁹⁶ Possession of mobile phones was forbidden in the months prior to the major attacks.⁹⁷ If a Rohingya civilian was found with a mobile phone, or other items such as Bangladesh currency, they were beaten severely and/or arrested and forced to pay large sums of money to be released.⁹⁸ One respondent indicated that, during the home searches, the military planted drugs and then arrested everyone in the home.⁹⁹

The interviewees reported that, due to the frequent and often violent raids and searches, Rohingya villagers were not able to sleep regularly for months before the attacks on their villages. Some Rohingya established informal security networks to warn others when soldiers were coming, both between and within villages.¹⁰⁰

In many villages, men who had not yet been arrested hid outside the villages to avoid the beatings and detentions that accompanied the regular raids, often sleeping in the surrounding hills and forests and coming home only to eat.¹⁰¹ Thus, as one female respondent noted, when the military raided a village, “only women were left at home.”¹⁰² This placed the women in a particularly vulnerable position. The military searched the women’s bodies aggressively and touched them “in sensitive areas,” saying they’re looking for gold.¹⁰³ During one such search, a girl had earrings ripped off her ears and was left bleeding.¹⁰⁴ In another, the military told the women that the men had to come back by the next day or they would kill the women.¹⁰⁵

ATTACKS ON WOMEN

“When soldiers came to the village and “searched” women, they groped our breasts, entire body. Today when I think about those days, this is what makes me sick. Our husbands were never there and cannot find out.”

- Quote from 25-year old Rohingya woman from Maungdaw

⁹⁵ E.g., Questionnaire Nos. 16LW47; 1WAF03; 04MS01; 13LW42; UNVG53; 01OO11; 06VG29; NASM65.

⁹⁶ E.g., Questionnaire Nos. UNSM55; 14CM06; 1WOO19; 8WVG34.

⁹⁷ Questionnaire No. JASM57.

⁹⁸ E.g., Questionnaire Nos. 14CM05; RCMK03.

⁹⁹ Questionnaire No. 04VG02.

¹⁰⁰ Questionnaire No. 2EPN35.

¹⁰¹ E.g., Questionnaire Nos. LAVG79; NEVG75.

¹⁰² Questionnaire No. LAVG79.

¹⁰³ E.g., Questionnaire Nos. 10CM13; 10CM07; 11CM12.

¹⁰⁴ Questionnaire No. UNSM55.

¹⁰⁵ Questionnaire No. 8WSA01.

As tensions increased in the run up to the August–September 2017 attacks, with the men hiding in hill tracts at night, women and girls were increasingly targeted. The military searched many women’s bodies, ripped their clothes off, and touched them in “sensitive areas.”¹⁰⁶ They accused women of “feeding ARSA.”¹⁰⁷ One female respondent described how the military ordered the women “to keep their men in the houses” or they would be beaten.¹⁰⁸

One respondent described Myanmar armed forces coming to their villages drunk at night and looking for women.¹⁰⁹ In some such instances, the women were raped,¹¹⁰ and, in at least one instance, the local ethnic Rakhine men joined the armed forces in carrying out gang rapes.¹¹¹ Rohingya men would thus sometimes “hide their wives in the forests.”¹¹²

Several female respondents spoke of being gathered together and forced to sit in a field, staring at the sun all day with no food or water.¹¹³ In one such instance, the women were forced to do so while reciting the kalima—the verses before death in Islam.¹¹⁴

Women were often detained, especially pretty girls. Soldiers would “keep” them until a fine was paid. Documented instances of the military entering houses and taking women away, either to be raped or never to be seen again, were particularly prevalent in the weeks immediately prior to the August–September 2017 attacks.¹¹⁵ The military also demanded that some village chairmen hand over groups of dozens of women; though not directly witnessed, the respondents suspected or heard from the victims that those women were taken to be raped. Some respondents reported that these acts against women were the direct trigger forcing some Rohingya to flee their homes.¹¹⁶

HUMILIATION AND DEGRADATION

Virtually every investigator documented several acts designed to humiliate and degrade the Rohingya civilians, both before and during the major attacks. These acts typically included the public defilement of persons, homes, food, and religious symbols.

These documented acts included the military or non-Rohingya civilians

¹⁰⁶ PN Investigator Report, p. 20; *e.g.*, Questionnaire Nos. SHVG44; 06AF06.

¹⁰⁷ *E.g.*, Questionnaire Nos. 13LW31; 15SO16.

¹⁰⁸ Questionnaire No. UNSM53.

¹⁰⁹ *E.g.*, Questionnaire No. 19SH45.

¹¹⁰ *E.g.*, Questionnaire Nos. LDOO04; UNOO12; RKMS149; UNVG50; 8ELW10.

¹¹¹ Questionnaire No. 2EVG25.

¹¹² Questionnaire No. 04MS05.

¹¹³ *E.g.*, Questionnaire Nos. 09KF13; 09KF17; 13JW36; 8EJW07; 09KF01; 09KF10; 09CM01.

¹¹⁴ MS Investigator Report, p. 3; Questionnaire No. 10KW15.

¹¹⁵ *E.g.*, Questionnaire Nos. 16LW47; 14CM03; 14CM12; 14CM02; 15SO29; 06AF02.

¹¹⁶ *E.g.*, Questionnaire Nos. 04MS02; 04MS06; 09KF13; 13LW44; 03RK11.

urinating and defecating in the Rohingya's cooked food,¹¹⁷ defecating in trunks of cloth and religious clothing,¹¹⁸ urinating on Korans¹¹⁹ or inside the village mosque,¹²⁰ and tearing up and burning Korans.¹²¹

These acts of humiliation and degradation were often designed to demean Rohingya women. Many respondents spoke of Myanmar armed forces forcing women outside without their headscarves¹²² and taking photos of women with their hair and face exposed.¹²³ Military and police also pulled off women's headscarves at checkpoints.¹²⁴

MASS DETENTIONS, DISAPPEARANCES, AND KILLINGS

"One man was arrested for praying in the mosque; another one for being at the market."

- Quote from 55-year old Rohingya man from Maungdaw

In almost all interviews, respondents reported the abduction of tens or even hundreds of men from their village in the period after October 2016.¹²⁵ Myanmar armed forces blindfolded and handcuffed the men and then took them away in military trucks.¹²⁶ In some instances, the men were only released if their families could pay extortionate fines.¹²⁷ Otherwise, they were typically never seen again.¹²⁸

Young men were particularly targeted for arrest,¹²⁹ sometimes with an accusation of an affiliation with ARSA.¹³⁰ During the subsequent beatings and arrests, the soldiers would ask, "Where are your weapons? Turn them in."¹³¹ According to respondents, rarely, if ever, were any such weapons found. Given the threats of these beatings and arrests, most Rohingya young men spent weeks or months hiding in the forests and hills near their villages.¹³² In one documented

¹¹⁷ E.g., Questionnaire Nos. 09SH12; 09KF14; 12CM02; 14KF41; 10KF08.

¹¹⁸ E.g., Questionnaire Nos. 11KW05; 12CM02; 11CM14.

¹¹⁹ KF Investigator Report, p. 4–5 ; e.g., Questionnaire Nos. SHVG45; 11CM14; 14KF41.

¹²⁰ E.g., Questionnaire Nos. 01OO06; 09KF16; 03RK20.

¹²¹ E.g., Questionnaire Nos. UNVG52; SHVG45; 1EOO01; 03RK20.

¹²² E.g., Questionnaire Nos. 14SH58; 2EVG26; 11CM07.

¹²³ E.g., Questionnaire Nos. 16LW49; 14CM10.

¹²⁴ Questionnaire No. 10CM01.

¹²⁵ E.g., Questionnaire Nos. 04MS04; 07SM34; 03SM34; 03SM40; 03SM42; 16SM83; 1WOO22; 09KF18; 2WRK31; MSSM75; 14CM12; 03SM38.

¹²⁶ E.g., Questionnaire Nos. 16SM82; 1WOO22; 2WMS07; 06AF08; UNVG46; 2EVG26; 03RK05; 03RK23; 06AF08; 07RK51; 07RK54; 15SO03.

¹²⁷ E.g., Questionnaire Nos. 16LW50; 14SH59; 14CM02; 09CM04; 8EJW07; 09KF03; 10KF08.

¹²⁸ E.g., Questionnaire No. 09KF10.

¹²⁹ E.g., Questionnaire No. JAVG63.

¹³⁰ E.g., Questionnaire Nos. 1WOO22; 06OO08; 11CM09.

¹³¹ Questionnaire No. 16SM82.

¹³² E.g., Questionnaire Nos. 1WOO10; NEVG75.

case, security forces came to a village and rounded up all the young men, accusing them of being ARSA.¹³³ Then, “they covered the young men’s eyes and put guns in their hands and took photos of them and said they were ARSA. Then they cut their throats.”¹³⁴

In one village, the military carried out a “survey” to identify wealthy Rohingya families and then arrested six of those identified as educated and well-off.¹³⁵ In some instances, the military called out Rohingya villagers from a list of names or selected them from a list before arresting them or taking them away (as described below).

Religious leaders and village chairmen were often the first to be arrested, “as if to send a message,” as one respondent described.¹³⁶ In several instances, the military set up “mandatory meetings” with Rohingya village leaders or educated and wealthy Rohingya men, but as soon as they arrived to the “meetings,” the military arrested all of them.¹³⁷ In other instances, the military rounded up villagers on the pretext of checking for outsiders, and then arrested,¹³⁸ or in at least one case killed,¹³⁹ all of them. The ethnic Rakhine civilians also sometimes participated in the rounding up of Rohingya villagers, helping the Myanmar armed forces to identify Rohingya.¹⁴⁰ One respondent recounted how the military went into the village mosque and made a call to prayer to lure the Rohingya men and then arrested them.¹⁴¹

One respondent described being one out of over 1,000 men and boys over the age of 12 ordered to a nearby military camp where they were held and beaten for 24 hours, some beaten to death.¹⁴² “They would take the rich and educated and leaders and bring them to jail. Later they would inform the family they had died.”¹⁴³ One interviewee reported cases of doctors making fake reports for those who had died in detention, stating that they died from disease.¹⁴⁴ Another respondent indicated that there were special “burial grounds” for people who had been killed or died in jail.¹⁴⁵

Several respondents spoke of people who were sentenced to lengthy prison terms

¹³³ *E.g.*, Questionnaire Nos. 1WOO22; JAVG63; 06AF06.

¹³⁴ Questionnaire No. 1E0002.

¹³⁵ Questionnaire No. 03SM36.

¹³⁶ Questionnaire No. JAOO03.

¹³⁷ *E.g.*, Questionnaire Nos. 16SM81; 05GN23; 09SH05; NESM71.

