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MYANMAR: NO JUSTICE, NO FREEDOM FOR ROHINGYA 5 YEARS ON; ANNIVERSARY OF ATROCITIES HIGHLIGHTS INTERNATIONAL INACTION

Anniversary of Atrocities Highlights International Inaction

(Bangkok) – [Rohingya Muslims](#) are still awaiting justice and protection of their rights five years after the [Myanmar](#) military began a sweeping campaign of [massacres, rape, and arson](#) in northern Rakhine State on August 25, 2017, Human Rights Watch said today. More than 730,000 Rohingya fled to precarious, flood-prone camps in [Bangladesh](#), while about 600,000 remain under oppressive rule in Myanmar.

No one has been held accountable for the crimes against humanity and acts of genocide committed against the Rohingya population. This anniversary should prompt concerned governments to take concrete action to hold the Myanmar military to account and secure justice and safety for the Rohingya in Bangladesh, Myanmar, and across the region.

“Governments should mark the five-year anniversary of the devastating campaign against the Rohingya with a coordinated international strategy for accountability and justice that draws on Rohingya input,” said [Elaine Pearson](#), acting Asia director at Human Rights Watch. “Donors should support Rohingya refugees to study and work freely and safely so they can build independent and self-reliant futures.”

Since August 2017, Human Rights Watch has [interviewed hundreds of Rohingya](#) in Bangladesh who fled the Myanmar military’s atrocities. They described incidents in which soldiers systematically killed and raped villagers before torching their homes. Altogether, the security forces killed thousands and burned down nearly 400 villages. Those who escaped to neighboring Bangladesh joined a few hundred thousand refugees who had fled [earlier waves](#) of violence and persecution.

“Myanmar authorities brutalized us,” said Abdul Halim, 30, a Rohingya refugee in Bangladesh. “They burned down our houses, raped our mothers and sisters, burned our children. We took shelter in Bangladesh to escape that brutality. Now I’ve been living in Kutupalong camp for five years.” Abdul carried his very ill mother on his back when they fled Myanmar in 2017. She died shortly after reaching Bangladesh.

The Rohingya who [remain in Rakhine State face systematic abuses](#) that amount to the crimes against humanity of [apartheid, persecution, and deprivation of liberty](#). They are confined to camps and villages without freedom of movement, cut off from access to adequate food, health care, education, and livelihoods.

“Since we were children in Myanmar, we never had any freedom,” Abdul said. “They called me ‘*nowa kalar*’ [a slur for Muslims], to say we are like animals.”

Rohingya are effectively denied citizenship under Myanmar's 1982 Citizenship Law, rendering them stateless. The 2017 atrocities were rooted in decades of state repression, discrimination, and violence.

"In Myanmar, we struggled through life," Hasina Hatu, 40, said. "When we raised goats, the border guard forces took away the goats. When we raised cattle, they took away the cattle. When we farmed paddy fields, they took away the rice." Hasina's father died after falling down a muddy slope as they fled in 2017.

In February 2021, the generals who had orchestrated the atrocities against the Rohingya [staged a coup](#) and detained Myanmar's elected civilian leaders. The military junta responded to mass demonstrations with a [nationwide campaign](#) of mass killings, torture, arbitrary arrests, and indiscriminate attacks that amounted to crimes against humanity and, in conflict areas, war crimes. Military units that had been implicated in the 2017 atrocities – since sanctioned by the United States and United Kingdom – have been deployed in renewed operations around the country.

The junta has imposed [new movement restrictions and aid blockages](#) on Rohingya camps and villages, increasing water scarcity and food shortages, along with disease and malnutrition. Since the coup, security forces have arrested an estimated 2,000 Rohingya, hundreds of them children, for "unauthorized travel." Many have been sentenced to the maximum five years in prison. Increased fighting between the Myanmar military and ethnic Arakan Army has also left Rohingya caught in the middle.

In Bangladesh, about one million Rohingya refugees live in sprawling, overcrowded camps in Cox's Bazar and the [isolated silt island of Bhasan Char](#). For five years, the Bangladesh government has respected the international principle of nonrefoulement, the right of refugees not to be returned to a country where their lives or freedom would be threatened.

However, Bangladesh authorities have [recently intensified restrictions](#) on livelihoods, movement, and education that make many refugees feel unwelcome and at risk. Officials have [closed community-led schools, arbitrarily destroyed shops](#), and imposed [new obstacles on travel](#).

