International Crisis Group
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Myanmar: The Politics of Rakhine State

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Executive Summary

The situation in Rakhine State contains a toxic mixture of historical centre-periphery tensions, serious intercommunal and inter-religious conflict with minority Muslim communities, and extreme poverty and under-development. This led to major violence in 2012 and further sporadic outbreaks since then. The political temperature is high, and likely to increase as Myanmar moves closer to national elections at the end of 2015. It represents a significant threat to the overall success of the transition, and has severely damaged the reputation of the government when it most needs international support and investment. Any policy approach must start from the recognition that there will be no easy fixes or quick solutions. The problems faced by Rakhine State are rooted in decades of armed violence, authoritarian rule and state-society conflict. This crisis has affected the whole of the state and all communities within it. It requires a sustained and multi-pronged response, as well as critical humanitarian and protection interventions in the interim.

Failure to deal with the situation can have impacts for the whole country. As Myanmar is redefining itself as a more open society at peace with its minorities and embracing its diversity, introducing the seeds of a narrow and discriminatory nationalism could create huge problems for the future. Political solutions to the decades-long armed conflict, including the building of a federal nation, will be much more difficult.

The largest group in the state are the Rakhine, who are Buddhist, and there is a significant Muslim minority, including the Rohingya – a designation rejected by the government and Rakhine. The Rakhine community as a whole has tended to be cast internationally as violent extremists – ignoring the diversity of opinions that exist, the fact that the Rakhine themselves are a long-oppressed minority, and rarely attempting to understand their perspective and concerns. This is counterproductive: it promotes a siege mentality on the part of the Rakhine, and obscures complex realities that must be understood if a sustainable way forward is to be found.

The grievances of the Rakhine are similar to those of Myanmar's other ethnic minorities – including longstanding discrimination by the state, a lack of political control over their own affairs, economic marginalisation, human rights abuses and restrictions on language and cultural expression. Decades of Rakhine anger have begun to morph. Since the transition to the new government, many Rakhine have increasingly felt that the most immediate and obvious threat that they face in rebuilding their communities and re-asserting their ethnic identity is one of demographics. There is a fear that they could soon become a minority in their own state – and, valid or not, there is no doubt that it is very strongly felt in Rakhine communities.

Muslim communities, in particular the Rohingya, have over the years been progressively marginalised from social and political life. Many have long been denied full citizenship, with significant consequences for their livelihoods and well-being. There are now efforts underway in the legislature to disenfranchise them, which could be incendiary. The Rohingya see this as their last remaining connection to politics and means of influence. Without this, it would be hard for them to avoid the conclusion that politics had failed them – which could prompt civil disobedience or even organised violence.

Current government initiatives to address the situation are centred on a pilot process to verify the citizenship of undocumented Muslims, and an "action plan" to deal with a broader set of political, security and development issues. Both contain deeply problematic elements. The refusal of the government and Rakhine community to accept the use of the term "Rohingya", and the equally strong rejection of the term "Bengali" by the Rohingya, have created a deadlock. The verification process is going ahead without resolving this, and it may be boycotted by a majority of Rohingya.

The action plan envisages moving those who are granted citizenship to new settlements, rather than back to their original homes, potentially entrenching segregation. Those who are found to be non-citizens, or who do not cooperate with verification, may have to remain in camps until a solution can be found – which could be a very long time. An additional problem is that many Muslims may be given naturalised citizenship, which is more insecure and does not confer many of the rights of full citizenship.

Citizenship will not by itself automatically promote the rights of the Muslim population. This is made clear by the plight of the Kaman, who are full citizens by birth and a recognised indigenous group, but whose Islamic faith has meant that many are confined to displacement camps with no possibility to move freely or return to their land. Citizenship is thus necessary but not sufficient for improving rights. An end to discriminatory policies, including movement restrictions, and improved security and rule of law are also indispensable.

The government faces a major challenge in that the demands and expectations of the Rakhine Buddhist and Muslim communities may not be possible to reconcile. In such a context, it is essential to ensure that fundamental rights and freedoms are protected while also finding ways to ease Rakhine fears. Important too are efforts to combat extremism and hate speech. Only by doing so can the current climate of impunity for expressing intolerant views, and acting on them, be addressed. Ringleaders and perpetrators of violence must be brought swiftly to justice, which has rarely been the case. Doing so will help ensure not only that justice is done; it can also contribute to political stability and enhance the prospects for peaceful solutions.

Political solutions may not bear fruit quickly, but this must not lead to complacency. Solutions are critical for the future of Rakhine State and the country as a whole. Pre-empting extremist violence requires starting a credible process now that can demonstrate to the Rakhine and Muslim communities that political avenues exist. More broadly, unless Myanmar is successful in creating a new sense of national identity that embraces the country's huge cultural, ethnic and religious diversity, peace and stability will remain elusive nationwide. In the meantime, it is essential for the international community to support the humanitarian and protection needs of vulnerable populations, which are likely to remain for years. It is also vital to address the chronic poverty and underdevelopment of all communities in the state, particularly through equitable and well-targeted village-level community development schemes.

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Myanmar: The Politics of Rakhine State

I. Introduction

The situation in Rakhine State, the gravity of which was highlighted in 2012 by major violence that left scores dead and some 140,000 displaced, is complex and there are no easy solutions. Like the rest of Myanmar, Rakhine State is a diverse region. The largest group in the state are the Rakhine Buddhists, who make up about 60 per cent of the 3.2 million total population. Muslim communities, including the Rohingya, are about 30 per cent, and the remaining 10 per cent consist of Chin (who are Buddhist, Christian or animist) and a number of other small minorities, including the Kaman (also Muslim), Mro, Khami, Dainet and Maramagyi.[1]

A number of recent developments have the potential to introduce significant changes.[2] A new chief minister for Rakhine State has been appointed, a pilot citizenship verification process has been launched with the aim of clarifying the legal status of those without citizenship, and the government has developed a comprehensive "action plan" for Rakhine State. However, many of the changes could be highly problematic. Some aspects of the verification process and draft action plan will further marginalise Muslim communities, could entrench segregation, and may exacerbate intercommunal tensions, particularly in the lead-up to key national elections in late 2015. Recent steps to disenfranchise non-citizens will create further grievances in Muslim communities, who already feel that they have been failed by the political process.

This report, which is based on extensive field research in Rakhine State and Bangladesh, aims to situate these developments and the current tensions within a broader context. It provides some relevant historical background, details of the political dynamics at play within the Buddhist and Muslim communities, an understanding of regional dynamics, and an outline of what more can be done to address the situation.

[1] The total population of the state comes from the preliminary results of the 2014 census. Detailed ethnic and religious breakdowns will not be available until 2016, and may be of limited reliability given the controversial way they were defined and enumerated. The Muslim population of the state was mostly not enumerated due to the insistence of most of them to identify as "Rohingya", which the authorities did not permit. Figures released by the government of the number who were left out of the official count, based on census maps down to the household level, therefore allow a reasonable estimate of the size of the Muslim population.

[2] For previous Crisis Group reporting on Myanmar since the present government took power, see Asia Briefings N°144, *Counting the Costs: Myanmar's Problematic Census*, 15 May 2014; N°143, *Myanmar's Military: Back to the Barracks?*, 22 April 2014; N°142, *Not a Rubber Stamp: Myanmar's Legislature in a Time of Transition*, 13 December 2013; N°140, *A Tentative Peace in Myanmar's Kachin Conflict*, 12 June 2013; N°136, *Reform in Myanmar: One Year On*, 11 April 2012; and N°127, *Myanmar: Major Reform Underway*, 22 September 2011; also Asia Reports N°251, *The Dark Side of Transition: Violence Against Muslims in Myanmar*, 1 October 2013; N°238, *Myanmar: Storm Clouds on the Horizon*, 12 November 2012; N°231, *Myanmar: The Politics of Economic Reform*, 27 July 2012; and N°214, *Myanmar: A New Peace Initiative*, 30 November 2011.

II. Historical Background

A. *Pre-Colonial Period*

Rakhine (Arakan) State is separated from the rest of Myanmar by a formidable mountain range, the Rakhine Yoma. This isolated it from the main political and economic centres of Myanmar, and its historical development proceeded mostly independently from the rest of the country until it was conquered by Burmese King Bodawpaya in 1785.[3] It has long been a frontier between Muslim and Buddhist Asia, and the politics of religion continues to heavily influence the popular consciousness.

The last independent Rakhine kingdom was established at Mrauk-U in 1430, with military assistance from the Sultan of Bengal.[4] The kingdom was initially subordinate to the sultan, and in recognition of this the Rakhine Buddhist kings adopted Muslim titles and issued coins bearing Muslim inscriptions. Some of the Muslim soldiers from Bengal established their own settlements in the kingdom at that time, around present day Mrauk-U and Kyauktaw.

The kingdom became independent in 1531, when the Rakhine took advantage of the Mughal invasion of Bengal to consolidate their authority and occupy east Bengal up to Chittagong, in present-day Bangladesh. The Rakhine kings, although Buddhist, continued their custom of taking Muslim titles. Some prominent positions within the royal administration also continued to be filled by Muslims. Mrauk-U became a prosperous trade hub, and the kingdom built up a powerful naval force that dominated the coastline of the Bay of Bengal and the Gulf of Martaban – from Chittagong to Mawlamyine and beyond.

Over the next two-and-a-half centuries, the borders of the Mrauk-U kingdom shifted as its power rose and fell. European and Arab traders visited the coastal ports, with a particularly prominent presence of Portuguese – as traders, mercenaries and pirates. Together with Rakhine sailors, they engaged in raids on Bengal, bringing back captives who were used as slaves by the Mrauk-U kingdom, increasing the Muslim population.

In 1660, the Mughal Prince Shah Shuja fled to Mrauk-U, with some of his soldiers, and the sanctuary he was given by the Rakhine king prompted more Bengali Muslims to move to Mrauk-U. When Shah Shuja was killed by the king after relations soured, his remaining soldiers were incorporated into the elite palace guard as a special unit of archers known as "Kaman" (the Persian word for "bow"). This unit was reinforced over time with Afghan mercenaries, and became the key power broker in the palace. Ultimately, though, it overreached and in 1710 most Kaman were exiled to Ramree (Yanbye) Island, south of Sittwe. The Kaman Muslims are now a

[3] Divergent narratives are deployed by different groups in Rakhine State in support of present-day political positions. The background presented here should not be controversial, as it is based on historical records that are consistent and largely accepted by Rakhine and Myanmar historians, as well as international scholars. Many other aspects of the situation, including the date of the first Muslim and Rakhine settlers in the region, and the relative Muslim and Buddhist populations at different periods, are more contested. This sub-section is based on the following sources: D. G. E. Hall, *Burma* (Hutchinson's, 2nd edition, 1956); Moshe Yegar, *The Muslims of Burma: A Study of a Minority Group* (Otto Harrassowitz, 1972); and Aye Chan, "The Development of a Muslim Enclave in Arakan State of Burma (Myanmar)", *SOAS Bulletin of Burma Research*, vol. 3, no. 2 (2005).

[4] This was the successor to three earlier kingdoms in the region: Dhanyawadi (up to the fourth century AD), Vesali (until the eleventh century) and Lemro (until the early fifteenth century, when Burmese forces briefly overran the area).

recognised indigenous ethnic group in Rakhine State, and many have held high positions in Rakhine society, as teachers, doctors, civil servants and other professionals.

A power struggle among the Rakhine nobility led to the downfall of Mrauk-U. A pretender to the throne requested Burmese King Bodawpaya to invade, and in 1784-1785 the Rakhine forces were routed by a surprise attack from a powerful Burmese force. Mrauk-U was largely destroyed and the Rakhine kingdom annexed to Burma. The nobility were forcibly removed to Upper Burma, and some 200,000 Rakhine fled to Chittagong.

Bodawpaya's army included a Muslim unit, the "Myedu", which was posted to Sandoway (Thandwe) in Rakhine. They were named after the village of Myedu in Upper Burma's Shwebo district (which lies north of Mandalay in Sagaing region), where Muslims captured by the Burmese kings in raids on Mrauk-U and elsewhere in the seventeenth and eighteenth centuries had been settled. Some of the Muslims of Thandwe district today claim to be descendants of those troops; more than 5,000 "Myedus" were listed in the 1931 colonial census.

B. *Colonial and Post-Colonial Turmoil*

The Burmese conquest of Rakhine was short-lived. In 1825, during the first Anglo-Burmese war, Burmese forces were defeated in Rakhine and the state was annexed to British India. It had never been fully incorporated into the Burmese kingdom, and for the Rakhine, Burmese rule was a brief interlude between centuries as an independent kingdom and a long period of British colonisation.