¹³⁸ Questionnaire No. 10CM15.

¹³⁹ Questionnaire No. 8WSA03.

¹⁴⁰ *E.g.*, Questionnaire Nos. 2EMS08; 14CM06; 2EMS06.

¹⁴¹ Questionnaire No. 06AF02.

¹⁴² Questionnaire No. 03SM51.

¹⁴³ Questionnaire No. 1WOO22.

¹⁴⁴ Questionnaire No. 07SM36.

¹⁴⁵ Questionnaire No. RCMK02.

as well.¹⁴⁶ The investigation documented accounts of hundreds of Rohingya being taken to Maungdaw and Buthidaung jails, many of whom are reportedly still missing.¹⁴⁷ Many respondents said that they think the men are still alive and kept in one of these jails.¹⁴⁸ The respondents often asked the investigators to help them find their family members who were disappeared.¹⁴⁹

INTERROGATIONS AND TORTURE

The investigation documented dozens of Rohingya being interrogated and abused during the arrests and detentions immediately prior to the major attacks on their villages. Some respondents described being tortured in an effort to reveal the identity of ARSA members and the location of their supposed weapons.

For instance, in one case, the military kept a group of 30 young men in detention and beat them to force them “to confess that they were ARSA.”¹⁵⁰ Detained men had their nails pulled out,¹⁵¹ their beards and genitals set on fire,¹⁵² and were severely beaten by soldiers who repeatedly asked, “Where are your weapons? How many weapons do you have?”¹⁵³

DOCUMENTING AND MONITORING ROHINGYA CIVILIANS

Many respondents spoke of the military coming to their villages and taking photos or creating lists of the villagers. In one village in Maungdaw, the military came two months before the major attack, separated the young and educated men and took photos of them, saying they were photographing members of ARSA.¹⁵⁴ In another village, the military created lists of males over the age of 12.¹⁵⁵ One respondent indicated that, after October 2016, the military carried out a “survey” to identify wealthy Rohingya families.¹⁵⁶ In some instances, the military conducted these activities just a week or two before the major attacks,¹⁵⁷ while in others it happened as early as two months beforehand.¹⁵⁸

¹⁴⁶ *E.g.*, Questionnaire Nos. JAVG61; 2EVG24; 8WSO07; 1WAF03.

¹⁴⁷ *E.g.*, Questionnaire Nos. JAVG62; 2EVG25; 1EPN12; 1WAF13; 06PN37; 07RK63; 8EJW06; 09SH05; 18SA17.

¹⁴⁸ *E.g.*, Questionnaire Nos. 12CM03, 09CM04; 1WAF10; 03SM06; RCMK02; 1WOO04; 1WOO09; 2EPN37; 2EVG26; 05GN21; 8ELW20; JASM59; NASM64.

¹⁴⁹ Questionnaire No. JASM59.

¹⁵⁰ *E.g.*, Questionnaire Nos. 03SM05; NASM62.

¹⁵¹ *E.g.*, Questionnaire Nos. 03SM49; 04MS02.

¹⁵² Questionnaire No. 8WSO05.

¹⁵³ SM Investigator Report, p. 8; Questionnaire No. NASM65.

¹⁵⁴ Questionnaire No. NASM62.

¹⁵⁵ Questionnaire No. 8EJW05.

¹⁵⁶ Questionnaire No. 03SM36.

¹⁵⁷ *E.g.*, Questionnaire Nos. 2WSM30; 03SM30.

¹⁵⁸ *E.g.*, Questionnaire Nos. 03SM05; NASM62.

In one village, the military forced all villagers into a large house and kept them there for 48 hours while taking photos of all of them, both men and women.¹⁵⁹ Some also reported that the military “touched” the Rohingya women during these so-called surveys.¹⁶⁰ While a few respondents indicated that they were photographed every year,¹⁶¹ the more prevalent pattern appears to be a form of census in Rohingya villages in the weeks before the August–September 2017 attacks.

INCREASED MILITARY PRESENCE

“It was a large gathering of ants.”

- Quote from 60-year old Rohingya woman from Maungdaw

Most respondents indicated that there was a major increase in military presence in and near their villages, including helicopter surveillance, in the period before the major attacks of August–September 2017.¹⁶² Many respondents reported large groups of military personnel coming to their villages, occupying the village’s schools, mosques, and monasteries,¹⁶³ or setting up camp in the village or on nearby river banks.¹⁶⁴

In other instances, the military stationed itself in neighboring Buddhist villages. Respondents also noticed a buildup of weaponry in the military camps close to the Rohingya townships, including trucks bringing in weaponry.¹⁶⁵

Patrols by military and police forces also increased significantly during this period.¹⁶⁶ As one respondent recounted, “Prior to October 2016, the military came once a month to [their] village. Afterwards, patrols occurred almost every day.”¹⁶⁷ The military said they were looking for “the bad people.”¹⁶⁸ In those villages where the military was not stationed, they came in large numbers, as many as 100–200 soldiers, once or twice a day from different directions.¹⁶⁹ The occupying military forces forced the Rohingya to cook and run errands for them.¹⁷⁰ One woman from Maungdaw recounted, “Rohingya houses were ordered to feed the military, even

¹⁵⁹ Questionnaire No. 03SM05.

¹⁶⁰ Questionnaire No. 8WS011.

¹⁶¹ *E.g.*, Questionnaire Nos. 13JW43; 8WSO11.

¹⁶² *E.g.*, Questionnaire Nos. 06PN43; 03RK19; 06PN31; JAPN72.

¹⁶³ *E.g.*, Questionnaire Nos. MSSM77; 16SM82; 16LW47; 14CM05; 14CM04; 03SM40; 03SM47; UNSM54; UNVG48; 1EOO01; 2EPN40; 06PN31; 14CM04.

¹⁶⁴ *E.g.*, Questionnaire Nos. 2EPN39; 04MS04.

¹⁶⁵ Questionnaire No. 15SO23.

¹⁶⁶ *E.g.*, Questionnaire Nos. 16SM81; 12CM03; 03SM40; 03SM47; UNSM52.

¹⁶⁷ *E.g.*, Questionnaire Nos. UNSM52; 09KF01.

¹⁶⁸ Questionnaire No. 04VG04.

¹⁶⁹ *E.g.*, Questionnaire Nos. 04VG01; UNSM52; SHVG45; 09KF01; 10KF08; 16LW52.

¹⁷⁰ *E.g.*, Questionnaire Nos. 07SM40; JASM60.

though there wasn't enough food for the children.”¹⁷¹ As a further intimidation tactic, the military also sometimes came with dogs and unleashed them on the Rohingya, including on children and other animals.¹⁷²

SEIZURE OF ANYTHING RESEMBLING A WEAPON

“The only way to protect ourselves from the military was to hide, like animals. We didn't have knives to cut the fish.”

- Quote from 22-year old Rohingya woman from Maungdaw

In the period prior to the August–September 2017 attacks, the military seized any items that might be used as weapons from Rohingya homes and shops. Sharp metal objects, including kitchen knives, spades, hoes, cooking and farming utensils, and “anything made of iron”¹⁷³ were seized.¹⁷⁴ The military levied fines on those found with metal implements resembling weapons.¹⁷⁵ In several villages, after confiscating all metal objects, the military photographed the confiscated items, saying they were photographing ARSA weapons.¹⁷⁶ In some instances, the respondents reported non-Rohingya civilians taking part in these seizure operations with the military.¹⁷⁷

REMOVAL OF BARRIERS, FENCES, AND HIDING PLACES

“Cannot use bamboo fence near house, the government said this because they did not want us to hide militants there.”

- Quote from 55-year old Rohingya man from Maungdaw

Throughout 2016–2017, and particularly in the weeks immediately prior to the August–September 2017 attacks, the military and police took down any fences, walls, or even trees around Rohingya homes—presumably in order to remove anything that could be a barrier or a hiding place.¹⁷⁸ Sometimes, the military and police took down these objects with the assistance of ethnic Rakhine,¹⁷⁹ but in some villages, they forced the Rohingya to disassemble their own fences and

¹⁷¹ Questionnaire No. 10KF08.

¹⁷² E.g., Questionnaire Nos. 8EJW10; 13JW22; 1EPN06; 11CM09.

¹⁷³ E.g., Questionnaire Nos. UNVG55; 06VG28.

¹⁷⁴ E.g., Questionnaire Nos. CHOO03; 14CM11; 1WAF06; 04MS01; 06AF03; 1WAF07; UNVG47; 06VG28; 8WVG39; 09SH03; 13JW39; 13JW41.

¹⁷⁵ AF Investigator Report; Questionnaire No. 8ELW10.

¹⁷⁶ E.g., Questionnaire Nos. MSSM75; NASM62.

¹⁷⁷ E.g., Questionnaire No. 06VG31.

¹⁷⁸ E.g., Questionnaire Nos. 14CM06; 14CM11; 15SO22; SHVG40; 2WSM32; 09KF11; 09SH03; 11CM11; 03SM33; 03SM43; 03SM48; 03SM50; UNSM53; UNSM54; JASM56; JASM58; NESM68; NESM69; 05VG33; 8WVG35; 10KF08; 13JW39; 13JW41.

¹⁷⁹ E.g., Questionnaire Nos. JAVG63; 03SM16; 03SM13; 03SM16.

walls;¹⁸⁰ one respondent described the order being announced through the mosque megaphone.¹⁸¹ Another interviewee noted that those who did not take down their fences were beaten.¹⁸²

Along with destroying fences, the military and police also destroyed outside toilets and showers. In addition to removing the toilets and showers as potential hiding places or obstacles to an attack, part of the purpose of the removal of fences and other barriers was undoubtedly humiliation and harassment, as all the Rohingya had to use the bathroom in the open.¹⁸³

The military also took steps in the period before the major attacks to ensure that road access to Rohingya villages across northern Rakhine State would be clear, presumably for trucks and weaponry for use in the major attack. In some villages, the military first marked trees with red flags or tape¹⁸⁴ and then used bulldozers to take them down.¹⁸⁵

¹⁸⁰ *E.g.*, Questionnaire Nos. 03SM04; 06VG31; NASM65; 2EMS08; 09SH07.

¹⁸¹ Questionnaire No. JASM58.

¹⁸² Questionnaire No. UNSM53.

¹⁸³ KF Investigator Report, p. 4.

¹⁸⁴ Questionnaire No. 2EMS09.

¹⁸⁵ *E.g.*, Questionnaire Nos. 03RK23; 07RK57.

CHAPTER 6

MAJOR ATTACK PATTERNS (AUGUST–SEPTEMBER 2017)

PILPG’s investigation mission found that in late August 2017, Myanmar armed forces launched widespread and systematic attacks against Rohingya civilians across northern Rakhine State. The attacks were remarkable in their scale, level of military coordination, and brutality.