"If our children can't be educated here in Bangladesh either, then anywhere we go, we will still be persecuted," Abdul said.

Bangladesh authorities have moved about 28,000 Rohingya to Bhasan Char, where they face severe movement restrictions, food and medicine shortages, and abuses by security forces. Despite the involvement of the United Nations High Commissioner for Refugees (UNHCR), many continue to be transferred without full, informed consent, and [have been prevented](#) from returning to the mainland. Bangladesh authorities should lift the new restrictions and end forced relocations of refugees, Human Rights Watch said.

"How long will we live like this?" Hasina said. "I don't think the world will solve our condition."

The 2022 Joint Response Plan for the Rohingya humanitarian crisis [has received](#) only a quarter of its requested US\$881 million in funding. Donors including the United States, United Kingdom, European Union, and Australia should increase funding to meet the massive needs of the refugee population to help Bangladesh support the Rohingya and host communities.

The Bangladesh government and Myanmar junta have renewed discussions around repatriation, [announcing](#) in January joint plans to “expeditiously complete the verification process.” Two prior [repatriation attempts](#) failed, with Rohingya refugees unwilling to return due to the ongoing persecution and abuse in Myanmar. Michelle Bachelet, the outgoing UN high commissioner for human rights, announced on August 17, following a visit to Cox’s Bazar, that “the current situation across the border means that conditions are not right for returns.”

“We want to go back to Myanmar but to go there we want justice,” Mohammad Ayaz, 21, said. “How long will we have to live in a tarpaulin house? It’s been five years. Who knows how long we have to live here. Who knows whether the world will help us get justice or not.” Mohammad was shot while fleeing his [village of Tula Toli](#) on August 30, 2017. At least 12 members of his family, including his parents and sisters, were killed.

In [Malaysia](#), [India](#), and [Thailand](#), thousands of Rohingya refugees are being held indefinitely in immigration detention sites or living without adequate support and protection.

The international response to the 2017 violence was [fragmented and halting](#), with governments favoring quiet diplomacy that achieved little over strategic measures to place real pressure on the military, Human Rights Watch said.

Building conditions for the voluntary, safe, and dignified return of Rohingya refugees will require a cohesive international response to establish rights-respecting rule in Myanmar and achieve justice for the crimes in Rakhine State. A future Myanmar under democratic civilian rule will entail full citizenship rights for Rohingya and reparations for the atrocities, including for stolen or destroyed land and property.

The UN Security Council should [end its inaction](#) borne of anticipated vetoes by China and Russia and urgently negotiate a resolution to institute a global arms embargo on Myanmar, refer the situation to the International Criminal Court, and impose targeted sanctions on the junta and military-owned conglomerates.

“What are we waiting for?” a US diplomat [said in a speech](#) at a Security Council meeting in 2021. “The longer we delay, the more people die. This council is failing in our collective responsibility to safeguard international peace and security. And it is failing the people of Burma.”

The US, UK, EU, and other governments should together [strengthen international sanctions](#) to cut off the Myanmar military from the revenue funding its abusive operations, including in Rakhine State. Governments should [target the junta’s gas revenues](#), its largest source of foreign income, totaling about \$1 billion in annual profits. The EU [sanctioned](#) the junta-controlled Myanmar Oil and Gas Enterprise in February, but other governments have so far failed to follow suit. The Association of Southeast Asian Nations (ASEAN) should urgently abandon its [failed five-point consensus](#) response to the crisis and instead coordinate strong action against the junta’s abuses.

“We hope that, with help from foreign governments and Bangladesh, we will be able to get back our rights,” Abdul said. “That is what we want.”

Governments should explore every avenue for justice and accountability for the Myanmar military's atrocity crimes, including by formally supporting the [case under the Genocide Convention](#) brought by Gambia against Myanmar before the International Court of Justice. Canada and the Netherlands have [publicly declared](#) their intention to support the proceedings.

Governments should also actively pursue investigations and prosecutions under the principle of [universal jurisdiction](#), an avenue to justice for crimes so serious that all states have an interest in addressing them. The Argentine judiciary has [opened an investigation](#) into Myanmar's atrocities against the Rohingya under universal jurisdiction.

"The Myanmar junta's killing of demonstrators, shelling of civilians, and other abuses reflect in large measure the failure to hold the generals accountable for their atrocities of five years ago," Pearson said. "Influential governments should overcome their past mistakes and take strong measures to sever the flow of arms and revenue underwriting the junta's ongoing crimes."