The British shifted the capital of Rakhine State to Sittwe (then known as Akyab). After their success in the second Anglo-Burmese war, they annexed Lower Burma in 1853, and Rakhine was incorporated into this new province, governed as part of British India from 1886.[5]

After the annexation of Rakhine there was significant migration of Muslims from Bengal to the area. There was already a Muslim population of Bengal origin in the state from earlier migration, and the somewhat arbitrary boundary between Rakhine and Bengal meant that there were considerable numbers of Buddhist Rakhine on the Bengal side, and Muslims on the Rakhine side, particularly in the northern parts. British colonial policies to rapidly expand rice cultivation in Rakhine required significant labour, a need that was largely filled by workers from India, many of whom were Muslims from Bengal. While much of the workforce came on a seasonal basis, some settled down permanently in Rakhine. The incorporation of Burma into British India further facilitated migration from the sub-continent, as travel from India to Burma was between different provinces of the same country. Such migration changed the ethnic and religious mix, created socio-economic problems, and led to considerable resentment from the Rakhine Buddhist community.[6]

These tensions erupted into violence during the Second World War. The Japanese advanced into Rakhine in 1942, and the area became the front line until the end of the war. Most of the Muslim population were pro-British, while the Rakhine supported the Japanese, as part of the broader Burmese independence movement, until near the end of the war when they played a critical and generally overlooked

[5] Hall, op. cit., chapter 12.
[6] Yegar, op. cit.

role in enabling the eventual allied reoccupation of Rakhine.[7] Both Buddhist and Muslim communities formed armed units, and launched attacks on the other, with accounts of massacres on both sides in 1942-1943. Muslims fled to the north of the state where they were the majority, and Rakhine populations moved south. The effect was to further segregate Rakhine State into Muslim and Buddhist parts.[8]

After the Second World War, just as the country gained independence, a Rakhine Muslim mujahidin rebellion erupted. The rebels initially explored the possibility of annexing northern Rakhine State to East Pakistan (Bangladesh), but this was rejected by Pakistan.[9] They then sought the right of the population to live as full citizens in an autonomous Muslim area in the north of the state, and an end to what they saw as discrimination from the Buddhist officials that replaced the colonial administrators.[10] The immigration authorities placed restrictions on the movement of Muslims from northern Rakhine to Sittwe. Some 13,000 Muslims who had fled during the war and who were living in refugee camps in India and Pakistan (now Bangladesh) were not permitted to return, and those who did were considered illegal Pakistani immigrants.[11]

The rebels targeted Rakhine Buddhist interests as well as the government, quickly seizing control of large parts of northern Rakhine, and expelling many Rakhine villagers. An embattled Burmese military faced ethnic insurgencies across the country. In Rakhine, law and order had almost completely broken down, with two separate communist insurgencies (Red Flag and White Flag) in addition to the mujahidin, as well as Rakhine nationalist groups, including the (Marxist) Arakan People's Liberation Party, in the south of the state.[12] Government forces were in control of little of Rakhine other than Sittwe.

In this context of violence and chaos, relations between Buddhist and Muslim communities deteriorated further. (Many moderate Rakhine Muslim leaders rejected the mujahidin insurgency, even requesting the government for arms to fight back, a request that was not granted.) The mujahidin rebellion was eventually defeated, leaving only small-scale armed resistance and banditry. Partly in response to mujahidin demands, and partly for electoral reasons, in 1961 the government established a Mayu Frontier Administration in northern Rakhine, administered by army officers rather than Rakhine officials.[13] The populations of the Mayu frontier were increasingly describing themselves as "Rohingya" – as an ethnic descriptor and a political identity; the use of this term and the controversies associated with it are discussed in Section V.C below.

The 1962 military coup in Burma ended Muslim political activity, as it also banned other forms of political organisation, and brought about a more hardline stance toward minorities. New policies effectively denied citizenship status to the majority of Rakhine Muslims, and the short-lived Mayu Frontier Administration was dissolved.

[7] Mary Callahan, *Making Enemies: War and State Building in Burma* (Cornell, 2003), chapter 2.
[8] Yegar, op. cit.
[9] Ibid.
[10] At the same time, on the eve of independence some Rakhine intellectuals led by barrister Hla Tun Pru were demanding the formation of an independent "Arakanistan" for the Rakhine people. See Aye Chan, op. cit., p. 410.
[11] Yegar, op. cit.
[12] Martin Smith, *Burma: Insurgency and the Politics of Ethnicity* (Zed Books, 1999), p. 28.
[13] Yegar, op. cit.

C. *The Military's Divide-and-Rule Approach*

In the 1960 elections prior to the coup, Prime Minister Nu had promised that Rakhine would be formally accorded the status of an ethnic state (which many other major ethnic areas had been granted under the 1947 constitution), while also courting the Muslim vote with promises of an autonomous region in northern Rakhine. The plan to grant statehood to Rakhine was interrupted by the 1962 coup, but the question was raised again in 1973, when the military government held consultations on a new constitution. Muslim representatives of northern Rakhine proposed the establishment of a separate Muslim state, or at least a self-administered area similar to the Mayu Frontier Administration.[14] This request was not granted. Rakhine became one of the seven ethnic states under the 1974 constitution, without special provisions for the administration of the Mayu frontier.

There was further turmoil on the frontier in 1971, as a result of the war of independence in East Pakistan that led to the creation of Bangladesh. Thousands of refugees fled to Rakhine in that year, with most – some 17,000 – subsequently returning home; it is not known how many stayed on.[15]

With the country now a one-party state fearful of ethnic autonomy, Muslim communities came under renewed pressure – the government regarded their origins and loyalties as particularly suspect, and they were of no electoral value in the new authoritarian context. In 1977, the government began a nationwide operation to tackle illegal immigration (operation *nagamin*, or "dragon king"). The lack of formal immigration status of many Muslims, combined with the abusive or violent way in which the operation was implemented in Rakhine State – including serious episodes of intercommunal violence – caused some 200,000 Rakhine Muslims to flee to Bangladesh. Most of these refugees returned over the course of the following year, under intense pressure from Bangladeshi authorities, but there were no real efforts at reintegration, and the majority still had no citizenship papers.[16] A new citizenship law in 1982 further eroded the legal rights of many Muslims (see Section III.C below).

A new military regime came to power in a 1988 coup against the socialist government. It promised a speedy transition to democracy, and held multiparty elections in 1990. Probably in part in an effort to check Rakhine political power, parties representing Muslim communities in Rakhine State – including Rohingya and Kaman – were registered and several Rohingya representatives were elected.[17] The results of the elections were never implemented, however, and military rule continued.

With their electoral value once more nullified, the Rohingya were politically exposed again. In 1991, the regime began a significant military deployment to northern Rakhine State. Troops confiscated Muslim land for their camps and for agriculture to provide for their food, levied arbitrary taxes, and imposed forced labour on the villagers. In addition to violence, the economic burden of these various demands became unsustainable and by early 1992 more than 250,000 Muslims had fled to Bangladesh, where they were housed in crowded refugee camps. Some 200,000 were subsequently repatriated, under the auspices of the UN Refugee Agency (UN-

[14] Ibid; Aye Chan, op. cit.
[15] Ibid. See also J.P. Anand, "Burma-Bangladesh refugee problem", Strategic Analysis, vol. 2, no. 4 (July 1978).
[16] See "The Rohingya Muslims: Ending A Cycle Of Exodus?", Human Rights Watch, September 1996.
[17] Unlike the Kaman, Rohingya parties were not permitted to use the word "Rohingya" in their title.

HCR), but human rights groups and other observers denounced the poor conditions in which the repatriation took place, and the fact that it was sometimes involuntary.[18]

In 2001, riots between Rakhine Buddhists and Muslims broke out in the state capital Sittwe. An argument between a group of young monks and a Muslim stallholder escalated into a night of violence during which perhaps twenty people were killed and homes and businesses were torched. A curfew was imposed in the city for several months. Violence also spread to Maungdaw township, and several mosques and madrasas were destroyed.[19] In the same year, violence also targeted Muslim communities in other parts of Myanmar.[20]

The 2010 multiparty elections again led to rising political tensions in Rakhine State. Many Rakhine Buddhists were angry at pledges by the regime-established Union Solidarity and Development Party (USDP) prior to the elections to grant Rohingya people citizenship – part of an effort to secure the Muslim vote and thereby limit the electoral success of the Rakhine party.[21] This exacerbated intercommunal tensions and contributed to the outbreak of anti-Muslim violence in the state in 2012 (see Section III.B below).

[18] "The Rohingya Muslims", Human Rights Watch, op. cit.
[19] See "Crackdown on Burmese Muslims", Human Rights Watch, July 2002.
[20] See Crisis Group Report, *The Dark Side of Transition*, op. cit., Section II.A.
[21] That is, the Rakhine Nationalities Development Party, now Arakan National Party. Crisis Group interview, international expert on Rakhine State, Yangon, September 2012; see also "Final Report of Inquiry Commission on Sectarian Violence in Rakhine State", Republic of the Union of Myanmar, 8 July 2013, p. 15, para. 4.5.

III. Current Situation

A. *A Legacy of Poverty and Exclusion*

The situation in Rakhine State today must be seen in the broader context of Myanmar's failures at nation-building. The fact that, despite having significant economic potential, it is one of the poorest and most isolated parts of the country – with an astonishing poverty rate as high as 78 per cent – is a reflection of the neglect and exclusion it has faced during the post-colonial period.[22] The Burman-dominated authoritarian state saw diversity as a threat, and gave little priority to developing the ethnic borderlands; successive regimes also restricted ethnic political, cultural and social expression. These grievances run particularly deep in Rakhine State, where there is a strongly-held sense of separate identity, in part because it was historically never integrated into the Myanmar state.

Relations between the Buddhist and Muslim populations have long been difficult. The Rakhine have felt their identity to be under threat in successive periods – from powerful Muslim empires to the west, from a brief period of domination by the Burmese kingdom, by colonial subjugation, and by decades of Burman authoritarian rule. They feel long-oppressed by Burmans, while seeing the Muslim population as an additional threat to the preservation of their cultural identity, and as being used by Burman governments against them. For example, they are angry that their Muslim neighbours voted against Rakhine parties in 1990 and again in 2010 – instead supporting the parties of the incumbent regimes who offered them political representation and promises of eventual citizenship.[23]

These grievances have led to tensions with Muslim communities, and sporadic bouts of communal violence. Thus, the current situation is not unprecedented. But it is taking place against a new backdrop that raises much greater concerns and could have a much more serious impact. There are a number of reasons for this.

- *A different national political context*. The country is seeing liberalisation and greater democracy, as well as a peace process aimed at addressing ethnic minority concerns. In such a situation – where political power is being reconfigured, ceasefires are being forged and political solutions to ethnic grievances considered for the first time – the central government is no longer seeking to marginalise the Rakhine, but rather to bring them into discussion on the country's future. While deep suspicions remain, the Rakhine are being courted by the Burman elite as allies, leaving the Muslim population more politically marginalised than ever before. This is a reversal of previous dynamics, resulting from a new political context that no longer casts minorities in the periphery as enemies, and in particular due to the fact that a negotiated solution to ethnic political demands is now being considered. The end of authoritarian rule has also lessened the deterrent power of the state, so that some people may consider that the costs of committing violence are now less.

[22] According to the 2010 Integrated Household Living Conditions Assessment, Rakhine State has the second-highest poverty incidence in Myanmar (second only to Chin State). A recent World Bank reinterpretation of these data suggests that Rakhine State may actually have the highest poverty rate, at 78 per cent (against 38 per cent nationally). See "Myanmar Integrated Household Living Conditions Assessment-II. Poverty Profile", UN Development Programme (UNDP), 24 February 2011; and "Data tweaks change face of poverty", *Myanmar Times*, 19 May 2014.

[23] Crisis Group interviews, numerous Rakhine political and community leaders, since 2010.

- *A different local political context*. The newly decentralised political structures, enshrined in the 2008 constitution, give a measure of legislative and executive authority to Rakhine State. This is creating new competition for political power. During the decades of authoritarian rule, there was no political power to compete for; now, Muslim communities are seen as an electoral threat to the Rakhine parties and as a non-Rakhine constituency that could weaken Rakhine control of the state's affairs.
- *A different societal context*. Across Myanmar, there has been a resurgence in Buddhist nationalism often accompanied by anti-Muslim sentiment. Groups such as 969 and the Association for Protection of Race and Religion (known by its Burmese acronym, MaBaTha) are spearheading campaigns to protect Buddhism against perceived threats, including Islam, and have considerable public support.[24] Countrywide anti-Muslim sentiment makes it politically difficult for the government to take steps seen as supportive of Muslim rights. This leaves Muslim communities in Rakhine State marginalised locally and nationally.