This Chapter details the unprecedented violence and abuses perpetrated against the Rohingya in the major attacks of August–September 2017 that resulted in the mass displacement of Rohingya that prompted this investigation. Specifically, this Chapter describes the Myanmar armed forces’ massive strategic ground assaults, sometimes supported by aircraft and artillery, as well as how non-Rohingya civilians joined in these attacks. The findings detailed in this Chapter also show how the perpetrators spewed hateful epithets in the midst of the attacks and exclusively targeted Rohingya civilians, including targeting children, Rohingya religious leaders and symbols, and women. The Chapter details the brutal indiscriminate shootings, mass killings, human bonfires, destruction of bodies, poisoning, rapes, gang rapes, other sexual violence, burning of villages, and looting that accompanied these attacks and caused the Rohingya to flee to Bangladesh. Moreover, this Chapter documents how the Myanmar armed forces continued to target and kill Rohingya civilians attempting to flee to Bangladesh, slaughtering hundreds or even thousands of Rohingya at the border crossing.

STRATEGIC GROUND ASSAULTS

“They were looking for ARSA. They said they were looking for bad people. They used to say if there are bad people in your village you need to let us know. But they attacked everyone anyway.”

- Quote from 20-year old Rohingya woman from Maungdaw

The major attacks on the villages, when they finally came, were predominantly ground assaults by the Myanmar military, with aerial support from helicopters dropping grenades, weaponry, and other material to the military forces prepared and waiting below.¹⁸⁶ The attacks usually took place early in the morning or on

¹⁸⁶ E.g., Questionnaire Nos. 15SA43; 14SH58; 14CM07; 14CM09; RKMS136; RKMS147; 2EPN37; 03RK19; 03RK20; NERK116.

Fridays while Rohingya villagers were praying—Jumu'ah is the Muslim congregational prayer on Fridays.¹⁸⁷

Groups of dozens or hundreds of soldiers¹⁸⁸ would arrive in jeeps and trucks,¹⁸⁹ on foot from nearby military camps,¹⁹⁰ or on ships.¹⁹¹ They typically came from different directions,¹⁹² surrounding a given village¹⁹³ and spreading out into groups covering different portions of the area before beginning to burn, shoot, and stab the Rohingya.¹⁹⁴ One respondent recounted, “The military entered from the East and South of the village at the same time, it was a very clean plan.”¹⁹⁵ Groups of soldiers typically had different tasks, as described by one interviewee: one group shot people, a second searched houses, and a third burned them.¹⁹⁶ In one documented case, one group of soldiers entered the village, while another group of soldiers surrounded the village to prevent people from fleeing.¹⁹⁷ In others, the military surrounded a village and blocked all exits except one, leaving a corridor for the Rohingya to flee to Bangladesh.¹⁹⁸

Sometimes, groups of soldiers came, peacefully, to neighboring Rakhine Buddhist villages 12 or 24 hours before the attacks on the Rohingya villages.¹⁹⁹ The military, security forces, and/or enlisted Rakhine civilians then attacked the Rohingya village in the early morning – entering together on trucks and jeeps.²⁰⁰ These attacks were full-fledged military operations that involved shooting at individuals²⁰¹ and groups²⁰² of civilians, including when they tried to flee;²⁰³

¹⁸⁷ *E.g.*, Questionnaire Nos. 1EPN13; 1WAF20; 2WRK38; 2WRK30; 1EGN02; 1EPN13; 1WOO16; 2WRK37; 03RK11; 03RK12; JARK98; NERK122.

¹⁸⁸ *E.g.*, Questionnaire Nos. RKMS136 (200 soldiers); RKMS137 (4000 soldiers); RKMS148 (800 soldiers); RKMS150 (500 soldiers); 2EPN37 (500 soldiers); 2EPN39 (100–200 soldiers); 03RK11 (300 soldiers); 05PN21 (700 soldiers); 06PN37 (500 soldiers).

¹⁸⁹ *E.g.*, Questionnaire Nos. UNVG50; 03SM07; 03SM43; 03SM45; 03SM46; 03SM47; 03SM48; 03RK12; 06PN37; 09SH08.

¹⁹⁰ *E.g.*, Questionnaire Nos. 1WOO19; 2EPN37; 2EPN39; 03SM02; 03SM04.

¹⁹¹ *E.g.*, Questionnaire No. 10KF08.

¹⁹² *E.g.*, Questionnaire Nos. JAVG63; 04MS09; JAOO03; 2WSM23; 03SM36; UNSM55; 2EPN39; NESM76.

¹⁹³ *E.g.*, Questionnaire Nos. 06PN33; 03SM35; 03SM48; UNVG48.

¹⁹⁴ *E.g.*, Questionnaire Nos. 03SM07; 03SM29; 03SM50; 2WSM26; 2EPN39; 15SO08.

¹⁹⁵ Questionnaire No. 2WSM23.

¹⁹⁶ *E.g.*, Questionnaire No. NESM68.

¹⁹⁷ *E.g.*, Questionnaire No. 2WSM25.

¹⁹⁸ *E.g.*, Questionnaire Nos. 06VG31; JASM58.

¹⁹⁹ *E.g.*, Questionnaire Nos. 03SM07; 03SM08.

²⁰⁰ *E.g.*, Questionnaire Nos. 10KW11; 03SM08; 03SM47; 03SM43; 03RK10; 06VG29.

²⁰¹ *E.g.*, Questionnaire No. 05PN23.

²⁰² *E.g.*, Questionnaire No. 10CM03.

²⁰³ *E.g.*, Questionnaire No. 10CM09.

shelling²⁰⁴ and burning²⁰⁵ of civilian villages; beating²⁰⁶ and knifing²⁰⁷ of civilians; use of landmines²⁰⁸ in civilian villages; the abduction²⁰⁹ of civilians; the throwing of people into a river²¹⁰ or fire;²¹¹ the poisoning of civilian water supplies;²¹² and the rape²¹³ and sexual assault²¹⁴ of young women. One respondent noted that the attack on his village lasted for a week.²¹⁵

PARTICIPATION OF NON-ROHINGYA CIVILIANS IN THE ATTACKS

“The military used to bring Rakhine from nearby villages as guides, since most of the military was not from the area.”

- Quote from 26-year old Rohingya man from Maungdaw

The involvement of local, non-Rohingya civilians in the attacks alongside state forces was a near-ubiquitous theme in the interviews.²¹⁶ Many described ethnic Rakhine (or “Mogh,” as they were often referred to by the respondents) taking part in the burning of Rohingya villages,²¹⁷ the looting of Rohingya homes,²¹⁸ and in the mass killings of Rohingya civilians, usually by using knives and machetes to eviscerate those who did not die of gunshot wounds.²¹⁹ Several respondents spoke of “Rakhine youth” as participants of the attacks,²²⁰ and one respondent indicated that Rakhine women also took part in the attacks.²²¹

In one instance, the Rakhine forced the Rohingya out of their homes, and then the military shot them.²²² In another case, the military forced Rohingya men to kneel in a field and then ordered the ethnic Rakhine civilians to shoot the Rohingya

²⁰⁴ E.g., Questionnaire No. 12S452.

²⁰⁵ E.g., Questionnaire No. 14CM07.

²⁰⁶ E.g., Questionnaire No. 09SH16.

²⁰⁷ E.g., Questionnaire No. 16SM78.

²⁰⁸ E.g., Questionnaire Nos. 6LW50 & 13JW38.

²⁰⁹ E.g., Questionnaire No. 10CM14.

²¹⁰ E.g., Questionnaire No. 07RK54.

²¹¹ E.g., Questionnaire No. 07RK51.

²¹² E.g., Questionnaire No. 04MS05.

²¹³ E.g., Questionnaire No. 1WAF14.

²¹⁴ E.g., Questionnaire No. 14CM01.

²¹⁵ Questionnaire No. 19SH45.

²¹⁶ LW Investigator Report, p. 4.

²¹⁷ E.g., Questionnaire No. 12SH52.

²¹⁸ PN Investigator Report, p. 19; Questionnaire No. 06OO08.

²¹⁹ E.g., Questionnaire Nos. 1WOO23; 1WOO23; LDOO04; 14SH59; 09KF11; 10CM03; 10KW13; 10CM10; 03SM11; 2EPN41; 15SA25; JARK105.

²²⁰ E.g., Questionnaire Nos. JAPN74; 03RK02.

²²¹ Questionnaire No. 03RK06.

²²² E.g., Questionnaire No. 03RK03.

men.²²³

Many respondents spoke of military and Rakhine coordination via “a system”²²⁴ of an initial phase of heavy gunfire from the military followed by a looting and burning phase by the Rakhine. The Rakhine would enter a given village carrying petrol tanks as the military was shooting. They would then loot the village as the Rohingya started fleeing. After looting, the Rakhine would spread the petrol, and the military would burn the village.²²⁵ In some instances, the military stood guard or patrolled the area while the non-Rohingya civilians looted Rohingya homes and shops.²²⁶ Respondents also noted that some non-Rohingya civilians had obviously received training from military²²⁷ and carried weapons “similar to those of the military.”²²⁸ The respondents reported many instances of groups of non-Rohingya civilians outfitted in military²²⁹ or other Myanmar armed forces uniforms.²³⁰

Several respondents spoke of the ethnic Rakhine and Hindus serving as informants to the military because they were from the area, “knew who the rich and educated Rohingya were,” and were able to guide the military during the attacks.²³¹ One respondent described local ethnic Rakhine leaving the village in the days immediately before the attack, obviously knowing what was coming; “[i]nformers for Rakhine were spared, given advance notice, so they went to Maungdaw.”²³²

Respondents were sometimes able to identify specific Rakhine individuals from neighboring villages participating in the attacks.²³³ In one case, the respondent identified Hindus participating in the attack even though there were no Hindu villages nearby, indicating that the Myanmar armed forces likely organized their participation well beforehand.²³⁴

ACCOMPANYING RACIAL, ETHNIC, AND RELIGIOUS EPITHETS

The military and the police started firing at our village from the bank of the river.

They said: You are Bengali, you have to go to Bangladesh.

- Quote from 30-year old Rohingya man from Buthidaung

²²³ Questionnaire No. JAOO02.

²²⁴ E.g., Questionnaire Nos. 03SM13; 03RK02.

²²⁵ E.g., Questionnaire Nos. 2WSM24; E.g. Interview 2WSM28; 12SH52; 03SM47; 03SM43; 03SM15; UNSM54.

²²⁶ E.g., Questionnaire Nos. 1WAF03; 03SM07; 03SM14.

²²⁷ E.g., Questionnaire Nos. 2WSM18; 03SM12; 03SM06; 03SM18.

