

# A Whitewash

## **ASEAN Civil Societies and Rohingya Organisations Issue A Joint Statement on ASEAN – ERAT Preliminary Needs Assessment for Repatriation in Rakhine State, Myanmar**

In response to the recent leaked report from ASEAN's Emergency Response and Action Team (ERAT), a 'preliminary needs assessment' which drastically overestimated the ease and equity with which Rohingya can return to Burma, we (Civil Societies from ASEAN and Rohingya Organisations) call upon leaders and representatives from ASEAN nations to insist upon re-evaluation, re-planning, and work towards implementation of a just and safe plan for the Rohingya.

The report at times reads more as if it is designed to please the Government of Myanmar than a product from members of a reputable institution. There is no mention of the well documented genocide perpetrated by the Myanmar security forces that drove 740,000 Rohingya to Bangladesh in 2017. There is no mention of rape, murder, torture, killing of children and the burning of homes. There is no mention of the hundreds of villages burnt as documented in satellite images by HRW and the UN, as well as from first person accounts. Instead, the report consists of a summary of the technical details of the return process with some minor technical recommendations. Myanmar appears to want to create a new narrative that the conflict was inter-ethnic, that they are ready to accept returnees, conditions are conducive to do so, and that the only obstacle for return is Bangladesh. It seems as if the report was done to help ASEAN member countries to ignore the hurt, pain, harm, loss of lives, loss of dignity caused to the Rohingya people. This is an erasure of facts. Those agreeing with the report, including ASEAN member countries, will be complicit in this lie. This report will become the cornerstone of the Government of Myanmar's stance. We say that ASEAN's credibility is on the line unless they reject the report and distance themselves from it.

These are the facts: approximately 87,000 Rohingya fled after 9<sup>th</sup> October 2016; a further 740,000 fled after 25<sup>th</sup> August 2017; a total of 827,000 refugees landed in Bangladesh; and today there are approximately 1.2 million Rohingya refugees in Bangladesh. Yet this report cites 500,000. We ask where this figure come from and what is the source

The report also makes the false premise that the conflict was inter-ethnic. Most blatantly, there is no mention of Tatmadaw's disproportionate 'clearance operations' or allegations and findings of genocide. While the Border Guard Police (BGP) were responsible for violence in 2017, the report claims that villagers feel safer with high BGP security presence. The report says contrary to common perceptions, 'The local community actually felt safe with the presence of Border Guard Police (BGP).' Still in Maungdaw Township and other villages Rohingya and Rakhines work and socialize together, contradicting the assessment team's simplistic, government informed views that the perceived threats are between communities rather than between security forces and civilians. There is an omission of the fact that the inclusion of border guard police in transit camp management structure heightened fear and risks of abuses against a vulnerable population. Recent events such as security forces firing upon civilians in central and northern Rakhine, clearly, show that security forces pose a greater threat to communities more so than just a just "inconvenient" security.

At the same time, there has been an intense ongoing conflict between the Arakan Army and the Tatmadaw throughout Rakhine with over 100 clashes since January 2019 and over 30,000 people displaced. This means that any repatriation is unfeasible, but the assessment team chose to omit the fear the Rohingyas are feeling, in the report.

The report also fails to address policies and laws which violate the Rohingya's fundamental human rights and jeopardize the viability of their return. The report does not address the lack of freedom of movement – people have to possess the right ID card. This card is related to the collection of Biometric Data which is not collected from any other ethnic group in the country. Rohingyas are justifiably suspicious of this, even if the assessment team does not recognise this in the report. For instance, there is the risk this data can be abused by the Government of Myanmar in the future to identify Rohingya who have moved and so transport them back to live only in Rakhine. There is no reference to the fact that the Citizenship Law must be changed based on the report from the Kofi Annan led Advisory Commission on Rakhine State. Relocation is condoned and there is no mention of the area or land, apriority issue for Rohingya. In addition,

the report does not raise access to humanitarian aid, media and international community as these are concern of the Rohingyas.

It is not clear where Relocation Sites will be but according to the plans, they will result in very large villages that will have a problem accessing services and livelihoods especially as most returnees will be paddy farmers. This would mean serious barriers to accessing services and livelihoods. This problem is compounded by the fact that returnees will be resettled in areas away from their original village and cannot access other fields.

When combined, these issues suggest an internment for the Rohingya rather than 'transit' camps. We have seen this play out and it continues to this day in central Rakhine State. The underlying unaddressed omission is the fact that it is extremely unlikely that a large number of people will be returning from Bangladesh without significant changes in the situation in Rakhine State. This report deals only with the technical details for an assessment, ignoring the people, their fears, a review of the 'transit plans', the administrative processes and accessibility for the Rohingyas. In other words, this report has failed to include crucial facts, ignored the human rights and humanitarian rights of the Rohingyas. It is a propaganda to make the Government of Myanmar look better, that it has plans and setting the stage for any failure of the plans as the fault of the Rohingya and the government of Bangladesh, that is currently carrying this problem for the people

We say:

1. for the credibility of ASEAN this report should be rejected and not endorsed. If a future comprehensive assessment is agreed upon in it must be in collaboration with UN experts who have the requisite expertise and neutrality.
2. leaders of ASEAN nations must insist that these issues are raised and addressed by the AHA Centre in order to ensure that the Rohingya can be returned to Burma in a way which is humane and just.
3. leaders of ASEAN nations must also insist that the Rohingya still living in Burma including 128,000 in IDP camps must have their rights, including citizenship and freedom of movement, restored and protected before plans to relocate the refugee population can begin.
4. the safety, rights, and dignity of the returned are essential to the viability and longevity of the endeavour of returning Rohingya. Moving forward without these aspects as considerations is unethical, wasteful, and will ultimately leave all stakeholders addressing the same problems down the line as history will repeat itself if not addressed well, now.

If Myanmar rejects addressing these calls, they prove only that they have no interest in solving the problems which their security forces have created, often at the expense of other ASEAN and South Asian nations. It is our sincerest hope that all parties will take the time to come together and re-evaluate moving forward to resolve these issues in a way which considers the safety, rights and dignity of those most affected while taking the time to listen to them directly.

This statement is undersigned by:

1. ALTSEAN-Burma
2. Angkatan Belia Islam Malaysia (ABIM)
3. Arakan Rohingya Development Association-Australia (ARDA-Australia)
4. Arakan Rohingya National Organisation (ARNO)
5. Burmese Muslim Association (BMA)
6. British Rohingya Community UK
7. Burma Human Rights Network (BHRN)
8. Burmese Rohingya Association Japan
9. Burmese Rohingya Organisation UK (BROUK)
10. Canadian Burmese Rohingya Organisations (CBRO)

11. Central Queensland Rohingya Community
12. Centre for Human Rights Research and Advocacy (CENTHRA)
13. European Rohingya Council (ERC)
14. Global Peace Mission Malaysia
15. Initiative for Human Rights in Asia
16. Komite Nasional Untuk Solidaritas Rohingya (KNSR)
17. MARUAH (Singapore)
18. Myanmar Ethnic Rohingya Human Rights Organisation Malaysia (MERHROM)
19. Rohingya Advocacy Network in Japan (RANJ)
20. Rohingya Intellectuals Community Association Australia (RICAA)
21. Rohingya Society in Malaysia (RSM)
22. Rohingya Women Welfare Society (RWWS)
23. Wadah Pencerdasan Umat Malaysia

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