The political dynamics within the Rakhine and Muslim communities are discussed in detail in Sections IV and V below.

B. *Violent Conflict*

This legacy of poverty and exclusion was the backdrop to the intercommunal violence that erupted in Rakhine State in 2012.[25] The rape and murder of a Buddhist woman by Muslim men on 28 May led long-simmering tensions between the Buddhist Rakhine and Muslim communities to flare the following month.[26] Hostility had already been high in the months leading up to the incident, and extremist propaganda was circulating. The murder sparked a wave of violence, which mostly occurred in the northern part of the state and around the provincial capital of Sittwe.

On 3 June, ten Muslim pilgrims from central Myanmar were murdered by a mob in Toungup township. This followed the anonymous distribution of inflammatory leaflets attacking followers of Islam. As violence then spread – including in some cases attacks on Buddhist communities by Muslims – a state of emergency was imposed on 10 June and additional troops dispatched to enforce it.[27] This restored order for only a few months, during which tensions continued to simmer, and small incidents were reported. According to government figures, 98 people were killed and 123 injured, from both communities.[28] In addition, 5,338 homes, mostly of Rohingya Muslims, were destroyed and some 75,000 people, again mostly Rohingya, were displaced.

Widespread violence erupted again on 21 October. In this second wave, the attacks appeared to be well-coordinated and directed toward Muslims in general and not just Rohingya, a serious escalation. Muslim ethnic Kaman communities, who

[24] See, for example, "Nationalist monks call NGOs 'traitors' for opposing interfaith marriage bill", *The Irrawaddy*, 12 May 2014.
[25] For a detailed analysis, see Crisis Group Reports, *The Dark Side of Transition* and *Myanmar: Storm Clouds on the Horizon*, both op. cit.
[26] See Crisis Group, "Myanmar Conflict Alert: Preventing communal bloodshed and building better relations", 12 June 2012.
[27] Ibid.
[28] "Final Report of Inquiry Commission", op. cit., Appendix C.

are one of Myanmar's recognised nationalities, were also targeted.[29] Given the systematic nature of some of the attacks, it is highly probable that they were at least partly planned in advance in reaction to the June violence. The senior army officer with authority for the region, Lieutenant-General Hla Min, suggested that there might be political aims behind the riots.[30] He did not elaborate, but this second wave of clashes took place amid rising local political tensions.

According to government figures, 94 people were killed, 142 injured and 3,276 homes burned down.[31] The detailed breakdowns of these figures indicate that the impact was overwhelmingly on Muslim communities. The vast majority of the 32,000 people displaced were Muslims, whereas there were 42 Rakhine Buddhist houses destroyed, leaving some hundreds homeless.[32]

After the first wave of violence, on 17 August President Thein Sein established an investigation commission to look into the situation in Rakhine State.[33] It had a broad mandate, covering the causes of the violence, the official response, solutions and suggestions for reconciliation and socio-economic development. It also had a broad composition, including Muslim,[34] Christian, Hindu and Buddhist religious leaders, academics, civil society representatives, lawyers, politicians and former dissidents – although none of the Muslim members specifically represented the Rohingya community.[35] Its initial three-month term was extended following the second round of clashes in October, and it submitted its final, public report in April 2013.[36] The recommendations included the need to provide safe and secure temporary shelters for displaced people and cover their basic needs; permanent resettlement; transparent and accountable citizenship verification; livelihoods and development support to the whole state; as well as efforts to combat intolerance and extremism and ensure security, stability and rule of law.

C. *The Status of the Muslim Populations*

Muslim communities in Rakhine State, particularly the Rohingya, face significant restrictions on their access to citizenship. This has a serious impact on other rights and the ability to obtain government services.

Since independence, a series of laws have defined (and redefined) who is eligible for citizenship. Citizenship is currently governed by the 1982 Myanmar Citizenship Law[37] and its 1983 Procedures, which replaced the 1948 Union Citizenship Act and its 1949 Regulations.

[29] "Fleeing Muslims seek food, shelter after Myanmar sectarian chaos", Reuters, 26 October 2012.
[30] "Authority, resident representatives of UN agencies look into situation in Yanbye [Ramree], Kyaukpyu", *The New Light of Myanmar*, 29 October 2012.
[31] "Final Report of Inquiry Commission", op. cit., Appendix C.
[32] Ibid; and summary document covering the period 22-30 October, border affairs ministry.
[33] President Office Notification No. 58/2012, 17 August 2012.
[34] Two of the four Muslim representatives were later dismissed from the commission for allegedly violating commission rules.
[35] It seems that the president's decision not to include a Rohingya leader on the commission was a reflection of the huge sensitivity about this issue in Myanmar, the concern among his advisers being that such a move would have been counterproductive by becoming the main focus of discussion, and likely making it impossible to get any Rakhine representatives to join the commission. Crisis Group interview, member of the commission, Yangon, November 2012.
[36] An English translation was subsequently released as "Final Report of Inquiry Commission", op. cit.
[37] Pyithu Hluttaw Law No. 4, 1982, as amended in 1997 (by SLORC Law No. 4/97).

The 1948 act defined as a citizen any person, inter alia, who: (i) was born of parents who belonged to any of the indigenous races of Myanmar;[38] or (ii) was born within Myanmar and having at least one grandparent from any of the indigenous races; or (iii) was descended from persons who had made Myanmar their permanent home for two generations, and the person and their parents were all born in Myanmar; or (iv) was born within the territory of Myanmar after 4 January 1948 and one of whose parents was a citizen.[39] The act also provided that adults could apply for citizenship by "naturalisation" if they had resided in Myanmar for the five years prior to their application and met certain other criteria[40] – a route to citizenship for those who otherwise had difficulty proving their eligibility under the other provisions.

The 1982 law was more restrictive. It introduced three different tiers of citizenship where previously there had been only one – citizen, associate citizen and naturalised citizen – which afforded different entitlements.[41] Importantly, the law provided that all persons who were citizens on the day it came into force continued to be citizens (which is why the provisions of the 1948 act, set out above, remain relevant for persons born prior to 1982). The law then provided, similar to the 1948 act, for citizenship by birth for any of the recognised indigenous ethnic groups, and an official list of 135 groups was published.[42] It also laid out complex provisions governing citizenship by descent. These can be briefly summarised as: (i) children acquire citizenship if one parent is a citizen and the other parent either a citizen, associate citizen or naturalised citizen; or (ii) children acquire citizenship if their parents are associate or naturalised citizens, provided that at least one set of grandparents are also associate or naturalised citizens – which means the second generation of offspring of people with these other forms of citizenship become full citizens by descent.

Only one Muslim community in Rakhine State – the Kaman – are recognised as an indigenous ethnic group, and therefore acquire citizenship by birth, although they sometimes face difficulties in practice.[43] All others, including the Rohingya, are therefore subject to provisions on citizenship by descent or associate/naturalised citizenship. Over time, they have seen a steady loss of their citizenship rights. Prior

[38] The 1948 act defined "indigenous races" to include the eight major ethnic groups (listed as Rakhine, Burman, Chin, Kachin, Kayin, Kayah, Mon, Shan) as well as "such racial group as has settled in any of the territories included within the Union as their permanent home from a period anterior to 1823 A.D". (section 3 of the act). No official declaration was made concerning which "racial groups" met the criteria.

[39] Additional provisions were set out for persons born outside of Myanmar to citizen parents, and for citizenship by application.

[40] That is, good character, ability to speak one of the indigenous languages of Myanmar, and intention to reside in the country in the future.

[41] "Associate citizen" is a non-automatic category of citizenship by application, for people who had applied for citizenship under the 1948 act prior to 1982, but had not yet received a decision. "Naturalised citizen" is a also a category of citizenship by application, for adults who can prove that they entered and resided in Myanmar prior to 1948, and their children as well as foreign spouses of citizens under certain circumstances, provided they can speak one of the indigenous languages and are of good character and sound mind.

[42] See, for example, "Our Union of Myanmar where 135 national races reside" [in Burmese], *The Working People's Daily*, 26 September 1990.

[43] Many Kaman say they have never received citizenship cards despite having applied for them. This is perhaps a result of bureaucratic inefficiency, but is fuelling perceptions that local authorities are deliberately discriminating against them on religious grounds, or because they suspect that Muslims who are not Kaman are claiming to be so in order to obtain citizenship. Crisis Group interviews, aid workers and Kaman leaders, Yangon and Sittwe, July 2014.

to 1951, when a compulsory registration law came into force,[44] the vast majority of people in Myanmar did not have identity documents. After 1951, citizens over the age of twelve were issued with "national registration cards" (NRCs); many Rakhine Muslims, including those in northern Rakhine State, held these cards, while others – as was the case in remote areas across the country – never registered. In cases where NRCs were lost or defaced, citizens were issued with "temporary registration certificates" (TRCs, also known as "white cards"), intended to be temporary documents pending the issuance of a new NRC.

In 1989, a citizenship inspection process was carried out, and those found to meet the new requirements under the 1982 law had their NRCs replaced with new "citizenship scrutiny cards" (CSCs). The majority of Rakhine Muslims surrendered their NRCs, but were never issued with CSCs. This was not in accordance with the law, due process was not followed, and it appears to constitute an arbitrary deprivation of citizenship, rendering them stateless.[45] From 1995, the authorities began issuing TRCs to many Muslims in Rakhine State who did not have identity documents – both those who previously had NRCs and those who were undocumented; the majority now hold such cards.[46] The implication was apparently that the citizenship status of these cardholders was undetermined and required further verification. While intended to be temporary, many people have held these cards for almost two decades. Very recently, the government has begun a citizenship "verification process" in Rakhine State (discussed in Section V.B below).

TRCs confer some limited rights (such as the right to vote), but they are not taken as evidence of citizenship, and therefore many of the rights conferred on citizens are denied to TRC holders, and several serious additional restrictions are imposed.[47]

D. *Humanitarian Situation*

The situation in Rakhine State should not be seen as a simple humanitarian emergency. Rather, it is a protracted crisis of politics and governance, affecting the whole of Rakhine State and all of the communities living there. A humanitarian response is essential, but such interventions are only one component of addressing a situation to which there are no easy solutions and which is likely to take many years to resolve in an effective and sustainable way.

At the same time, and while longer-term solutions are sought, it is vital to address the urgent lifesaving needs of populations that are vulnerable, segregated and persecuted. More than 137,000 people, mostly Rohingya Muslims, remain in displacement camps in Rakhine State following the 2012 violence.[48] These have essentially become internment camps, described by the UN's deputy relief coordinator as "ap-

[44] The 1949 Registration Act, which came into force with the issuance of its 1951 Rules.
[45] See "Report of the Special Rapporteur on the situation of human rights in Myanmar", appended to UN General Assembly document A/63/341, 5 September 2008, paras. 61 and 101(a).
[46] Crisis Group interview, Myanmar researcher with extensive knowledge of the situation, Yangon, July 2014.
[47] The right to form or join political parties has recently been taken away from TRC holders, and there are moves to deny them the vote. See Section V.A below.
[48] "Internal displacement in Myanmar", UN Office for the Coordination of Humanitarian Affairs (OCHA) map, 1 June 2014.

palling", and where access to basic services – including health, education, water and sanitation – is "wholly inadequate".[49]

There are also significant humanitarian needs outside the displacement camps. In total, the UN estimates that 310,000 people in Rakhine State are in urgent need of humanitarian assistance – almost 10 per cent of the total population of the state.[50] In northern Rakhine State, life-threatening forms of malnutrition remain well over the 15 per cent emergency threshold, requiring an urgent and sustained intervention.[51]

In February 2014, the authorities ordered Médecins sans frontiers (MSF)-Holland – the largest provider of humanitarian medical services – to suspend its operations in Rakhine State, amid allegations of bias that the organisation has insisted are unfounded.[52] The humanitarian situation became more critical when on 26-27 March an ethnic Rakhine mob attacked international humanitarian agencies in Sittwe, with one local bystander killed in police fire, and prompting the evacuation of over 300 humanitarian workers from the city. According to eyewitnesses, the attackers had maps marking the location of UN and international NGO premises, indicating advance planning.[53] In total, 33 premises, including offices, residences and warehouses were looted and ransacked, causing over $1 million in losses.[54]

The attacks came after a period of rising tensions between local Rakhine communities and agencies. They started as a boycott campaign against the UN-backed census by Rakhine groups who were opposed to the plan to allow Rohingya to self-identify as such. The violence was sparked when an international staff member of an aid agency removed a Buddhist flag from one of the organisation's premises, following which rumours spread – found to be untrue by the government's investigation commission – that she had handled it in a disrespectful manner. Buddhist flags were at that time being displayed outside buildings in Sittwe to demonstrate support for the census boycott.[55]