²²⁸ E.g., Questionnaire Nos. 03SM06; 03SM17; 09KF12.

²²⁹ E.g., Questionnaire Nos. 07SM41; MSSM74; 14CM10; 03SM12; 03SM13; 03SM07; 03SM40; 03SM48; JASM59; NASM62; 09KF12; 09CM04; 13JW35; 13LW41; 03RK20.

²³⁰ E.g., Questionnaire Nos. 03SM12; 03SM20; 03SM38.

²³¹ E.g., Questionnaire Nos. 03SM12; 07SM41; 8EJW09; UNSM53; 1WOO07.

²³² Questionnaire No. 1WAF09.

²³³ E.g., Questionnaire Nos. 14CM13; 2WSM28.

²³⁴ Questionnaire No. SHVG41.

When the attackers referred to the Rohingya, it was almost always racially or ethnically discriminatory and disparaging. While many respondents indicated that they did not speak Burmese, so they could not entirely understand what was being shouted at them,²³⁵ derogatory names for the Rohingya included “Kalar” (literally meaning: black or dark-skinned), “Bengali” (literally meaning: majority Muslim population of Bangladesh), and “Sapakulu” and “Mingy Liu” (unclear literal translation but often translated as “motherfucker” and “bastard”).

Other examples of what the respondents heard and understood during the attacks included:

- *“This is not your country. If you stay we will rape your women, burn you, leave Bengali!”*²³⁶
- *“You Bengali, we will finish you.”*²³⁷
- *“Leave our country, you will never be citizens.”*²³⁸
- *“This is not your land, this is our land. We will not let you build houses here.”*²³⁹
- *“You must leave this land because it is our land. You are Rohingya, not citizens of Myanmar.”*²⁴⁰
- *“Kalars, why are you living here. You must live with your people. You must go.”*²⁴¹
- *“You are a Bengali, Kalar, not a citizen of Myanmar.”*²⁴²
- *“You are the Bengali Kalar, a thief. You must go to your country. It is time to leave.”*²⁴³
- *“Kalars, Bengalis, Why are you enjoying our land? This is not your country. Go to your country.”*²⁴⁴
- *“You are homeless in Myanmar. Go back to your motherland.”*²⁴⁵
- *“You are not citizens of this land. Why are you taking advantage of our land? Just leave.”*²⁴⁶
- *“Fucking Bengali, you have to go to Bangladesh, what you have*

²³⁵ E.g., Questionnaire Nos. UNOO07 & MSSM76.

²³⁶ Questionnaire No. 2WRK30.

²³⁷ Questionnaire No. 11CM09.

²³⁸ Questionnaire No. 03RK22.

²³⁹ Questionnaire No. 01OO06.

²⁴⁰ Questionnaire No. 03SM06.

²⁴¹ Questionnaire No. 03SM08.

²⁴² Questionnaire No. 03SM09.

²⁴³ Questionnaire No. 03SM15.

²⁴⁴ Questionnaire No. 03SM20.

²⁴⁵ Questionnaire No. 03SM21.

²⁴⁶ Questionnaire No. 03SM22.

here is not yours, it's ours."²⁴⁷

TARGETING OF ONLY ROHINGYA CIVILIANS

"It seemed as though the Rohingya were being targeted because there were Hindus in our village but the soldiers did not go to their area. They only came to us and tortured us."

- Quote from 25-year old Rohingya man from Maungdaw

Most villages attacked were comprised almost exclusively of Rohingya. However, in those instances where villages had mixed communities, the Buddhist, Hindu, and other non-Rohingya populations were left entirely unharmed.²⁴⁸ Nearby Rakhine villages were invariably left unharmed. In all 1,024 interviews, the respondents were asked whether any non-Rohingya community suffered during the attacks—zero responded affirmatively.

In mixed villages, only the Rohingya houses were burned.²⁴⁹ Sometimes, as described by one respondent, Rohingya homes were instead destroyed with "shovels" or other means to avoid the accidental burning of nearby non-Rohingya houses.²⁵⁰ In one case, on the day of the attack on a mixed Rohingya-Hindu village, the military took the Hindu villagers by vehicle to the safety of a nearby military office and then began the attack, only attacking and burning the houses occupied by Rohingya.²⁵¹

TARGETING OF CHILDREN

"Children were hacked and thrown into the fire. There were more children killed than adults."

- Quote from 30-year old Rohingya woman from Maungdaw

Dozens of respondents recounted brutal attacks against children, including the abduction and disappearances of children,²⁵² the execution of dozens of children in a single attack,²⁵³ and children being stabbed, slaughtered, dismembered and beheaded.²⁵⁴ Respondents also recounted babies being smashed against floors and

²⁴⁷ Questionnaire No. 14CM09.

²⁴⁸ E.g., Questionnaire Nos. RKMS146; 1EPN10; 06VG30; 06VG31; 09KF01; 1EPN02.

²⁴⁹ E.g., Questionnaire Nos. 2EOO06; SHVG43; 04VG02; UNVG52; UNVG53; 1WAF20; 8WVG37; 14KF42.

²⁵⁰ E.g., Questionnaire No. RKMS137.

²⁵¹ Questionnaire No. 12KW01.

²⁵² E.g., Questionnaire Nos. 13JW36; 03RK04; 11CM16.

²⁵³ E.g., Questionnaire Nos. 06OO08; 15SA43, 15SA42; 19SH46; UNRK81.

²⁵⁴ E.g., Questionnaire Nos. SHVG42; 14CM03; 15SA46; 2EVG20; 03SM13; RKMS150.

walls,²⁵⁵ thrown out of windows,²⁵⁶ thrown into fires,²⁵⁷ thrown into rivers,²⁵⁸ thrown up in the air and caught on a sword,²⁵⁹ or thrown into wells.²⁶⁰ One seven-year old boy was beheaded while his mother was being raped.²⁶¹ In one documented instance of the murder of a child, the attacker declared that the murder was motivated from fear that “[the child] might [otherwise] kill 10 Mogh (Rakhine) in the future.”²⁶²

TARGETING OF ROHINGYA LEADERS AND RELIGIOUS SYMBOLS

“I saw some Islamic scholars were put together in one village and slaughtered in front of everyone. Some who went to school past grade 9 were also slaughtered. Their tongues and hands were cut off.”

- Quote from 49-year old Rohingya man from Maungdaw

A common theme across the vast majority of interviews was public, brutal, and symbolic attacks against Rohingya leaders and Islamic symbols.

Typically, the first people to be attacked once the armed forces came into the villages were the village leaders, particularly the religious leaders. Local religious teachers and Rohingya chairmen were mutilated and had their throats slit.²⁶³ Men in religious garb, teachers, and students of religion were targeted and killed; as one interviewee explained: “educated people seemed to be the most threatening to the military.”²⁶⁴ In one village, the military pushed five wealthy community leaders into a house, locked the door, and set it on fire.²⁶⁵

Mosques and madrassa were usually burned and destroyed first during the attacks on the villages,²⁶⁶ and several incidents of the pointed burning of Korans were documented.²⁶⁷

Rohingya imams were assaulted or killed in many instances, and many were slaughtered and mutilated.²⁶⁸ Several incidents of the military beating imams and

²⁵⁵ Questionnaire No. 13JW35.

²⁵⁶ Questionnaire No. 14KW08.

²⁵⁷ E.g., Questionnaire Nos. 1EGN17; 2WSM28; 06OO08; 06AF02; 1WOO12; 2EPN39; 03RK15; 05VG33; 06OO08; 07RK60; 11KW22; 19KF30; 19SH42.

²⁵⁸ E.g., Questionnaire Nos. 07RK54; 11KW22; 11KW06.

²⁵⁹ E.g., Questionnaire Nos. 1EGN19; NASM61.

²⁶⁰ E.g., Questionnaire Nos. 1WAF05; NEVG72.

²⁶¹ E.g., Questionnaire Nos. RKMS150.

²⁶² Questionnaire No. 51SA42.

²⁶³ E.g., Questionnaire Nos. 03SM16; 2EMS01; SHVG41; 2EMS01; 03SM16.

²⁶⁴ E.g., Questionnaire Nos. 05PN26; NAOO02; 2WSM24; 2WSM24; 03SM09; 16SM81.

²⁶⁵ Questionnaire No. MSSM77.

²⁶⁶ E.g., Questionnaire Nos. 07SM41; 09KF11; 09SH13; 10KW13; SHSM46; 06OO07; 2EOO06.

²⁶⁷ E.g., Questionnaire Nos. 06OO08; 14CM05; 2EVG27; 10CM03.

²⁶⁸ E.g., Questionnaire Nos. 2EOO04; 01OO06; 1WAF20; 1WOO08; 03RK02; 8EJW06.

burning their beards during the attacks were documented.²⁶⁹ In one case, the village imam and his son-in-law were singled out, forced to lie down in the dirt, and then stabbed to death while villagers were forced to watch.²⁷⁰ In another instance, the village imam and the five members of his family were publicly shot and killed.²⁷¹ One respondent reported witnessing an imam being shot, stabbed, and his body hung on a tree.²⁷² Several cases were documented of the wives and daughters of imams being targeted for rape.²⁷³ One investigator recounted one respondent's description of a particularly brutal attack on an imam and his family, as follows:

A 35-year-old man who had broken his hip trying to protect his daughter from a gang rape, after describing the murders of his wife with a machete, his mother via a rocket launch[er], and the drownings of his brother, nephew and uncle crossing the border, finally broke down describing the murder of his grandfather who was the senior Imam for the village who after being severely beaten had had kerosene poured down his throat before being lit afire. (Six other Imams who were forced to walk across nails and glass were also butchered.)

- Quote from an investigator

TARGETING OF WOMEN

You could hear screaming. The girls were screaming so loud like their souls were leaving their bodies.

- Quote by 65-year old Rohingya man from Maungdaw

The investigation mission's findings revealed how women were particularly targeted during the major attacks. Specifically, Rohingya women were the victims of a wide range of crimes and violations, including (1) abductions, (2) rape and gang rape, (3) other forms of sexual violence, and (4) attacks on pregnant women. Many women also described the separation of women and men, the use of extreme violence targeting young and unmarried women, multiple-perpetrator gang rape, the mutilation of women's bodies, and the physical and mental health symptoms of the aftermath, including feelings of shame and despair.

Abductions of Women

Many respondents described seeing groups of women, sometimes in the hundreds, being dragged or trucked by attackers to military bases, fields, and forests and then blindfolded and/or handcuffed.²⁷⁴ Most such respondents reported

²⁶⁹ E.g., Questionnaire Nos. 06OO07.

²⁷⁰ Questionnaire No. 03SM06.

²⁷¹ Questionnaire No. JASM60.