These attacks brought humanitarian assistance to a standstill for a month impacting nearly 140,000 displaced people, as well as several hundred thousand other vulnerable individuals. Immediately following the violence the government imposed a curfew in the Sittwe area and, as a security precaution, placed movement restrictions on all humanitarian workers, inter alia preventing travelling to and working in the camps. Local Rakhine staff were sent home after some received threats for working with international organisations. Rakhine hoteliers and homeowners refused to rent to aid workers under pressure from hardline elements in their community. As a result, humanitarian workers were confined to a single small hotel, further limiting the number of staff that could resume operations. The lack of staff com-

[49] See "Assistant Secretary-General and Deputy Emergency Relief Coordinator, Kyung-wha Kang Press Remarks on Myanmar", OCHA, 17 June 2014.
[50] "2014 Strategic Response Plan – Myanmar", UN, December 2013.
[51] Ibid.
[52] MSF stressed that its services are "guided by medical ethics and the principles of neutrality and impartiality" and "based solely on need, irrespective of race, religion, gender, HIV status or political affiliation". See "Tens of thousands of patients at risk in Myanmar after MSF ordered to cease activities", press release, MSF, 28 February 2014.
[53] Crisis Group interviews, eyewitnesses, Yangon, April 2014.
[54] "Humanitarian Bulletin, Myanmar", UNOCHA, Issue 3, March 2014, p. 1-31.
[55] Following the violence, the government declined to allow anyone to identify as Rohingya. See Crisis Group Briefing, *Counting the Costs*, op. cit., Section V.A.

bined with the destruction and looting of offices and warehouse supplies made it impossible for humanitarian organisations to deliver meaningful assistance in the days and weeks after the attacks.[56]

International aid organisations provided almost all health services to displacement camps and isolated villages across the state, and the restrictions meant that multiple daily referrals from these areas to local hospitals for life-threatening conditions all but stopped, leading to numerous preventable deaths.[57] During the month-long suspension in humanitarian operations, the government, through the health ministry and other national institutions, deployed five mobile medical teams to Sittwe, but this effort fell well short of the need, according to the World Health Organization.[58] Even when other organisations were able to return, none had the capacity to fill the large gap left by the suspension of MSF-Holland's services.

Since the attacks, humanitarian access has improved, although it has yet to return to previous levels, which were themselves far from adequate.[59] The main obstacle to scaling up is insufficient staff on the ground to cope with needs – a cumulative effect of the attacks, restrictions by the authorities and obstruction by local communities.[60] The invitation from the government for MSF-Holland to return, and the subsequent signing of a new memorandum of understanding in September, can hopefully pave the way for a significant scaling up of health services for vulnerable people in Rakhine State, although some local groups remain opposed to the organisation resuming its work.[61] Beyond this, the government needs to do more to facilitate the work of humanitarian agencies – including by making it easier to reestablish offices and residences in Sittwe, and making clear to Rakhine activist groups that they do not have a veto on lifesaving aid.

[56] Crisis Group interviews, humanitarian agencies, Yangon, April-June 2014; and Sittwe, May 2014.
[57] Crisis Group interviews, humanitarian workers, Sittwe, July 2014. The number of preventable deaths is impossible to quantify, but the fact that scores of emergency life-threatening referrals per month have all but ended is deeply concerning.
[58] "Humanitarian Bulletin", op. cit.
[59] The UN reports that services have reached 60 per cent of the level they were at prior to the attacks. Crisis Group interview, UN humanitarian officials, Yangon and Sittwe, July 2014. See also "Humanitarian Bulletin", op. cit.
[60] Crisis Group interviews, humanitarian workers, Sittwe, July 2014.
[61] See "Medical aid for Rohingya could resume after MSF signs MoU with Govt", *The Irrawaddy*, 10 September 2014; "Rakhine residents ready to protest the return of MSF", *Eleven Media*, 18 September 2014.

IV. The Rakhine Buddhist Perspective

A. *Rakhine Grievances*

Rakhine grievances are similar to those of Myanmar's other ethnic minorities – including longstanding discrimination by the state, a lack of political control over their own affairs, economic marginalisation, human rights abuses and restrictions on language and cultural expression. These grievances are felt particularly keenly by the Rakhine due to their strong sense of nationalism and long independent history. The fact that Rakhine State is one of the poorest areas of a very poor country only serves to reinforce the sense of economic exclusion.

Decades of Rakhine anger at their treatment at the hands of the Burman-dominated regime have not gone away – but they have begun to morph. Since the transition to the new government, many Rakhine have increasingly felt that the most immediate and obvious threat that they face in rebuilding their communities and reasserting their ethnic identity is not Naypyitaw, but the Muslim population of the state. They see this threat as having several dimensions:

- *Demographic threat*. There is a widely and strongly held fear that the demographic balance of Rakhine State is shifting and that the Rakhine could soon become a minority in their own state – and not merely in the northern part, which has long been majority Muslim. In particular, by the time of the 2012 violence there was a belief that Sittwe itself was close to having a Muslim majority, fuelling concerns of the political elite in the state capital, and raising the prospect – alarming to many – that the city might return a Muslim representative in a future election.[62] Three reasons for the demographic shift are regularly mentioned: a higher birth rate in Muslim communities, illegal immigration across the Bangladesh border, and the fact that many young Rakhine have become overseas migrant labourers. There are no reliable data that can shed light on the precise extent of any demographic shift or the relative contribution of these factors. But what is most important to recognise is the political reality of these strong demographic fears in Rakhine communities.
- *Socio-cultural dilution*. Demographic concerns are compounded by the fact that the two communities have very different social, cultural and religious traditions – which is a barrier to integration and makes them visibly distinct. The Rakhine feel that after decades of oppression, their culture is weak and could come to be dominated by a Muslim culture with which they are not comfortable and in many cases see as incompatible with their way of life.[63] Indeed, the Muslim communities that have enjoyed a greater degree of acceptance – in particular the Kaman, but also the old Muslim community in Sittwe – are those that have been much more closely integrated into Rakhine society. The less integrated communities are seen as part of a Bengali milieu stretching to Bangladesh, and often – given the size and density of that country's population and the long common border – as the vanguard of an unstoppable wave of people that will inevitably engulf Rakhine.

[62] Crisis Group interview, civil society activist, October 2012.
[63] For example, Rakhine people often point to *halal* slaughter practices as being offensive and incompatible with the tenets of Buddhism.

- *Economic threat*. The Rakhine have also seen their economic prospects suffer. What little economic opportunities there have been in the state in the last decades have been dominated by outsiders: the military and Burman "crony" companies.[64] They also observe that small local business – fisheries, produce markets, informal financial services, tradespersons – has been increasingly driven by Muslims. With the prospect of new economic opportunities as the country opens up, the Rakhine feel that they are poorly-placed to gain the benefits.
- *Violence threat*. Following the most recent rounds of violence many Rakhine believe that their physical safety is threatened by the presences of Muslims. This feeling is particularly strong with regard to women, who are seen as more at risk.

Much media reporting and international commentary has cast the Rakhine community as a whole as violent extremists, ignoring the diversity of opinions that exist, the fact that they themselves are a long-oppressed minority, and rarely attempting to understand their perspective and concerns. This is counterproductive: it promotes a siege mentality on the part of Rakhine and obscures complex realities.

Extremist voices – and impact – are often disproportionately loud and destructive. But many of the underlying grievances of the Rakhine are real. Their sense of existential insecurity is not going away, and their concerns must be acknowledged – which does not mean endorsing racist or discriminatory responses that some are advocating.

B. *Rakhine Political Dynamics*

As with other ethnic minority areas of the country, Rakhine politics has been invigorated in the current period of liberalisation. Rakhine political parties enjoy strong popular support. Civil society is very active and well-organised in Rakhine State. And the Rakhine Sangha (community of monks) has used its moral authority to weigh in on social and political debates. Each of these political actors is discussed below:

- *Rakhine political parties*. The Rakhine have considerable party-political unity. There is a single dominant party, the Arakan National Party, which was formed in March 2014 from the merger of the two main pre-existing parties: the Arakan League for Democracy and the Rakhine Nationalities Development Party.[65] The former was the most important Rakhine party to contest the abortive 1990 elections; it boycotted the 2010 elections, but re-registered in May 2012. The Rakhine Nationalities Democratic Party was formed to contest the 2010 elections. Although widely seen as rigged in favour of the regime-established Union Solidarity and Development Party, it won the majority of elected seats in Rakhine State (eighteen out of 35), becoming the second-largest ethnic party nationally.[66] The merger of these two parties has created a powerful political force in the state, with strong legitimacy and organisational strength, that is likely to dominate the 2015 elections. The merged party held its first congress in Rakhine State in September 2014.

[64] Crisis Group interviews, Rakhine businessmen, Sittwe and Mrauk-U, July 2014.
[65] There is another Rakhine party, the Rakhine State National Force Party, which is less prominent.
[66] While the party holds eighteen of the 35 elected seats in the Rakhine State legislature, there are also twelve unelected seats reserved for military appointees, meaning that it only holds 38 per cent of the legislature. At the national level, the party has seven seats in the upper house and nine in the lower house – a very small percentage, but more than any other ethnic party except the Shan Nationalities Democratic Party.

- *Rakhine civil society*. There is a very active and diverse set of Rakhine civil society organisations, which have flourished since the political opening in 2011. These include the Rakhine Thahaya Association, Rakhine Women's Network, Rakhine Women's Union, the Arakan Human Rights and Development Organisation and the Rakhine Literature and Culture Association. Many of these are also involved in social and political activism outside their specific mandate. There are also a number of umbrella groups, including the Rakhine Social Network and the Arakan Civil Society Network, who have been some of the most powerful and organised forces in Rakhine politics, including opposition to international aid groups. In May 2014, some 40 Rakhine civil society organisations formed the NGO Watch Team, to scrutinise the activities of international aid agencies.
- *The Rakhine Sangha*. The Rakhine monks, like monks in the rest of Myanmar, wield considerable moral authority and political influence, and strongly protect this traditional authority. Senior monks tend to have more moderate political views (although there are exceptions); some of the more junior monks can be very radical, even engaging in violence, and it is often difficult for their abbots to control this.[67] There is a symbiotic relationship between the *Sangha* and the communities in which they live. Monks are dependent on the community for alms and other support, and while they provide leadership and guidance, they cannot move too far from the views of their community.

A recent conference, the Rakhine National Conference, brought the different influential sectors of Rakhine society together to debate and foster a common stance on key issues including politics, peace and stability, socio-economy and natural resource revenue sharing and environmental management.[68] It was held in Kyaukpyu from 27 April to 1 May 2014, attended by around 1,500 delegates from Rakhine politics, civil society, armed groups, academics, monks, women and youth, including from the diaspora.

It can seem to the casual observer that there is considerable unity of opinion within Rakhine society. But this may be more a reflection of the limited range of contacts that many internationals have in Rakhine State, as well as a reluctance – and even fear – on the part of many Rakhine to challenge dominant narratives. The debate at the Rakhine National Conference and subsequent follow-up meetings showed both a broad convergence on some key perspectives (the need to protect and promote Rakhine culture and language, the need for greater political autonomy for the state) as well as a wide range of views on specific issues.[69]

These views do not fall easily on a hardline-moderate continuum. Individuals may have very strong views on one issue, and a more pragmatic perspective on another. The violence has tended to polarise opinion, and nationalistic sentiment and a strong desire for the Arakan National Party to achieve electoral success leads to a certain conformity – in particular, there is a very widely felt distrust of Muslims. But on almost any specific issue, very divergent views can be heard.[70] Thus, there are business people in Rakhine State who are strong nationalists but decry the segregation of Muslims as economic folly. Others consider that longstanding restrictions on

[67] Crisis Group interview, researcher specialising in the Rakhine conflict, Yangon, July 2014.
[68] See "Arakan National Conference Statement", Kyaukpyu, 2 May 2014.
[69] Crisis Group interviews, conference participants and observers, Yangon and Sittwe, July 2014.
[70] Crisis Group interview, prominent Rakhine individual, Yangon, July 2014.

the rights of TRC holders, particularly travel limitations, are partly to blame for the current tensions. A majority of Rakhine leaders believe the violence of recent years has been counterproductive, and that better security and rule of law is a prerequisite for economic and political progress. This is one reason why the appointment of a senior Burman military officer as chief minister of Rakhine State has been broadly accepted – and in some quarters even quietly welcomed – as an interim measure.

But in a context in which there are many fears, it is easy for strong sentiments to be roused, and with new possibilities to organise, populism is an easy way for would-be leaders to gain support. This means that some individuals are engaged in fear-mongering that Muslim communities are plotting revenge for the violence, or seeking an autonomous region, or to establish Sharia (Islamic law), or to take over the state.[71] These claims find fertile ground in a community that already has a strong suspicion and distrust of Muslims.

The more Muslims are cast as the enemy of the Rakhine, the greater the suspicion with which international aid groups are viewed – by providing assistance to those communities, they are seen as sustaining that enemy, even if Rakhine communities are also supported. This reinforces longstanding grievances that aid agencies have mainly supported Muslims in the past. While many would point to the response to Cyclone Giri in 2010 as demonstrating that the international community was ready to step in quickly to provide significant support to the predominantly Rakhine communities that were affected,[72] prior to this international assistance was for many years mainly provided to Rohingya in northern Rakhine State. The reason is that Western sanctions left Myanmar as an aid orphan in the 1990s; the only significant resources available for Rakhine State were for Rohingya refugees returning from Bangladesh.[73] Many of the jobs with aid agencies also went to members of that community. The lack of freedoms at the time meant that the Rakhine were unable to complain, but unsurprisingly these old grievances have now resurfaced.

One point on which there is broad consensus among Rakhine is a rejection of the term "Rohingya". There are a number of reasons for this. Fundamentally, it is viewed as an invented identity aimed at achieving indigenous status – and therefore citizenship by birth under the 1982 law – that clashes with the dominant Rakhine view that this is historically a migrant community. They also fear that indigenous status would give rise to a number of other rights, including potentially an autonomous region in northern Rakhine State similar to the short-lived Mayu Frontier Administration. More viscerally, there is a widespread belief that accepting the term would also imply acceptance of the Rohingya historical narrative, which is strongly rejected by the Rakhine for misrepresenting the extent of Muslim historical influence in the state. For many Rakhine, the term now simply has very negative connotations, of a radical political agenda by a religiously conservative group with links to mujahidin insurgents.[74]

[71] Ibid.
[72] See "Cyclonic Storm Giri, Situation Report #11", UNOCHA, 20 December 2010.
[73] See Crisis Group Asia Report N°32, *Myanmar: The Politics of Humanitarian Aid*, 2 April 2002.
[74] Crisis Group interview, prominent Rakhine individual, Yangon, July 2014.

C. *Vision for Rakhine State's Future*

There is a broad consensus among the Rakhine that they must come together to achieve control of their own political destiny and to build a better economic future. The question is how this can best be achieved.

Among many Rakhine, there is a recognition that violence and segregation has seriously damaged the economy and made it more difficult to achieve the foreign investment, tourism and international assistance that will be needed for economic growth and development. This creates incentives to address the crisis.

Yet, there is also great concern that an economically prosperous Rakhine State, with a fairly low population density and significant natural resources, could attract significant numbers of illegal economic migrants from neighbouring Bangladesh, creating further demographic pressure on the Rakhine. This drives the view that there must be strict border controls and robust procedures to verify the legal status of all Muslims. Some take this further, believing that it is impossible for Rakhine and Rohingya communities to live together, leading to calls for continued segregation and efforts to reduce the Muslim population through relocation to other parts of Myanmar and to third countries for those who have no legal status. From this perspective, efforts to provide assistance to these communities pending eventual return to their homes are seen as destabilising and against the long-term interests of the Rakhine.[75]

In the lead-up to the 2015 elections, there is likely to be an increase in simplistic and populist narratives, a concern for some Rakhine political leaders. If current moves to institute a more proportional election system in the country gain traction, this will further complicate the situation, as it will raise the possibility of one-third of the seats in the state going to Muslim representatives, a prospect that will in turn likely lead to a stronger push for disenfranchisement of TRC holders and/or relocation of Muslim populations out of the state.[76]

[75] Crisis Group interview, researcher specialising in the Rakhine conflict, Yangon, July 2014.

[76] Recent moves to institute a more proportional system for the 2015 elections are being driven by the USDP, who fears that the existing first-past-the-post system would leave it with very few seats. The lower house has established a committee to examine a range of options, which is expected to report back in late-October 2014.

V. The Muslim Perspective

A. *Political and Social Exclusion*

Muslim communities in Rakhine State have over the years been progressively marginalised from social and political life. Apart from the Kaman, the rest have been denied full citizenship, with significant consequences for their livelihoods and well-being.

Although the 1982 law contains a provision that all people who were citizens on the day it came into force remain so, the way in which it was implemented led many Muslims to be de facto deprived of citizenship.[77] Most Muslims who had the old form of identification (the NRCs) did not receive new citizenship cards (CRCs), instead being issued at a later date with temporary registration certificates (TRCs) that confer far fewer rights; they have been holding these ever since. Many of those who had no documentation – and whose citizenship status was therefore unclear – have also received TRCs over the years, including in the lead-up to elections when their vote was courted by the government party.

This has led to serious discrimination against Muslim populations in Rakhine State, particularly the Rohingya. Permission to marry must be obtained from the authorities, and at various times in the past there have been orders limiting couples to two children.[78] There are also severe restrictions for TRC holders on freedom of movement outside the village-tract or between townships, limiting work opportunities and access to government services. Over the years, the Rohingya were also disproportionately subject to abusive practices by the authorities – including forced labour, informal taxation and land confiscation.[79]

The Rohingya have five legislative representatives, all of whom are from the USDP.[80] There are four Rohingya political parties, none of which currently holds any seats: National Democratic Party for Development,[81] Democracy and Human Rights Party, National Development and Peace Party (seen as very close to the USDP), and Union Nationals Development Party (whose registration is still pending). Personal and political issues at times divide Rohingya parties and politicians, particularly over which individual political leader or party speaks for their community. However, these divisions do not extend to the main policy priorities – recognition, citizenship and rights – on which they are united. There are also broadly shared strategic reasons for not uniting into a single party, which they see as risky in case it was deregistered.[82]

[77] For more detailed discussion, see Section III.C above.

[78] Enforcement of the two-child policy stopped when the Nasaka border security force was disbanded in July 2013. Crisis Group interview, analyst specialising in Rakhine State, Yangon, May 2014.

[79] For an early and comprehensive account, see "The Rohingya Muslims", Human Rights Watch, op. cit.; see also Chris Lewa, "Asia's new boat people", *Forced Migration Review*, issue 30 (July 2008), p. 40.

[80] That is, one in the upper house, two in the lower house, and two in the Rakhine State legislature. The two representatives in the state legislature have not taken their seats since 2012 due to threats to their security, and have instead submitted requests for leave of absence on grounds of health – agreed with the speaker as a way to avoid disbarment for non-attendance. Crisis Group interview, Rohingya political leader, July 2014.

[81] This party won two seats in the Rakhine State legislature in 2010, but its candidates were subsequently disqualified for failing to meet citizenship requirements, and their seats went to Rohingya candidates of the USDP, who polled in second place.

[82] Crisis Group interviews, Rohingya political leaders, July-September 2014.

There are now efforts underway in the legislature to disenfranchise TRC holders and naturalised citizens. First, a September 2014 amendment to the Political Parties Registration Law requires party leaders to be full citizens and party members to be full or naturalised citizens.[83] Some Rohingya political leaders are citizens, so the Rohingya parties would probably be able to meet the requirement with respect to their party organisers (which must number at least fifteen according to the law); it would be much more difficult with respect to members (which under the law must number at least 500 for regional parties or 1,000 for national parties). Much depends on how far the citizenship verification process proceeds prior to the election (see next section).

More worrying still, there are moves to deny TRC holders the vote. The Arakan National Party made its stance on this clear in a meeting between political parties and the Union Election Commission on 2 July 2014, and a bill to effect this change has reportedly been sent to the legislature.[84] Its current status is unclear, but now that a precedent has been set by removing party-political rights from TRC holders, it may have some momentum. If passed it would disenfranchise over one million people in Rakhine State, and some 400,000 people elsewhere, many of them not Muslim.[85] It would be a highly controversial move, and in Rakhine State could be incendiary. The Rohingya see their ability to vote as their last remaining connection to politics and means of influence. Without this, there will be no Rohingya representatives in the legislature, and no reason for any party to take account of their views, even peripherally. It would be hard for the Rohingya community to avoid the conclusion that politics had failed them – which could prompt civil disobedience or worse, as some Rohingya are already contemplating.

B. *Citizenship Verification Process*

Since July 2014, the government has been implementing a pilot citizenship verification process for unregistered Muslims, or those holding TRCs, in Myebon township in Rakhine State. This is the third time that the authorities have attempted to implement such a process in the state, with the previous two attempts ending in failure and even violence – due to a lack of consultation, community suspicions and the requirement for Rohingya to identify as "Bengali".[86]

In Myebon, the process is nominally voluntary (the authorities have claimed that there will be no status implications for those who do not participate),[87] does not require people to provide documentary evidence (a family tree and application form is sufficient), and is fairly transparent (applications go to a township committee, including Rakhine and Rohingya members, for checking, then a state-level committee for verification, then a national immigration committee for decision). Applicants are not permitted to identify as Rohingya. Myebon was chosen because most of the unregistered Muslim population had already accepted to identify as "Bengali" in the census – at least in part a reflection of the fact that the camp in Myebon for those

[83] Political Party Registration Law Second Amendment Law, 30 September 2014.
[84] Crisis Group interview, person present at the meeting, Yangon, July 2014.
[85] Ibid. Outside of Rakhine State, many people of Chinese and Indian descent hold TRCs.
[86] Crisis Group interview, senior UN official, Yangon, July 2014.
[87] There have, however, been concerns about coercion, including alleged threats to withhold humanitarian assistance from those who do not go through the process. Crisis Group interview, senior UN official, Yangon, July 2014.

who were displaced in 2012 has among the worst conditions of any of the camps in Rakhine, meaning that those living there are more likely to agree to identify as "Bengali" in the hope that it will open up a way to leave the camp.[88]

The authorities have indicated that those whose descent in Myanmar can be verified (using the government's records) back to their grandparents will be accorded full citizenship, and those who cannot verify this will be granted naturalised citizenship, provided they meet certain other criteria.[89] The vast majority – more than 1,000 households – in Myebon have applied, 300 applications have been sent for decision, and 209 heads of household have so far been granted citizenship.[90] It is expected that decisions on the remaining cases will be given before the end of 2014. The pilot process may be expanded in the coming months to other parts of Rakhine State.

It remains to be seen what the final outcome will be, and how the Rohingya and Rakhine will react. So far, of the 209 people granted some form of citizenship, 40 have been given full citizenship (most of whom were "Bengali", and a few Kaman) and 169 naturalised citizenship (all of whom were "Bengali").[91] There have already been protests in Myebon over this, with local Rakhine applying for permission to demonstrate during a visit of the chief minister for the citizenship ceremony on 22 September. When permission was denied, residents of Myebon staged a silent protest, staying in their homes and leaving the streets deserted during the chief minister's visit.[92] One of the government's objectives for the verification process – creating a sense in the Rakhine community that those who had been verified as citizens were legitimate residents, thereby promoting acceptance and co-existence – is very unlikely to be achieved.

The stage is set for the verification process to become deadlocked. Already, the divergent expectations between Muslim and Rakhine communities are leading to tensions. Rakhine protests may constrain the extent to which the government is able to complete the Myebon process, and its ability to extend it to other areas. In other parts of Rakhine State, particularly the Sittwe camps for internally displaced people (IDPs) and northern Rakhine State, Muslim communities are more strident in their refusal to identify as "Bengali", and are unlikely to cooperate.

In northern Rakhine State's Maungdaw township, residents say that on 22 July 2014 the local administration issued a notice banning fishing along the coast until all Rohingya have participated in a household verification process that uses a government form entitled "illegal immigrant prevention unit" on which they are identified as "Bengali". Although this process is not explicitly for citizenship verification, there is a lack of transparency over the purpose, and residents suspect that the two processes are linked, or will become so.[93] The level of distrust is such that it appears Maungdaw residents would be extremely sceptical of a Myebon-style verification pro-

[88] Crisis Group interview, aid worker, Sittwe, July 2014.
[89] These include good character, sound mind and ability to speak one of Myanmar's national languages, such as Rakhine or Burmese. See 1982 citizenship law.
[90] Crisis Group interview, senior UN official, Yangon, October 2014. Note that since these are heads of household, once citizenship decisions have been made, it opens the way for other members of the household (spouse, children) to also obtain citizenship. The 209 decisions made so far will result in some 800 people being granted some form of citizenship.
[91] Ibid.
[92] Crisis Group interview, aid worker based in Rakhine State, Yangon, September 2014.
[93] Crisis Group interviews, Maungdaw resident and Bangladesh-based researcher, July-August 2014. A copy of the form is on file with Crisis Group.

cess. Even if sufficient trust could be built, the deal that is on offer – Bengali identity for (naturalised) citizenship – is unacceptable for most, out of principle or due to fears that naturalised citizenship confers limited rights, can be revoked and implies that an individual or their parents migrated from Bangladesh in recent times.[94]

This raises the question of how the authorities will proceed. The draft Rakhine State Action Plan (see Section VII.C below) envisages a compulsory verification process – different from the Myebon pilot – whereby anyone who refused to take part in the process or declined to identify as "Bengali" would be classified as an illegal immigrant. If the verification process proceeded in this way, this would effectively be a ultimatum not only to IDPs, but also those in non-displaced communities: register as "Bengali" or be permanently denied citizenship. This would carry a high risk of sparking major tensions and potential violence.