²⁷² Questionnaire No. 11KW15.

²⁷³ E.g., Questionnaire Nos. 10CM13; 10KW11; 09CM06.

²⁷⁴ E.g., Questionnaire Nos. 1WAF05; UNRK80; UNRK81; 04VG08; 04VG11; 2WRK30; 06AF02;

hearing that these women had been raped, or they at least suspected as much.²⁷⁵ Many of these women were never seen again.²⁷⁶

Rapes and Gang Rapes

Two police from my village raped me. I know these men by sight, but not their names. After they were done, they told me to leave the country, this is not your country.

- Quote from 23-year old Rohingya woman from Buthidaung

Bearing in mind the assaults on women in the weeks prior to the major attacks, the Rohingya respondents had an omnipresent fear of their women being raped. When the military came to a village, parents hid their daughters,²⁷⁷ and young girls smeared their bodies and faces in charcoal and black ink or put on dirty clothes and carry small children, so the military would think they were married and not pretty.²⁷⁸ Unfortunately, these strategies were often unsuccessful. In one instance, a soldier took a newborn baby from a young woman and squeezed her breasts to see if milk was coming out; then, he and other soldiers raped her.²⁷⁹

A 55-year-old man told me a story that showed the level of fear the Rohingya had of the military and [Border Guard Police]. As he was on his way to another village, he stopped at a stream near a military outpost to get a drink of water. He heard the sound of girls and found four girls tied up in rope, two could not speak, two could speak but were "half dead." The girls asked him to untie the ropes. They said they had been there for three days and the military had repeatedly gang raped them. He said he could see the girls were bleeding a lot. He said that he was so scared that the military was around that he told the girls he couldn't help them but he would tell their home village what had happened. He went back the next day with 20-25 people from his village, but the girls were gone.

- Quote from an investigator

Multiple accounts of rape, particularly mass gang rapes of groups of Rohingya women, were reported.²⁸⁰ Victims were as young as seven years old.²⁸¹ Many

13JW34; 1WOO12; 2WRK33; 06VG30; 12KW01.

²⁷⁵ E.g., Questionnaire Nos. 1EOO01; 1EGN08; 2EOO07.

²⁷⁶ E.g., Questionnaire Nos. RCVG12; 2WRK26; 07RK41.

²⁷⁷ Questionnaire No. 2EVG20.

²⁷⁸ E.g., Questionnaire Nos. SHVG40; 03RK15.

²⁷⁹ Questionnaire No. 09KF13.

²⁸⁰ E.g., Questionnaire Nos. 13JW29; 13JW36; RKMS144; 06AF05; 07RK41; 11CM10.

²⁸¹ Questionnaire No. 8WSO11.

respondents described their family members²⁸² and neighbors being raped.²⁸³ Groups of women would be shoved into houses,²⁸⁴ latrines,²⁸⁵ schools,²⁸⁶ and mosques,²⁸⁷ or taken out to fields²⁸⁸ and then raped, and in many cases killed. Other respondents saw women being taken inside a house and then heard screams; afterwards, they saw the women with their clothes torn.²⁸⁹ In one case, after a group of women were raped in a house, they were locked inside, and the house was set on fire.²⁹⁰ Women were tied up and raped by dozens of soldiers.²⁹¹ “Many beautiful women were taken by the military and raped and then killed. The ugly girls were just killed.”²⁹²

Non-Rohingya civilians also took part in the rapes.²⁹³ In one case, the military stood guard while a group of Rakhine boys raped nine Rohingya women.²⁹⁴

A great many incidents of public rape were also documented. Women were raped in front of their entire village; if the men protested, they would be shot or beaten.²⁹⁵ Women were dragged from their houses onto the road and raped in front of everyone.²⁹⁶ In some instances, women were tied up in the middle of the village and raped by multiple soldiers. Sometimes, the rapes would last for days.²⁹⁷ In instances of detention, when groups of women were locked in schools, the military would rape women and force others to watch.²⁹⁸ In one village, a group of girls were tied up and gang-raped in a field, where they were left and later killed by wild dogs.²⁹⁹

The women who resisted rape were killed, beaten, and mutilated.³⁰⁰ Husbands and male family members trying to defend their women were killed.³⁰¹ Some

²⁸² *E.g.*, Questionnaire Nos. 04VG06; 1EOO02; 1WOO08; 03RK06; 03RK21; 06VG31.

²⁸³ *E.g.*, Questionnaire Nos. 1WOO20; 8ELW09; 15SO05.

²⁸⁴ *E.g.*, Questionnaire Nos. 16SM82; 07SM44; UNVG47; UNVG48; 2EPN40.

²⁸⁵ *E.g.*, Questionnaire Nos. 06AF02; 09KF10.

²⁸⁶ *E.g.*, Questionnaire Nos. 2WRK33; 2WRK37; 07RK41; 09CM01; JARK102.

²⁸⁷ Questionnaire No. 03RK03.

²⁸⁸ *E.g.*, Questionnaire Nos. 14CM03; 14CM11; 2EVG26; 2WRK35; 8WVG38; 10KW01; NERK123.

²⁸⁹ *E.g.*, Questionnaire Nos. UNVG46; 03RK05; 15SO05.

²⁹⁰ Questionnaire No. 2EVG22.

²⁹¹ *E.g.*, Questionnaire No. 16LW52.

²⁹² Questionnaire No. 1EGN19.

²⁹³ *E.g.*, Questionnaire Nos. 1WOO14; 09KF12.

²⁹⁴ Questionnaire No. 03RK22.

²⁹⁵ *E.g.*, Questionnaire Nos. 2WMS05; 1WAF20; 06AF02.

²⁹⁶ *E.g.*, Questionnaire Nos. 2WRK26; 03RK03.

²⁹⁷ Questionnaire No. JAVG59.

²⁹⁸ *E.g.*, Questionnaire Nos. 2WSM18; 2WRK38; 2EPN39; 2WRK37.

²⁹⁹ Questionnaire No. 1WAF06.

³⁰⁰ *E.g.*, Questionnaire Nos. 09KF17; 03RK06; 03RK07; 15SO09; 09KF02.

³⁰¹ *E.g.*, Questionnaire Nos. 07RK48; NERK115.

women committed suicide after they were raped.³⁰²

In a number of cases, after being raped, women would be mutilated and killed.³⁰³ There was a high incidence of mutilation related to sexual violence. Women were beheaded after being raped,³⁰⁴ had their breasts cut off,³⁰⁵ eyes gauged out,³⁰⁶ or vaginas cut or stabbed.³⁰⁷ In some instances, “half-dead” bodies of rape victims were thrown into the river³⁰⁸ or wells.³⁰⁹

The two most memorable and disturbing interviews I conducted were with two women who performed burial rights for women before they were buried. Part of this process included washing the bodies of these dead women. Both women described in great detail the injuries of several dozen women had sustained in the course of being gang raped and their eventual killing. These two interviews were the most difficult I have ever done. The women we interviewed were clearly haunted by these experiences. I also remain haunted by their stories. The image is fresh in my mind, sitting on the floor of their houses, hearing them describe the brutality the victims had suffered, seeing the pain and sorrow in their eyes, their hands touching their faces, hearing them mourn those young women and the inexplicable brutality with which they had to contend, in a way unlike anyone I have ever spoken with before.

Multiple incidents of rape of women while fleeing to Bangladesh were also documented. Groups of girls were snatched from the column of people fleeing towards the border and raped,³¹⁰ often on the side of the road.³¹¹ Respondents reported cases of women being raped and afterwards killed by the military on the way to Bangladesh³¹² and seeing naked dead bodies of women near the border.³¹³

It was apparent from many interviews that the public and brutal nature of these rapes and associated killings was successful as a terrorizing tactic. Not only did the majority of respondents report hearing rape stories even if they did not witness them directly, but also several respondents, both female and male, indicated that the fear of rape, among all the other travesties occurring, was the reason they

³⁰² E.g., Questionnaire Nos. 04MS03; 10CM03.

³⁰³ E.g., Questionnaire Nos. 1WOO14; 13JW41; 1WAF08; 07RK48; 19SH43.

³⁰⁴ Questionnaire No. RKMS150.

³⁰⁵ E.g., Questionnaire Nos. NEOO03; 1EGN11; 1WOO10; 14KW01.

³⁰⁶ Questionnaire No. 03RK07.

³⁰⁷ E.g., Questionnaire Nos. NEOO03; 1EOO02; 1WOO10; JAPN71.

³⁰⁸ Questionnaire No. 2WSM28.

³⁰⁹ Questionnaire No. NEOO03.

³¹⁰ Questionnaire No. SHSM48.

³¹¹ Questionnaire No. 09KF11.

³¹² E.g., Questionnaire No. 03SM10.

³¹³ E.g., Questionnaire Nos. 03SM11; 13JW34.

fled.³¹⁴

Survivors also reported severe physical symptoms following the incidents, including continuous bleeding and scars. While receiving medical treatment in Bangladesh, they had not spoken to anyone of the rapes or sought help for the emotional difficulties they had experienced. As documented by the investigation mission's psychosocial expert, many Rohingya women exhibited symptoms of post-traumatic stress disorder (PTSD), including flashbacks, recurring thoughts, and nightmares. They also described symptoms consistent with depression and anxiety.

Other Forms of Sexual Violence

At the first checkpoint they checked our whole body, inside body and in sensitive places, not only touching but pressing, I was crying. Many women and girls were crying. They did this at 4 checkpoints. Then at the last checkpoint they took our clothes off.

- Quote from 25-year old Rohingya woman from Buthidaung

The majority of respondents spoke about women being aggressively groped and touched while they were being searched in their homes or at checkpoints.³¹⁵ The military abused the women by grabbing their body parts, ripping off their clothing, searching them for valuables, and threatening rape and death. In some instances, women were forced to strip naked to show their underwear,³¹⁶ with attackers taking away their clothing.³¹⁷ One father was killed after trying to prevent the military from touching his daughter.³¹⁸ Several respondents also spoke of women being taken away as sex slaves.³¹⁹

Attacks on Pregnant Women

While in hiding, I saw 6 women assisting a pregnant woman trying to give birth during the attack. Soldiers shot the women and cut up their bodies. They dug three graves and threw in the victims' body parts.

- Quote from 24-year old Rohingya man from Maungdaw

Several cases were documented of pregnant women being beaten in the abdominal area or having their stomachs cut open³²⁰ prior to being shot and/or

³¹⁴ E.g., Questionnaire Nos. 06PN44; 04MS02; 04MS06; 09KF13; 13LW44 (R); 03RK11; 07RK49.

³¹⁵ E.g., Questionnaire Nos. MSSM75; 14CM06; 09KF10; 10KF08.

³¹⁶ Questionnaire No. 09KF14.