C. *Rohingya Political Identity and Hopes for the Future*

The etymology and date of origin of the term "Rohingya" are highly contested. What does seem clear is that it was not widely used in written records from the colonial or pre-colonial periods.[95] It became more widespread in the 1950s, including by the elected government of the time, with President Shwe Thaik, Prime Minister Nu and senior military officer Aung Gyi using it in speeches. In the 1960s, the official Burma Broadcasting Service relayed a "Rohingya language" program three times per week as part of its minority language programming. The word was used in encyclopaedias, journals and school text books until the late 1970s to describe one of the groups living in Rakhine State. And the "Rangoon University Rohingya Students Association" was officially registered by the authorities in the late 1950s and early 1960s.[96]

The systematic denial of their rights by successive governments has produced awareness among the Rohingya of the commonality of their experiences, particularly around the 2012 violence. This has helped to forge a much stronger Rohingya political identity than existed in the past. Prior to 2012, many Muslims with the same ethno-linguistic background as the Rohingya declined to identify as such, particularly those in Sittwe and further south. These communities were more socially and economically integrated into Rakhine society than those living in northern Rakhine State, and they were disinclined to highlight their difference by associating with what was seen as an activist political identity. This changed rapidly after 2012, when the violence affected even those communities who were well integrated, and the term "Bengali" came to be applied to all Muslims in the state (including, on occasion, the Kaman).[97]

Now, there is an overwhelming sense among Rakhine Muslim communities and their leaders that with the current pressures and threats they face, it is vital to have a strong and unified political identity.[98] More and more Muslims in Rakhine State,

[94] Crisis Group interviews, Rohingya political leaders and IDP camp residents, Yangon and Sittwe, July-September 2014. Rohingya refugees in Bangladesh conveyed very similar sentiments to Crisis Group researchers in Cox's Bazaar in July and August 2014.

[95] See, for example, "A note on the origins of the 'Rohingya'", Network Myanmar, 11 November 2012.

[96] For further details on these references to "Rohingya", see Nay San Lwin, "Making Rohingya statelessness", *New Mandala*, 29 October 2012.

[97] Crisis Group interview, analyst, Yangon, October 2012.

[98] Crisis Group interviews, Yangon, Sittwe, Cox's Bazaar, Dhaka, July and August 2014.

with the exception of the Kaman, are identifying as Rohingya. As a Rohingya elder said: "The violence in 2012 changed the situation. Before the violence our Rohingya name was not something we thought about every day. Since the violence, everything has been stolen from us – now all we have left is our Rohingya identity. All of us are united on this".[99] Rohingya leaders see defending their political identity as vital to gain Myanmar citizenship and ease discrimination and denial of rights. They see international use of the term as an important source of legitimacy and support for their rights.

D. *The Kaman Perspective*

The Kaman continue to highlight their distinct identity. They have also been impacted by the communal tensions, with several killed in 2012 and hundreds displaced. In October 2013, Rakhine Buddhists killed five Kaman in targeted violence in Thandwe in the southern part of the state; several hundred were made homeless.[100]

Kaman leaders and their community fear that growing influence of Buddhist nationalism over Rakhine State politics has transformed the conflict between Rakhine and Rohingya into a broader anti-Muslim crisis, in which they are more likely to be targeted. In fact, radical monk Wirathu's visit to Thandwe ahead of the October attacks is partly credited by local people for stoking anti-Muslim violence there.[101] They are also targeted because of a widely-held perception – probably correct – that many Rohingya have obtained citizenship cards by bribing government officials to register them as Kaman.[102]

The Kaman feel caught in the middle of a conflict between the Rakhine and the Rohingya. "The Kaman are hostage to the communal tensions. We share our ethnicity with the Rakhine but our religion with the Bengalis".[103] As a result, the Kaman leaders have to walk a fine political line: they support citizenship for Rohingya, but do not endorse the Rohingya identity, distrusting the motives behind it – which they suspect may be aimed at achieving a self-administered area or separate state carved out of Rakhine.[104]

Not all Kaman subscribe to this view. Kaman leaders in the Sittwe IDP camps are sympathetic to Rohingya since many now find themselves in a similar situation. Even those Kaman with full citizenship cards require special permission to travel, because of their religion and the risk of violence that authorities say this exposes them to. This means that they are subject to the same de facto restrictions on movement as unregistered Rohingya, and are unable to leave the IDP camps even though most have the means and desire to do so.[105]

[99] Crisis Group interview, Sittwe, July 2014.
[100] Crisis Group interviews, aid workers and Kaman leaders, Yangon and Sittwe, July 2014.
[101] Internal Office of the UN High Commissioner for Human Rights report on the Thandwe violence, October 2013, copy on file with Crisis Group. See also "The silence of the muezzin", *The Economist*, 2 November 2013. Wirathu is the influential leader of the radical "969" Buddhist nationalist group, which often preaches intolerance about Muslims.
[102] Crisis Group interviews, Rohingya and Kaman leaders, July 2014. See also "Final Report of Inquiry Commission", op. cit., p. 17.
[103] Crisis Group interview, Kaman leader, July 2014.
[104] Ibid.
[105] Crisis Group interviews, Kaman living in IDP camps in Rakhine State, July and August 2014.

VI. Regional and International Concerns

A. *A Risk of Radicalisation?*

Concerns have been regularly expressed in Myanmar about the activities of domestic and international Muslim extremist networks. The history of mujahidin insurgency in Rakhine State plays into this, as do claims by global jihadi movements to have networks in Myanmar or an interest in supporting jihad there. These include: evidence that Muslims from Myanmar were fighting with the Taliban in Afghanistan in 1999-2001;[106] threats against Myanmar by Tehreek-e-Taliban Pakistan in 2012;[107] calls by an Indonesian extremist leader for Muslims to wage jihad in Myanmar in 2013;[108] threats by the leader of the Islamic State (IS) to take revenge on Myanmar, and several other countries, for abuses against their Muslim populations;[109] and promises to rescue Muslims in Myanmar and elsewhere from "injustice and oppression" as part of the announcement of the formation of "al-Qaeda in the Indian Subcontinent".[110] Western intelligence agencies have detected chatter in jihadi networks mentioning Myanmar, but nothing specific.[111]

The Myanmar government has also regularly blamed domestic Muslim insurgents – principally, the Rohingya Solidarity Organisation (RSO) – for attacks on security forces in northern Rakhine State. There was a series of deadly attacks on Border Guard Police patrols in northern Maungdaw in February and May 2014, including one on 17 May that left four officers dead.[112] In the tense period that followed, there were firefights between Myanmar and Bangladesh border forces, including one in which a Bangladeshi soldier was killed.[113] In mid-July 2014, the authorities restricted humanitarian access to parts of northern Rakhine State on the grounds of terrorist activity in that area.[114]

The RSO was established in 1982, along the lines of Myanmar's myriad ethnic insurgent organisations – with bases in remote areas of the country's borderlands, and engaging in conventional attacks on military and strategic targets. The RSO never gained much traction and did not pose a serious military threat; in the 1980s and 1990s it had some small bases in remote parts of Bangladesh near the border with Myanmar; at least in recent decades it had none on Myanmar soil. Most regional security experts believe that in recent years the RSO has been essentially defunct as an armed organisation.[115]

[106] Indonesian fighters reported that they met Muslims from Burma at Camp Faruq in Kandahar during this period, when they stayed together at an abandoned building known as "Burma House". Crisis Group interview, regional terrorism expert, August 2012.
[107] See "Tehreek-e-Taliban Pakistan threaten Myanmar over Rohingya", Agence France-Presse, 26 July 2012.
[108] On 23 April, Abu Bakar Ba'asyir made this call from his prison cell in Indonesia.
[109] See "Isis leader calls on Muslims to 'build Islamic state'", BBC, 1 July 2014.
[110] See "Al Qaeda announces India wing, renews loyalty to Taliban chief", Reuters, 4 September 2014.
[111] Crisis Group interview, Western diplomat, Yangon, July 2014.
[112] Internal UN security management team note, Bangladesh, June 2014. See also, "All not quiet on the Burmese front", *Probe Weekly*, 6 June 2014.
[113] See "Myanmar returns body but questions remain over firefight", *Myanmar Times*, 3 June 2014.
[114] Crisis Group interview, senior humanitarian official, Yangon, July 2014.
[115] See "Experts reject claims of 'Rohingya Mujahideen' insurgency", *The Irrawaddy*, 15 July 2013.

While there is no evidence to support Myanmar's claims that the RSO is responsible for the attacks on its security forces in northern Rakhine State, there appear to be efforts underway in the wake of the 2012 violence to rehabilitate the group as an armed organisation. These are being driven by a new generation of local-level leaders. At present, their aim is not separatist, anti-Buddhist or jihadi in nature; it is for their community to live as citizens of Myanmar with their rights respected by the state.[116] The objective is to reconstitute the RSO as an insurgent force, and there appears to be a modicum of support for this among the population, some of whom see this as the only path left open to them.[117]

But the fact that there are influential individuals considering violence as a strategy for regaining Rohingya rights and citizenship, and that this resonates with a small proportion of the population, does not mean that such a strategy will ultimately take root. In fact, there are serious obstacles to its success. First is that the vast majority of the community is opposed to violence as a means of obtaining their rights. This stems from practical considerations more than principle: they believe that violence or even a threat thereof would be likely to prompt further discrimination against them.[118] Rohingya political leaders in Myanmar are actively discouraging any moves in this direction.[119] Second is that the current political environment in Bangladesh is not at all conducive to the establishment of RSO bases on its territory, for which there may have been some tacit support in earlier periods. In particular, Bangladesh is cracking down on its own extremist organisations, some of which have closely cooperated with the RSO in the past – and even received training from it.[120]

Even if the RSO is not a credible military threat, the group's very existence could be used as an easy justification for increased discrimination against Muslims in Rakhine State. This is a real risk given Myanmar's bitter experience with multiple domestic insurgencies and its abiding sense of insecurity.

A key question is whether, beyond limited old-style insurgency, there is a risk of radicalization that might lead to more terrorist-type responses. This may be a subject of theoretical debate in some quarters, and it is a prospect that Rohingya leaders admit they are worried about, but there is no evidence of any concrete plans in this direction – either home grown or in collaboration with international terrorist networks. The Rohingya in Rakhine State are not ripe for radicalisation for a number of reasons: they see Western governments as key supporters of their rights, which does not fit with the global jihadi agenda; they are not easy for global extremist networks to access; and it seems that most Rohingya religious leaders are not preaching violence.[121] (The same cannot necessarily be said of Rohingya populations in other

[116] Crisis Group interview, member of the new RSO leadership, July 2014.
[117] Crisis Group interviews, Cox's Bazaar, Sittwe and Yangon, July-August 2014.
[118] Ibid.
[119] Crisis Group interviews, Yangon, July 2014.
[120] In the mid-1990s the RSO was engaged in a training exchange program with the Jamaat-ul Mujahedeen Bangladesh (JMB), one of the country's most significant Islamist militant outfits. Highly-trained RSO operatives who were veterans of the Afghan-Soviet war provided arms training to JMB, while JMB provided explosives training to the RSO. See Crisis Group Report, *The Threat From Jamaat-ul Mujahideen Bangladesh*, op. cit.
[121] In fact, there is anecdotal evidence to the contrary. Residents of the Sittwe IDP camps say that imams routinely encourage them to see their living conditions as temporary and to peacefully persevere through their collective hardship. There are similar indications from northern Rakhine State. Crisis Group interviews, Sittwe IDP camps, July 2014; and Maungdaw resident, August 2014.

countries such as Saudi Arabia, Pakistan and elsewhere, who are targets for radicalisation.)

At the same time, violence and discrimination, together with increasing political marginalisation, carry huge risks that some disaffected Rohingya will be attracted to violent extremism, deciding that there is nothing to lose and no alternative. This is particularly so in a context in which Muslims in northern Rakhine State are denied religious freedom, which can also contribute to extremism. The current ban on public gatherings in northern Rakhine State, introduced after the 2012 violence, effectively prevents Muslims from exercising the main tenets of their faith – for example, Muslims in Maungdaw township have been unable to hold Eid celebrations for the past three years. This is seen as a deep insult to their dignity, and just as serious an issue as denial of citizenship.[122]

B. *Bangladesh Border Politics*

Since the 1970s, the official position of every Bangladesh government, civilian or military, has been that all Rohingya will return to Myanmar. They have also been careful not to create conditions that would entice additional people over the border – so that while Bangladesh is generally sympathetic to their situation, it is also "creating an environment that compels them to leave for India, Malaysia and the Middle East".[123] However, nearly two generations of Myanmar Rohingya have been born in Bangladesh, and due to cultural commonalities between Rohingya and Bangladeshis, many have integrated into society, marrying locals and even acquiring citizenship. Government officials privately understand many will never return to Myanmar, and the focus is now on preventing further waves of refugees and migrants from Myanmar.[124]

To that end, the current Awami League-led government is intent on removing all "pull factors".[125] For example, in 2010, citing the risk of creating such a pull factor, Prime Minister Sheikh Hasina's administration halted third-country resettlement of Rohingya refugees while also refusing to approve local NGO projects in Cox's Bazaar.[126] In 2012, the government ordered three international aid organisations assisting Rohingya to curtail their operations.[127] In July 2014, it banned the registration of marriages between Bangladesh nationals and Rohingya migrants, which was a route to citizenship for the latter.[128]

In addition to reducing pull factors, Sheikh Hasina's government also has a policy of "pushing back" Rohingya attempting to cross into Bangladesh. The Border Guards Bangladesh (BGB), which patrols the Bangladesh-Myanmar border, say they push back hundreds of Rohingya across the Naf River to Myanmar each month.[129] Rohingya who have crossed into Bangladesh indicate that although border guards do push

[122] Crisis Group interviews, Maungdaw residents, July 2014.
[123] Crisis Group interview, Western diplomat, Dhaka, July 2014.
[124] Crisis Group interviews, analysts, journalists and diplomats in Bangladesh, July 2014.
[125] Crisis Group interviews, aid officials, Dhaka, July 2014
[126] Crisis Group interviews, Dhaka, July 2014.
[127] These groups were MSF-Holland, Action contre la faim and Muslim Aid UK. Crisis Group interviews, aid workers, Dhaka, July 2012. See also Syed Zain Al-Mahmood, "Persecuted Burmese tribe finds no welcome in Bangladesh", *The Guardian*, 7 August 2012.
[128] See "Rohingya banned from marrying Bangladesh nationals", UCANews.com, 11 July 2014.
[129] Will Baxter, "Unregistered Rohingya refugees persecuted by 'political decree'", UCAnews.com, 2 July 2014.

people back, they are generally sympathetic to their plight, often turning a blind eye to attempts to cross the border elsewhere, or providing food, water and medicine before pushing them back.[130]

Despite the Bangladesh government's efforts, the cultural bonds between the Rohingya and south-eastern Bangladeshis, as well as the region's economic opportunities, will continue to draw Rohingya into Bangladesh. And despite efforts at segregation, as well as local grievances about the cost of absorbing so many people,[131] the cultural linkages have also largely allowed the Rohingya population to integrate with the host community.[132]

Perhaps more so than previous governments, the current Awami League-led administration is highly suspicious of the Rohingya, often viewing them in the context of its highly acrimonious relationship with the Bangladesh National Party and Jamaat-e-Islami, the country's two largest opposition parties. Areas around Chittagong and Cox's Bazar often are National Party and Jamaat electoral strongholds, and the Awami League believes the Rohingya community voted for these parties in the past. The League has also taken a hard line against the Rohingya due to their perceived militant connections – including a January 2010 crackdown by security forces against unregistered Rohingya as part of a national counter-terrorism drive, during which more than 500 Rohingya were arrested and others pushed back across the Myanmar border.[133] In the past, Rohingya militants had close links to Bangladesh jihadi groups, such as the Jamaat-ul Mujahideen Bangladesh, which has taken aim not only at the Awami League's secular policies, but also attempted to assassinate the party's leader and current prime minister.[134]

In November 2013, the government adopted a "Strategy Paper on Addressing the Issue of Myanmar Refugees and Undocumented Myanmar Nationals in Bangladesh", released to the international community in Dhaka in February 2014.[135] This is the first policy document officially outlining the government's thinking on the Rohingya issue. The paper outlines four primary actions: creating a list of all undocumented Myanmar nationals in Bangladesh and recording them as such; ensuring that they have access to basic health care and other humanitarian services, particularly those in makeshift camps; strengthening border security to stop "infiltration" of illegal immigrants from Myanmar; and sustaining diplomatic engagement with Myanmar to resume refugee repatriation at an early date.

The document is important in a few key respects. First, it clarifies that Bangladesh sees the Rohingya as Myanmar citizens. Secondly, it acknowledges the presence of 300,000 to 500,000 undocumented Myanmar nationals in Bangladesh. Thirdly, despite Bangladesh's demographic fears and tensions between Rohingya and Bangla-

[130] Crisis Group interviews, Sittwe, Dhaka and Cox's Bazaar, July 2014. See also "32 Myanmar citizens held, pushed back", *New Age*, 9 September 2014.

[131] While local communities are generally sympathetic, there has been some antagonism in recent years. In 2010, an Anti-Rohingya Committee in Teknaf in southern Cox's Bazar issued demands for a Rohingya-free Chittagong Division. Anti-Rohingya youth committees have also been heard chanting slogans such as: "Kick out Rohingyas! Save the Country!" See "Unregistered Rohingya refugees in Bangladesh: Crackdown, forced displacement and hunger", The Arakan Project, 11 February 2010.

[132] Crisis interviews, Dhaka and Cox's Bazaar, July-August 2014.

[133] For more on the anti-Rohingya committees in Ukhia and Teknaf in Cox's Bazar see "Unregistered Rohingya refugees in Bangladesh", op. cit.

[134] See Crisis Group Report, *The Threat from Jamaat-ul Mujahideen Bangladesh*, op. cit.

[135] Copy on file with Crisis Group.

deshis, the paper does not signal that the government is considering mass repatriation. Fourth, it calls for "cooperation with other affected countries", underscoring that it sees the Rohingya problem as a regional one that requires a regional solution. Fifth, the document also opens the door to restarting third country resettlement of existing refugees, something the government had been reluctant to do out of fear of creating a pull factor. Finally, the strategy pushes for the international community to apply pressure on Myanmar over its treatment of Muslims, which the government sees as the heart of the problem, by raising the Rohingya issue in multilateral forums such as the UN and Organisation of Islamic Cooperation.

Diplomats and aid workers believe that this strategy is a potentially positive step if conducted in a bona fide way. However, the government has yet to reveal how it intends to use the information collected from the listing exercise and whether it would lead to some form of legal recognition. The government is seeking donor funds to implement the strategy, but there appears to be a reluctance to provide resources without a clearer sense of the purpose of the listing exercise – in particular, potential donors and other observers see it as vital that it leads to documentation and temporary legal status, thereby providing access to justice, freedom of movement, legal work and humanitarian assistance.[136] Diplomats express concern that the primary intention appears to be determining the size of Rohingya population for security purposes and possible future repatriation.[137] It is unlikely that the Rohingya will voluntarily participate in the listing exercise when they do not know what the outcome will be.[138]

C. *A Regional Problem*

Desperation continues to drive large numbers of Muslims out of Myanmar, making this a regional issue. Since June 2012, tens of thousands of Rohingya and other Muslim minorities have fled Rakhine State.[139] Most attempt a perilous sea journey on boats mainly destined for southern Thailand and Malaysia; thousands have died or gone missing while others have fallen prey to traffickers and been sold into servitude.[140]

For the past several years, destination countries including Australia, Bangladesh and Thailand, have been taking steps to deter these boat people from washing up on their shores — including in some cases pushing their boats back to sea. During a February 2014 visit to displacement camps in Myanmar, Australia's immigration minister, Scott Morrison, warned residents against trying to seek asylum in Australia.[141] Other governments, including Thailand's, practice "soft deportation" – taking Myanmar Muslims from their detention centres, putting them aboard boats and

[136] Crisis Group interviews, Dhaka and Cox's Bazaar, July 2014.
[137] Crisis Group interviews, Dhaka-based diplomats, Dhaka, July 2014.
[138] Crisis Group interview, Dhaka, July 2014.
[139] Crisis Group interview, Arakan Project, October 2014. As of the end of September, more than 100,000 people have left the Myanmar-Bangladesh border region since the June 2012 violence. Most of these are Rohingya from Myanmar, but there are also increasing numbers of Bangladeshi economic migrants travelling on these boats. See also "Southeast Asia irregular maritime movements, January – June 2014", UNHCR, 2014.
[140] See Jason Szep and Andrew R. C. Marshall, "Thailand secretly supplies Myanmar refugees to trafficking rings", Reuters, 4 December 2013.
[141] Crisis Group interviews, Western diplomats, Dhaka and Yangon, July 2014.

sending them out to sea, where they are at risk of again falling into the hands of traffickers.[142]

When Rohingya do make it ashore, regional governments provide them with varying degrees of sanctuary or in some cases compound their misery. Registration with UNHCR can lead to the provision of some assistance and protection for a lucky few. However, the vast majority continue to be at risk of further abuses. Across the region, Rohingya are often treated as illegal migrants rather than as refugees. Without documentation, they are vulnerable to discrimination, violence, detention and deportation. Most end up living in poverty and often working illegally.[143] Despite this, the exodus from Rakhine State continues. Expressing a commonly held sentiment among displaced people in Sittwe, a young man said: "I may die at sea going to another country, but I know I won't have a life here if I stay".[144]

The large number of Myanmar Rohingya taking to the sea has become an issue for several South East Asian nations, in particular Thailand, Malaysia and Indonesia. In 2012, Surin Pitsuwan, the then-secretary general of the Association of Southeast Asian Nations (ASEAN), stated that "the entire region could be destabilised, including the Malacca Straits" by the conflict in Rakhine State.[145] Although ASEAN acknowledges that Myanmar's treatment of its Rohingya population has produced a regional crisis, even spawning violence outside Myanmar, the grouping has yet to develop a joint position.[146] This is largely because ASEAN continues to adhere to its founding principle of non-interference in the affairs of its member states. Since taking over as ASEAN chair in January 2014, Myanmar has successfully kept the situation in Rakhine State off the agenda.[147]

Even though this problem will continue to create a headache for the region, it is unlikely that ASEAN will take it up as an urgent regional issue, unless there were to be a further serious escalation. In the meantime, these countries will continue to address the symptoms of the problem through the Bali Process, which is aimed at tackling human trafficking and related transnational crimes in the Asia-Pacific region and beyond, as well as through more discreet informal meetings that have been taking place, with participation from Myanmar.[148]

The Rohingya issue has reverberated across the wider Muslim world. In addition to Bangladesh, Pakistan and Saudi Arabia also host Rohingya refugees from Myanmar,

[142] See "For Myanmar Muslim minority, no escape from brutality", op. cit.
[143] In late 2013 Thailand deported 1,300 Rohingya back to Myanmar. See "Thai officials say they deported 1,300 Rohingya boat people back to Myanmar", The Associated Press, 13 February 2014.
[144] Crisis Group interview, Sittwe, July 2014.
[145] Yohanna Ririhena, "ASEAN chief: Rohingya issue could destabilize the region", *The Jakarta Post*, 30 October 2012.
[146] There have been several incidents of violence in the region in 2013 that have been linked to the situation of the Rohingya. On 4 August, a small bomb exploded at a Buddhist temple in Jakarta injuring three people, with a note from the perpetrators that read: "We respond to the screams of the Rohingya". On 7 July, a bomb blast at one of Buddhism's holiest sites in India, the Maha Bodhi temple in Bihar state, was reportedly linked to the Buddhist violence against Muslims in Myanmar. On 30 May, Muslims killed four Myanmar Buddhists in the outskirts of Kuala Lumpur in suspected revenge killings, and there have been at least ten further killings in 2014. In April 2013, eight Buddhist fishermen from Myanmar were beaten to death in an Indonesian detention centre by a group of Rohingya Muslims. For details, see Crisis Group Report, *The Dark Side of Transition*, op. cit.
[147] See "Govt succeeds in keeping Rohingya off ASEAN Summit agenda", *Myanmar Times*, 12 May 2014.
[148] Crisis Group interview, diplomat, Yangon, July 2014.

most of whom arrived via Bangladesh – and in all these countries, there may be some sympathy for their plight, but they also face mistreatment and discrimination.[149]

Until recently, the Rohingya issue for Islamic countries outside the region has primarily been a humanitarian concern rather than a political problem on which they engaged Myanmar. The 2012 violence in Rakhine State changed that. As a Muslim diplomat in Yangon explained: "From a humanitarian perspective [the situation of Rohingya in Rakhine State is] unacceptable …. But because they are Muslims, there is now an added sensitivity across the Islamic world".[150]

The Organisation of Islamic Cooperation (OIC) has been very critical of Myanmar as a result of increased attention on the issue across the Muslim world.[151] The OIC has also publically supported citizenship for the Rohingya. However, Indonesia and Malaysia, both OIC members, have mainly couched their critiques within an ASEAN framework. The OIC has engaged Naypyitaw directly on the issue, appointing former Malaysian Foreign Minister Syed Hamid as its special envoy for Myanmar. It has also offered financial support for both Buddhist Rakhine and Muslim Rohingya communities in Rakhine State, and has sought to establish a liaison office in Yangon. The Myanmar government refused these offers citing concerns of sparking public unrest – not unfounded given that OIC delegations visiting Myanmar have faced mass protests by Buddhists who see the OIC as part of a religious conspiracy against the country. The OIC is therefore likely to continue its efforts to influence the situation through the UN General Assembly and Secretary General.[152]

[149] Crisis Group interview, analyst specialising in Rakhine State, Yangon, May 2014.
[150] Crisis Group interview, Yangon, July 2014.
[151] Following the 2012 violence, the acting secretary general publically referred to the situation as "genocide". Djibouti's Foreign Minister Mahmoud Ali Youssouf, quoted in "OIC: Save Myanmar Muslims from 'genocide'", Agence France-Presse, 17 November 2012.
[152] Crisis Group interview, senior diplomat from an OIC country, Yangon, July 2014.