³¹⁷ E.g., Questionnaire Nos. 09KF13; 1WAF20.

³¹⁸ Questionnaire No. 05GN27.

³¹⁹ E.g., Questionnaire Nos. 2WRK35; 03RK12.

³²⁰ E.g., Questionnaire Nos. 10CM03; SHVG43; 06AF02; 19KF30; NARK112; 18SA10.

butchered and killed.³²¹ Pregnant women were also targeted for rape.³²²

Several respondents recounted brutal attacks on women during actual childbirth, including instances of women's vaginas being cut, stabbed, or shot as they were in the midst of delivering the baby.³²³ One woman was beheaded while giving birth.³²⁴ Midwives and women assisting childbirth were also killed.³²⁵

A 20-year-old woman from Buthidaung described her experience thusly:

When the military entered the village, people began to flee. The military began burning huts in the north side of the village. Everyone was running. I was pregnant and I had my child. A big group of us went through the forest, where we stayed. Military and Rakhine found us, about 30 soldiers took 15 women to a rubber field. I was one and my sister. They beat us and started pulling our clothes off. I lost consciousness while they were raping me. I don't know how many raped me. When I woke up, it was dark. I couldn't stand. My whole body hurt. I was naked. I thought I was going to die. About 8 of the women were dead. My sister was dead. I saw they had cut her breasts. Other bodies looked like they were also cut. Two bodies were decapitated. I don't know what happened to the other 7 women. I found clothes and ran away.

After this incident, the woman miscarried. She now lives in Kutupalong refugee camp with her mother and her child, and the whereabouts of her husband are unknown. She stated that, "I feel very ashamed. My life is destroyed." Her narrative echoes the experiences described by many other Rohingya women.

KILLINGS

Only one respondent, out of the 1,024 interviewed, indicated that there were no killings in his village, speaking instead of "just burned houses." The killing of Rohingya civilians was a constant theme in all other interviews, including (1) indiscriminate shootings, (2) mass killings, and (3) human bonfires.

Indiscriminate Shooting

"The whole village was under random fire like rain."

- Quote from 20-year old Rohingya man from Maungdaw

"My sister lost her mind that day because of all the shooting."

- Quote from 25-year old Rohingya man from Buthidaung

³²¹ E.g., Questionnaire Nos. 09KF18; 1WAF08; 06AF05; 03RK12; 19SH46; NERK121.

³²² E.g., Questionnaire Nos. 09KF02; UNPN64.

³²³ E.g., Questionnaire Nos. 8ELW04; 13JW32; 05GN32; 2EVG20; 1EGN19; 2EPN39; 2EMS09; 2EVG26.

³²⁴ Questionnaire No. 03SM13.

³²⁵ E.g., Questionnaire Nos. 2EMS09; 2EPN39; 05GN32.

After entering the villages during the major assaults, security forces often started shooting indiscriminately at villagers, killing dozens or hundreds in the streets and fields.³²⁶ The respondents reported that everyone was a target,³²⁷ and even the animals were shot.³²⁸ “The military was shooting madly,” as described by one respondent.³²⁹

In one case, Rohingya villagers were shot at from helicopters.³³⁰ In another village, the military shot randomly at people in the village from a tower in a nearby military camp.³³¹ In other instances, the military first shot in the air to get people running and then fired at them as they fled.³³² Non-Rohingya civilians sometimes participated in the random shooting.³³³

Mass Killings

“They were hunting us.”

- Quote from 50-year old Rohingya woman from Maungdaw

Many Rohingya were killed in the initial random shooting attacks. In some villages, soldiers then shot at columns of Rohingya as they began to flee.³³⁴ In other villages, the attackers went from house to house and killed those left alive after the initial random shooting phase.³³⁵ In many of these villages, because the men had been hiding in the forests for days or weeks beforehand, there were only women, children, and the elderly in the villages when the attacks occurred. When the military entered, these women, children, and elderly were rounded up and systematically shot, burned to death, or slaughtered en masse.³³⁶

In some villages, dozens of Rohingya were killed in execution style, with their hands tied and blindfolded.³³⁷ Men were lined up and had their throats slit or were shot in the back of the head.³³⁸ In other instances, men were forced to lie on the

³²⁶ E.g., Questionnaire Nos. 12CM04; 12CM03; 09CM04; 15SA43; SHVG44; 16SM83; 14CM03; 14SH59; 15SA35; 13LW42; RKMS148; 10KW09; 10KF09.

³²⁷ VG Investigator Report, p. 7; Questionnaire No. LDOO04.

³²⁸ E.g., Questionnaire No. 1WAF01.

³²⁹ Questionnaire No. UNVG47.

³³⁰ Questionnaire No. 1EGN08.

³³¹ Questionnaire No. 1WOO05.

³³² E.g., Questionnaire Nos. 07SM45; 03SM02; 03SM04; JASM58.

³³³ E.g., Questionnaire No. 04MS14.

³³⁴ E.g., Questionnaire Nos. RKMS149; 1EPN11; 04MS03; 09KF12; JASM57.

³³⁵ E.g., Questionnaire No. 03SM07.

³³⁶ E.g., Questionnaire Nos. 1WOO23; UNVG48; 07SM43; RKMS150.

³³⁷ E.g., Questionnaire Nos. 15SA47; 16SM79; JARK97.

³³⁸ E.g., Questionnaire Nos. 2EVG22; 1EGN19.

ground and were then shot.³³⁹ Often, hundreds of men were killed in this fashion per village.³⁴⁰ In one case, some 200 men were rounded up with their hands tied by women's scarfs. They were all forced to lay face down on the ground in a yard. The men were first shot, and then had their throats were slit.³⁴¹

Several instances of beheadings³⁴² and hangings were also documented, with several dozen men seen hanged on trees in one village.³⁴³ Many interviews documented non-Rohingya civilians, including Rakhine, Hindu, Borua and Chakma, taking part in the mass killings, usually using knives and machetes.³⁴⁴ While most Rohingya villagers were killed by shooting or "cutting" (typically stabbing with machetes),³⁴⁵ deaths from landmines and bombings were also documented, especially near the Bangladesh border.³⁴⁶

Some of those who survived the shootings and executions, usually by hiding in the hills and forests, later returned to their villages to try and save their belongings and/or bury the dead.³⁴⁷ In several of these instances, the military waited in hiding for these people to return and then killed them by shooting or stabbing.³⁴⁸

Human Bonfires

The investigation mission documented multiple instances of Rohingya villagers being burned alive.³⁴⁹ In one village, the military handcuffed a group of men, tied them together, poured petrol on them, and set them on fire.³⁵⁰ In other villages, the attackers pushed people into houses, barricaded them inside, and then set the houses on fire.³⁵¹

In several instances, elderly or physically and/or mentally handicapped

³³⁹ E.g., Questionnaire Nos. 03RK06; 06OO06.

³⁴⁰ E.g., Questionnaire Nos. 2EGN42 (172 killed); 09KF13 (200 killed); 13JW36 (150 killed); 13JW39 (310 killed); 13JW40 (250 killed); 13JW43 (350 killed); RKMS137 (1000 killed); RKMS149 (120 killed); RKMS140 (300 killed); RKMS142 (40 killed); 1EPN07 (30 killed); 1WAF08 (200 killed); 1EGN19 (500 killed); 2WRK26 (20 killed); 03RK06 (60–70 killed); 19SH45 (400 killed); NERK121 (300 killed).

³⁴¹ Questionnaire No. 14CM01.

³⁴² E.g., Questionnaire Nos. 16SM78; NEOO03; RKMS137; RKMS142; 2WRK34; 14KF42; 19SH45; NERK121.

³⁴³ Questionnaire No. 03RK03.

³⁴⁴ E.g., Questionnaire Nos. 1WOO23; 1WOO23; LDOO04; 14SH59; 09KF11; 10CM03; 10KW13; 10CM10.

³⁴⁵ E.g., Questionnaire Nos. LDOO04; 14CM03; 2EMS09; SHSM48; 13JW36; RKMS149; 19KF28; 18SA05.

³⁴⁶ E.g., Questionnaire Nos. 8ELW07; 13JW38; 8WOO05; 19KF28; 19KF30; NERK121; 6LW50.

³⁴⁷ E.g., Questionnaire No. 1WAF01.

³⁴⁸ E.g., Questionnaire Nos. 03SM05; 04MS14; 12CM01.

³⁴⁹ E.g., Questionnaire Nos. 1EGN09; 10CM05; 1WAF20; 06PN32.

³⁵⁰ Questionnaire No. LAVG78.

³⁵¹ E.g., Questionnaire Nos. 04MS05; 09KF12; 10CM15; 1EOO02.

Rohingya were separated from the rest of their fellow villagers and burned alive,³⁵² or, they were simply unable to leave their homes as they were set on fire.³⁵³ In some cases, the attackers slit throats and then set the houses on fire, so as to burn the corpses.³⁵⁴

Two respondents described how groups of Rohingya who sought sanctuary in village mosques were burned alive in the mosques.³⁵⁵ Several respondents witnessed women, children, and the elderly being pushed into a ditch in their villages and then set on fire.³⁵⁶

DISPOSAL AND DESTRUCTION OF BODIES

When people die in our culture in the ways that people have died, they aren't able to complete janaza [an obligatory funeral prayer in Islam for seeking pardon for the deceased].

- Quote from 30-year old Rohingya woman from Buthidaung

Several respondents described Myanmar armed forces destroying or disposing of bodies after executions or burnings. The military threw bodies into rivers,³⁵⁷ ponds,³⁵⁸ or wells.³⁵⁹ In some instances, the military dug graves to bury those killed, or they sometimes forced the surviving Rohingya men to dig the graves.³⁶⁰ The military also used bulldozers to dig graves and place the dead bodies inside.³⁶¹ Sometimes, those wounded in the mass executions, but who were still alive, were buried together with the dead bodies.³⁶²

The investigation documented instances of the military returning to villages after an attack to collect and take away the bodies.³⁶³ In at least one village, the military returned after a mass execution and pulled corpses out of graves where they had been placed by surviving Rohingya before, then taking the bodies away.³⁶⁴ The respondents described several mass graves where soldiers had covered bodies in blankets before burning or burying them.³⁶⁵

³⁵² E.g., Questionnaire Nos. 10CM05; MSSM73.

³⁵³ E.g., Questionnaire Nos. 14VG89; 05PN22; 07RK54; JARK102.

³⁵⁴ E.g., Questionnaire Nos. 1WAF02; 2EVG23; 09KF17.

³⁵⁵ E.g., Questionnaire Nos. 15SA43; 2EVG26.

³⁵⁶ E.g., Questionnaire Nos. 15SO08; JARK103.

³⁵⁷ E.g., Questionnaire Nos. 14CM08; 8WVG37; 12KF38; NEVG75.

³⁵⁸ E.g., Questionnaire Nos. SHSM48; SHSM48; 10KW01.

³⁵⁹ Questionnaire No. 12KW01.

³⁶⁰ E.g., Questionnaire Nos. 2EVG22; 13JW36; NESM71.

³⁶¹ E.g., Questionnaire Nos. 16SM78; NERK119; NERK123.

³⁶² Questionnaire No. 13JW36.

³⁶³ E.g., Questionnaire Nos. 14CM01; NERK119; NERK123; UNRK83.

³⁶⁴ Questionnaire No. 14CM10.

³⁶⁵ PN Investigator Report, p. 19.

A few cases were documented in which the military burned dead bodies³⁶⁶ or used acid to disfigure corpses and, consequently, render identification impossible.³⁶⁷ One respondent indicated that the attackers painted the victims' foreheads with red paint to portray the Rohingya victims as Hindus killed by the Rohingya.³⁶⁸

POISONING OF FOOD AND WATER

Several cases were documented of the Myanmar armed forces or other attackers poisoning food and water used by the Rohingya. In a number of incidents, the water supply was poisoned by pouring oil or other chemicals in village ponds and wells.³⁶⁹ In one village, the well was filled with mud and sand,³⁷⁰ while in another, respondents reported the rice being poisoned and children being forced to eat it before being thrown, deceased, into wells.³⁷¹ Other instances of dead bodies of villagers being thrown into wells were recorded as well.³⁷² In two incidents, the river used by the Rohingya for fishing was poisoned, and the respondents reported seeing many dead fish floating in the river.³⁷³ A respondent recounted that they carefully checked their wells before drinking because they had heard that the military would poison it.³⁷⁴

BURNING AND DESTRUCTION OF HOMES AND VILLAGES

"Don't return back. We have burned down your house. If you return we will kill you."

– Quote from 21-year old Rohingya woman from Maungdaw, quoting an attacker

The widespread burning of homes and entire villages was commonplace. The vast majority of interviewees reported their villages and homes burnt.³⁷⁵ Respondents spoke of the unbearable heat caused by the fires.³⁷⁶ Most respondents directly witnessed their own villages destroyed in whole or in part by fire; others fled unsure of what had happened to their villages and were left to rely on hearsay accounts later.³⁷⁷

³⁶⁶ E.g., Questionnaire Nos. 2EVG22; 13JW27; 13JW39; 13JW45; RKMS140; 13LW35.

³⁶⁷ E.g., Questionnaire Nos. 2EPN36; 07RK40.

³⁶⁸ Questionnaire No. NERK123.

³⁶⁹ E.g., Questionnaire Nos. 04MS05; NARK108; UNRK81.

³⁷⁰ Questionnaire No. 1WAF01.

³⁷¹ Questionnaire No. 1WAF05.

³⁷² E.g., Questionnaire Nos. SHVG45; 1WAF20; 8WVG36; 12KW01.

³⁷³ E.g., Questionnaire Nos. 03SM18; 2WSM18.

³⁷⁴ Questionnaire No. 04VG05.

³⁷⁵ E.g., Questionnaire Nos. 14CM03; 15SA35.

³⁷⁶ Questionnaire No. JASM60.

³⁷⁷ MS Investigator Report, p. 3.

Mosques and madrassa were usually burned and destroyed first.³⁷⁸ In most villages, nothing was spared. Rice mills were burned,³⁷⁹ as were trees, coconuts, and crops,³⁸⁰ shops owned by Rohingya, workshops, and whole rice paddies.³⁸¹ In one case, the military destroyed hundreds of tube wells (hand pumps), “ripp[ing] them from the ground.”³⁸² The use of bulldozers for tearing down Rohingya villages was also documented.³⁸³ According to one respondent, “They didn’t burn houses, they just flattened them.”³⁸⁴

Petrol was commonly used for setting homes on fire.³⁸⁵ Houses were first sprayed with gasoline and then flamethrowers were used.³⁸⁶ Attackers also used incendiary grenades. One respondent noted, “They would shoot a gun they held on their shoulders [often identified in photos as a mortar or rocket grenade launcher] and a whole area would catch on fire.”³⁸⁷ Another indicated that the “military was carrying a launcher in their hand like a big rifle. Fire balls were released when they shot.”³⁸⁸ Others spoke of soldiers shooting “bombs” or “fire bombs” from their rifles.³⁸⁹

According to the interviews, the burning was carried out by military and/or non-Rohingya civilians alike,³⁹⁰ and often their actions were coordinated. For example, according to many interviewees, the military burned the village while the Rakhine carried petrol tanks.³⁹¹ In other instances, the military forced the Rohingya villagers themselves to set fire to their own homes.³⁹² In one instance, the military forced about 250 Rohingya villagers to burn their own homes, shooting any who resisted.³⁹³ Several respondents reported non-Rohingya civilians dressing up as Muslims and then burning down houses.³⁹⁴

Very few villages were spared. In those instances where the houses were not burned, they were destroyed with pipes, bars, machetes, and shovels.³⁹⁵ One

³⁷⁸ *E.g.*, Questionnaire Nos. 07SM41; 09KF11; 09SH13; 10KW13; SHSM46; JARK103; NASM62.

³⁷⁹ Questionnaire No. 13LW22.

³⁸⁰ Questionnaire No. SHSM47.

³⁸¹ *E.g.*, Questionnaire Nos. 16LW49; 2WSM33.

³⁸² Questionnaire No. 1EAF03.

³⁸³ *E.g.*, Questionnaire Nos. 1WAF05; NARK107; NERK116.

³⁸⁴ Questionnaire No. NASH04.

³⁸⁵ *E.g.*, Questionnaire Nos. JAVG61; 03RK17; 07RK46.

³⁸⁶ *E.g.*, Questionnaire Nos. 1WAF06; JAVG63; 1WOO22.

³⁸⁷ Questionnaire No. 2EPN40.

³⁸⁸ Questionnaire No. 06VG29.

³⁸⁹ *E.g.*, Questionnaire Nos. 03RK15; 03RK17; 07RK41; 8EJW08.

³⁹⁰ *E.g.*, Questionnaire No. 12SH52.

³⁹¹ *E.g.*, Questionnaire No. 2WSM24.

³⁹² *E.g.*, Questionnaire Nos. 2WSM20; 07RK63.

³⁹³ Questionnaire No. 07RK63.

³⁹⁴ *E.g.*, Questionnaire Nos. 07SM41; 13LW22; 07RK46; 07RK55.

³⁹⁵ *E.g.*, Questionnaire Nos. RKMS137; NERK120; 03RK05.

respondent indicated that this was done to avoid the accidental burning of nearby Hindu and Rakhine homes.³⁹⁶ In another case, the respondent said that his village was not set on fire because “it was too close to Bangladesh.”³⁹⁷ The respondents from mixed villages reported that only the Rohingya houses were burned.³⁹⁸

LOOTING

Everything was destroyed, but before military set fire to our houses, the Rakhine carried away all of our belongings. They put our furniture, food, solar panels, clothes, pots, jewelry into vans and drove away. They were happy and celebrating. It seemed like they were going to a party.

- Quote from 37-year old Rohingya woman from Maungdaw

While theft of Rohingya livestock, crops, and other valuables was a regular occurrence prior to the 2017 attacks,³⁹⁹ once the major attacks started, everything was taken from Rohingya homes and farms.⁴⁰⁰ Virtually all of the Rohingya homes and shops were looted.⁴⁰¹ Theft of livestock, food, motorbikes and rickshaws, fish nets, fishing boats, and personal items, including clothing and jewelry, by military and non-Rohingya civilians alike was documented in nearly all of the interviews.⁴⁰²

The looting was predominately carried out by non-Rohingya civilians, some of whom the respondents even knew or recognized.⁴⁰³ Many respondents said that the looting seemed organized, such that it “looked like they had a system.”⁴⁰⁴ The military stood guard or patrolled the area while non-Rohingya civilians looted Rohingya homes and shops.⁴⁰⁵ One respondent noted, “Ethnic Rakhine knew exactly which families owned more assets, and did not waste time.”⁴⁰⁶ The looting operation usually occurred after the attack on the village, and just prior to the burning down of Rohingya homes.⁴⁰⁷ The local non-Rohingya civilians used vans and jeeps to collect and transport Rohingya property away from the scene of the

³⁹⁶ Questionnaire No. RKMS137.

³⁹⁷ Questionnaire No. UNVG54.

³⁹⁸ SO Investigator Report, p. 7.

³⁹⁹ E.g., Questionnaire Nos. 09KF19; 07SM34; 06AF05, 06AF06, 06OO06, 06PN33, 07SM38, 14CM09, 15SA36, MSSM75, MSSM77;

⁴⁰⁰ E.g., Questionnaire Nos. CHOO03; 14CM02; 14CM08; 19SH42.

⁴⁰¹ E.g., Questionnaire No. 16SM83.

⁴⁰² E.g., Questionnaire Nos. UNOO02; UNVG58; 1WAF01; SHSM49; UNVG50; 06OO08.

⁴⁰³ E.g., Questionnaire Nos. 16SM83; 14CM09, 14CM07; 8ELW02; 09KF12, 10CM10; SHSM48; NASH03.

⁴⁰⁴ Questionnaire No. 03SM07.

⁴⁰⁵ E.g., Questionnaire Nos. 1WAF03; 03SM07.

⁴⁰⁶ Questionnaire No. 2WSM17.

⁴⁰⁷ E.g., Questionnaire Nos. 2WSM28; 12SH52.

attack.⁴⁰⁸

ATTACKS AGAINST ROHINGYA FLEEING TO BANGLADESH

“There were so many bodies and so much blood in the river, it looked like the river was bleeding.”

- Quote from 18-year old Rohingya woman from Buthidaung

The investigation documented multiple accounts of attacks on the Rohingya as they fled their villages for Bangladesh, including dozens of documented attacks at the border.⁴⁰⁹ The investigation documented attacks on refugees travelling on foot,⁴¹⁰ including an attack on an “enormous crowd,” which the military fired upon and a respondent estimated to have killed approximately 1,000 people;⁴¹¹ the military shooting randomly at large groups of fleeing Rohingya, creating a “killing field;”⁴¹² and the military firing from a clifftop on a line of refugees walking towards the border with Bangladesh.⁴¹³

In some cases, after attacks on villages, the military photographed the Rohingya fleeing,⁴¹⁴ and/or followed them to make sure they did not go back.⁴¹⁵ One respondent indicated that the military destroyed their identification documents as they reached the border.⁴¹⁶ The fleeing Rohingya were also robbed. The border police, military, or non-Rohingya civilians took anything valuable that the Rohingya had been able to carry with them in the course of flight.⁴¹⁷

The Myanmar armed forces also used helicopters to attack columns of fleeing Rohingya.⁴¹⁸ As one respondent described, “Helicopters would search for us and then throw light and shoot at us.”⁴¹⁹

The Rohingya were often attacked while waiting for boats to cross into Bangladesh, including attacks from military “speedboats.”⁴²⁰ Myanmar Navy boats rammed boats or rafts full of fleeing Rohingya refugees to flip or sink them, resulting in numerous drownings at the border with Bangladesh.⁴²¹

⁴⁰⁸ E.g., Questionnaire Nos. 2WSM28, 03SM43, 03SM51, 03SM35, 03SM46, MSSM75.

⁴⁰⁹ E.g., Questionnaire No. 14SH59.

⁴¹⁰ E.g., Questionnaire Nos. 05GN31, 12S452.

⁴¹¹ Questionnaire No. 10CM09.

⁴¹² Questionnaire No. 2E0006.

⁴¹³ Questionnaire No. 2WSM23.

⁴¹⁴ Questionnaire No. 04VG13.

⁴¹⁵ E.g., Questionnaire Nos. 16SM83; 16SM79; JARK99.

⁴¹⁶ Questionnaire No. NESM72.

⁴¹⁷ E.g., Questionnaire Nos. 03SM08; 04VG02; 04VG03; 1EPN03; 18SA15.

⁴¹⁸ E.g., Questionnaire Nos. 12SH52; 15SA35.

⁴¹⁹ Questionnaire No. 1EGN19.

⁴²⁰ E.g., Questionnaire Nos. 12CM03; 14CM12; 11CM13; 16LW49.

⁴²¹ E.g., Questionnaire Nos. 14CM08; 15SO22; 06AF07; 06AF08; 2E0007; 2E0007, 12CM03;

The military also raped women on the way to Bangladesh, usually on the side of the road,⁴²² and they sometimes then killed the women.⁴²³ Multiple interviewees reported seeing naked dead women near the border.⁴²⁴

In addition to seeing many burned villages on the way to Bangladesh,⁴²⁵ dead bodies in forests and paddy fields,⁴²⁶ severed limbs and heads,⁴²⁷ dead women with their breasts cut off,⁴²⁸ dead bodies of women hanging from trees⁴²⁹ (some naked),⁴³⁰ bodies of naked women with hands tied to trees (crucifixion style)⁴³¹ earrings cut off ears,⁴³² dead and mutilated bodies floating in the Naf river,⁴³³ and open graves with many hundreds of bodies.⁴³⁴ Many respondents spoke of people dying of hunger, starvation, and exhaustion on the way to Bangladesh, especially the children and the elderly.⁴³⁵ Some of those who fled reported being unable to drink water from the streams or river on the way to Bangladesh due to the number of floating bodies.⁴³⁶

While the majority of respondents were unable to identify the location of these many crimes scenes,⁴³⁷ several spoke of passing through sites of known mass killings, including Tula Toli, Shil Khali, and Tong Bazar.⁴³⁸

BRUTALITY

"I saw people without hands, with intestines pulled out spread across the village. They shoot people, if they don't die, the military uses cobra knives to gut them. If the intestines don't come out, they pull them out."

- Quote by 40-year old Rohingya woman from Maungdaw

09KF12; 07RK44.

⁴²² Questionnaire No. 09KF11.

⁴²³ Questionnaire No. 03SM10.

⁴²⁴ E.g., Questionnaire Nos. 03SM11; 13JW34.

⁴²⁵ E.g., Questionnaire Nos. 14CM09; 09CM04.

⁴²⁶ E.g., Questionnaire Nos. 06OO08, 15SA43, 16LW51; 14CM06; 04VG11; SHVG45; 03RK12.

⁴²⁷ E.g., Questionnaire Nos. 2EGN39; 18SO06; 15SA40; 1WAF15; SHVG45; 06AF01; 01OO11; 1WAF13; 8WSA03.

⁴²⁸ E.g., Questionnaire Nos. 04MS02; 07SM42; 1WOO14; 13JW41; 03RK15; 03RK16.

⁴²⁹ Questionnaire No. 1EPN10.

⁴³⁰ Questionnaire No. 07SM34.

⁴³¹ Questionnaire No. NASM61.

⁴³² Questionnaire No. 03RK15.

⁴³³ E.g., Questionnaire Nos. 15SO23, JAVG63; 1WAF04; 1WOO19.

⁴³⁴ E.g., Questionnaire Nos. 2WRK30; 03RK01.

⁴³⁵ PN Investigator Report, p. 20. Questionnaire No. 15SA43.

⁴³⁶ Questionnaire No. 04VG05.

⁴³⁷ E.g., Questionnaire Nos. 04VG010; 2EPN39.

⁴³⁸ E.g., Questionnaire Nos. 2EPN40; 06PN33; 07RK50; 8WVG39; 07RK47; 07RK51; 11KW20; 11KW22; 13LW32; 15SA25.

As noted throughout this Report, the investigation mission documented an exceptionally high incidence of severe brutality in the attacks against the Rohingya. The investigation documented many instances of mutilation, including: beheadings;⁴³⁹ dismembered hands or limb;⁴⁴⁰ gauging of eyes,⁴⁴¹ including those of children;⁴⁴² cutting of breasts and vaginas;⁴⁴³ castrating men;⁴⁴⁴ and incidents of prolonged death resulting from the cutting of tongues and testicles and being left to bleed out.⁴⁴⁵ One particularly gruesome account involved a prolonged sadistic sexual account, as summarized by one investigator:

In perhaps the most gruesome story I heard, a woman described how she and other women from the village were rounded up and forced to sit in the sun all day. Some women were chosen to be gang raped. Women who resisted were further abused. Some women's hands were nailed to walls or fences (crucifixion-style). Then they were raped, followed by having a breast chopped off. While still alive, their "private parts" were cut with a knife, and the perpetrators "filled bowls with blood." Then the women were killed. The interviewee also had to watch perpetrators cut open the torsos and bellies of pregnant woman. The fetus was ripped out and thrown on the ground, and the women died.

Many of these brutal attacks either took place in public, or with bodies of victims laid out in public, so as to increase the intensity of the terror. In one case, the body of a Rohingya village chairman was found with his tongue and penis cut off and his eyes removed.⁴⁴⁶ In another, Islamic scholars had their tongues and hands cut off.⁴⁴⁷ Respondents also spoke of hundreds of body parts hanging from trees.⁴⁴⁸

⁴³⁹ E.g., Questionnaire Nos. 16SM78; NEOF03; RKMS149; 1EGN12; 2WRK34; 07RK45; 12KF33.

⁴⁴⁰ E.g., Questionnaire Nos. 1WAF01; 1WAF07; RKMS150; 2WRK34; 07RK45; 12KF33; NERK116.

⁴⁴¹ E.g., Questionnaire Nos. 1WOO18; 1WOO20.

⁴⁴² E.g., Questionnaire Nos. SHVG42; 14CM03; 15SA46; 2EVG20; 03SM13.

⁴⁴³ E.g., Questionnaire Nos. 04MS02; 07SM42; NEOF031, 2EVG20; 19KF27; 19KF30.

⁴⁴⁴ Questionnaire No. 06OO08.

⁴⁴⁵ E.g., Questionnaire Nos. 1WAF05; 19KF27.

⁴⁴⁶ MS Investigator Report, p. 4.

⁴⁴⁷ Questionnaire No. SHVG41.

⁴⁴⁸ Questionnaire No. 1WAF01.

CHAPTER 7

CONCLUSIONS FROM THE INVESTIGATION TEAM

This Chapter summarizes the overall conclusions of the investigators comprising PILPG’s investigation team, based on the totality of the documented information and the factual findings of the 1,024 interviews. The unanimous finding of all 18 investigators who took part in the mission was that the major attacks on the Rohingya leading directly to their displacement involved a premeditated and well-coordinated operation. As one investigator noted:

In sum, there are too many coincidences in the nature and similarity of the attacks across the mapped area of Rakhine to suggest anything other than a carefully planned military operation designed to terrorize the refugees into leaving their homeland.

The investigators also highlighted the likelihood that the military operation could not have been merely a response to the ARSA attacks, debunking the military’s narrative of a legitimate counter-insurgency response. The scale, timing, and consistency of the attacks across such a large territory could not have been planned and coordinated in such a short period of time (within a few days of the last ARSA attack). The increased military presence and buildup of weaponry weeks earlier, the seizure of any objects that could be used as weapons for self-defense weeks earlier, as well as the removal of all fences or installations that could be used as barriers, shields, or hiding spots during an assault all point towards a long-planned state-wide operation. The pretense of a “clearing operation” to protect the state from a Rohingya terrorist insurgency threat rings hollow in the face of so much of this data. As one investigator noted in his report:

The Myanmar Government clearly had unimpeded access to these villages at any time of their choosing as evidenced by the frequent appearance of security forces to impose and enforce lockdowns/curfews. So if they were actively seeking insurgents they already had a mechanism to find them. Yet, clearly as part of a broader and planned effort to expel the population they still launched coordinated attacks that left great gaping holes open so that the entire population (insurgents included) could flee.

Investigators posited that the coordinated way in which villages had been

attacked and the corridors left open to enable people to flee into Bangladesh leaves no doubt that it was a deliberate course of action aimed at expelling the Rohingya from Myanmar. Furthermore, the destruction of their villages, crops, and virtually all infrastructure clearly points to a strategy of ensuring the Rohingya's permanent removal. The mass killings and accompanying brutality, including against children, women, pregnant women, the elderly, and those crossing the border to Bangladesh further suggest, however, that, at least in the minds of some perpetrators, the goal was not only to expel, but also to exterminate the Rohingya. As one investigator concluded:

While one can debate whether Burma's goal was to exterminate the Rohingya or "merely" push them out of the country, there were striking examples that indicate a possible desire to go far beyond pushing the population into Bangladesh. I was struck by the mass murder of Rohingya even once they were about to enter Bangladesh. I heard several reports of hundreds or thousands of people being killed with bombs and guns while waiting on the river bank to cross into Bangladesh. I also heard reports of military speedboats purposefully running into canoes full of refugees, which would then tip over and everyone would drown. In both of these examples, the Burmese had basically achieved their desire to force the Rohingya into Bangladesh, yet that wasn't sufficient – instead, they preferred the Rohingya dead.

NOTE ON FORTHCOMING LEGAL ANALYSIS REPORT

PILPG is drafting its complete *Factual Findings and Legal Analysis Report*, which will include a comprehensive legal analysis of the above factual findings, as well as the overall conclusions and recommendations for future actions. PILPG will publish that report in October 2018.