VII. The Way Forward

A. *No Easy Solutions*

Any policy approach to the situation in Rakhine State must start from the recognition that the communal conflict is serious and longstanding. There will be no easy fixes or quick solutions. The binding constraint is the political realities on the ground more than the policies of Naypyitaw.

To date, the problem has tended to be dealt with as a humanitarian issue. There are very serious humanitarian needs, particularly in the displacement camps, that must be addressed – and will likely persist for years. But treating the symptoms will not tackle the root causes. A political solution is required, and for this it is essential that the problems be addressed holistically. The legal status and rights of the Rohingya is a critical issue, but a narrow focus on this aspect of the problem is shortsighted, and ultimately counterproductive for that community. Ultimately, ways must be found to ease Rakhine fears, while protecting the rights of Muslim communities.

The Myanmar government and the international community face some serious dilemmas. The demands and expectations of the Rakhine Buddhist and Muslim communities may not be possible to reconcile. Any attempts to do so are constrained by the powerful Buddhist-nationalist lobby within Myanmar as well as the government's own views and prejudices – and, importantly, the fact that senior leaders are facing so many urgent issues in the peace process, political transition and economic reform that they have very little spare capacity to devote to this issue. The government recognises the gravity of the problem, but given the complexity, sees no prospect of resolving it in the lifetime of the current administration. Its response therefore focuses on short-term stability and security, as well addressing certain elements – relocation and citizenship verification. But it seems likely that even these elements will be difficult to make much progress on before the elections.

In such a context, the international community – especially the UN agencies on the ground – has a critical role in ensuring that the fundamental rights and freedoms of Muslim communities are protected, particularly in the context of the Rakhine State Action Plan (see below). Otherwise, it is easy to imagine that solutions to the legal status and broader context – discussed in the following two sub-sections – could be those that satisfy the demands of the most politically powerful constituencies, to the serious detriment of Muslim populations and the longer-term stability and growth of Rakhine State. It is also essential that those who organise or participate in violence be thoroughly investigated and brought to justice. Very few of the perpetrators of the 2012 violence, especially the ringleaders, have been prosecuted. Doing so will help ensure not only that justice is done; it can also contribute to political stability and enhance the prospects for a political solution and prevent further violence.

B. *Dealing with the Citizenship Issue*

The main objective of Rohingya leaders is to restore to their communities the rights they once enjoyed – full citizenship and an end to discrimination. They see the Rohingya identity as key to this, since if they were accepted as an indigenous group, they would qualify for full citizenship by birth. It is this, much more than wanting indigenous status per se, that is driving their insistence on the Rohingya identity.

The strength of this view, together with the refusal of Rakhine leaders and the national government to countenance any use of the term, has created a political crisis. It is in large part a result of the fact that the state, through the 1982 law, has linked citizenship with race in a way that is discriminatory and ends up rendering large numbers of people stateless.

There do exist possibilities to resolve this political and citizenship crisis, and significant progress could be made even without amending the 1982 law. Muslim leaders could be ready to drop their insistence on the Rohingya term, provided there was a clear and credible pathway to full citizenship, and that they were not required to identify as "Bengali". That is, they would be offered citizenship under an alternative identity marker that would not imply indigenous status – and would thus provide citizenship by descent rather than by birth.

There have been informal discussions between senior members of government and the Rohingya community in Sittwe, most recently in July 2014, about an alternative identity marker that would be acceptable to the government, the Rakhine community and the Rohingya.[153] Possibilities that have been mooted include "Myanmar Muslim", "Rakhine Muslim" or simply "Myanmar". Rohingya leaders may be able to persuade their communities to accept one of these designations, but it is clear across communities in Myanmar, Bangladesh and the diaspora that the compromise has to intrinsically tie the Rohingya to Myanmar.[154] As a leader said: "We can compromise on the demand for official recognition of the Rohingya identity, but there can be no compromise on full citizenship and no labelling us as Bengali".[155]

Yet, the Myebon verification pilot has gone ahead without resolving these issues or even any significant consultation, and it appears that the government has ruled out the possibility of an alternative identity marker.[156] The Rakhine State Action Plan (discussed in Section C below) envisages a more coercive process that would appear to rule out any such compromise. An important opportunity to address the lack of citizenship status of hundreds of thousands of Muslim residents could be lost.

Instead of offering full citizenship, the procedure adopted in the Myebon pilot seems likely to result in naturalised citizenship for most. Rohingya leaders view this as highly problematic and discriminatory. Naturalised citizens are entitled to "the rights of a citizen under the laws of the State, with the exception of the rights stipulated from time to time" by the government.[157] A number of laws and regulations ban naturalised citizens from owning immovable property; being employed as civil servants; standing for election; and forming and leading political parties. There are moves to also deny them the vote. In addition, only full citizens are allowed to study medicine, dentistry and engineering.[158]

Crucially, Rohingya leaders also see alternative forms of citizenship as inherently insecure, since under the 1982 law it is much easier for the state to revoke naturalised citizenship than full citizenship. They therefore worry about the possibility of a future government stripping them of their citizenship. Many also doubt that their situation would improve under any future National League for Democracy (NLD)

[153] Crisis Group interviews, Sittwe, July 2014.
[154] Crisis Group interviews, Rohingya community leaders, Los Angeles, June 2014; Yangon, Sittwe and Cox's Bazaar, July 2014.
[155] Crisis Group interview, July 2014.
[156] Crisis Group interview, diplomat briefed by the government, Yangon, October 2014.
[157] 1982 citizenship law, sections 30(c) and 53(c).
[158] See "The Rohingya Muslims", Human Rights Watch, op. cit.

government. Aung San Suu Kyi and the NLD have remained largely silent on anti-Muslim violence and discrimination in Rakhine State and what they have said does not indicate they would take a more moderate approach.[159]

For this reason, Rohingya leaders say they will only accept full citizenship, and those in the Sittwe IDP camps and northern Rakhine State say they intend to boycott the verification process – as they did with the census – and hold out for a better deal.[160] It remains to be seen what deal might ultimately be found acceptable. A maximalist position may be hard to maintain if there are a large number of applicants receiving naturalised citizenship, which people may come to see as the best deal they can get, and the only way out of the IDP camps. At the same time, camp leaders have considerable coercive powers, and there is widespread fear, limiting the possibility for individuals to break with the political orthodoxy.[161]

Rakhine leaders are in general supportive of a verification process that would strictly apply the 1982 law. They believe that the current lack of clear status for many Muslim residents is problematic for several reasons – it makes it difficult to prevent illegal immigration,[162] and it exacerbates social tensions by concentrating the Muslim population in certain areas since there are severe restrictions placed on the movement of TRC holders. The expectation among Rakhine leaders that many Muslims, if granted citizenship and freedom of movement, would move to new areas outside of Rakhine State, may well be wrong. Most Rohingya are farmers and fishermen and their livelihoods depend on the area of land or sea that they know intimately, making them unlikely to move except as a last resort.[163]

Citizenship will not by itself contribute in a significant way to promoting the rights of the Muslim population. This is highlighted by the plight of the Kaman, who are full citizens by birth and a recognised indigenous group, but whose Islamic faith has meant that many are confined to displacement camps with no possibility to move freely or return to their land. Without legal status, it will be almost impossible for Rohingya to obtain basic rights; but citizenship is unlikely to automatically ensure these rights.

C. *Rakhine State Action Plan*

Under domestic and international pressure to set out a comprehensive approach to dealing with the crisis in Rakhine State, the Myanmar government is developing a "Rakhine State Action Plan". The plan has its origins in the report of the investigation commission established by President Thein Sein in the wake of the 2012 vio-

[159] See "Suu Kyi says cannot back Myanmar's Rohingya: BBC", Agence France-Presse, 4 November 2012; "Suu Kyi says unable to stop anti-Muslim violence in Myanmar", Agence France-Presse, 12 September 2013.
[160] Crisis Group interviews, Rohingya leaders, Yangon and Sittwe IDP camps, July-August 2014.
[161] Camp leaders have this power through their moral and political authority, as well as their influence over aid entitlements; some are also allegedly involved in racketeering and other illegal activities in the camp.
[162] There is a widely-held view in Rakhine communities that there has been significant, recent illegal immigration from Bangladesh. There is little evidence to support this, and it is difficult to imagine many Bangladeshi citizens wanting to make a life for themselves in Rakhine State, given the poverty and abusive situation that has long prevailed there. Yet it is certainly a possibility in the future if stability and economic growth come to Rakhine State.
[163] Crisis Group interview, Rohingya businessman, Sittwe, July 2014.

lence.[164] The commission's April 2013 final report contained a set of detailed recommendations, which the president welcomed and committed to implementing.[165] By November 2013, senior members of government, including the immigration and border affairs ministers, were rallying support for an action plan – the first draft of which was shared with some diplomats at that time, and reportedly contained "highly problematic" elements.[166] Subsequent drafts of the action plan were developed by government advisers who had had key roles in the investigation commission, and were shared and consulted on slightly more widely in the course of 2014.[167]

The draft action plan, which remains confidential, was presented to domestic and international stakeholders in July and is now being amended further.[168] It contains few details and some vagueness and ambiguity. It consists of six parts, covering the following issues:

- *"Security, stability and rule of law"* deals with better border and maritime security to prevent illegal immigration; increased and better-trained police deployment across the state; improved rule of law and conflict management.
- *"Rehabilitation and reconstruction"* deals with the ongoing provision of shelter and services to displaced persons in existing camps.
- *"Permanent resettlement"*, commencing in January 2015, envisages the relocation of displaced people to new permanent resettlements sites – but apparently not to their original places of residence – and provision of infrastructure, services and livelihoods support.
- *"Citizenship verification"*. Identifying information is to be collected from all "Bengalis" in Rakhine State, and temporary registration documents (TRC or a case number) issued to those who do not already have them. Those who refuse to register as "Bengali" will be excluded from the citizenship verification process. Those who do register will have their details verified against existing government records and a decision made on their citizenship status – that is, they will not necessarily have to provide documentary proof of status, provided this can be established from government records. Those who refuse to go through the process, or who are found not to be citizens, will be relocated to detention camps with a view to resettlement in third countries – although this detention element has reportedly now been removed from the plan.[169]
- *"Socio-economic development"* proposes development interventions – to boost agricultural and fisheries productivity, tourism, environmental management, provision of health and education services and improved infrastructure – for Rakhine State as a whole.

[164] See Crisis Group Report, *The Dark Side of Transition*, op. cit., Section III.C.
[165] See "President U Thein Sein's remarks on the report of the Rakhine Investigation Commission", *New Light of Myanmar*, 7 May 2013, p. 1. A confidential interim report had been submitted to the president in November 2012. An English translation of the final public report was subsequently released as "Final Report of Inquiry Commission", op. cit.
[166] Crisis Group interview, Western diplomat, Yangon, July 2014.
[167] Ibid.
[168] Copies of this end-July version, a shorter 7 July text, as well as previous versions are on file with Crisis Group.
[169] Crisis Group interview, diplomat briefed by the government, Yangon, October 2014.

- *"Peaceful coexistence"* deals with assessing religious schools (in practice, this is likely to focus on Islamic schools), developing criteria for which should remain open and which be closed down, taking action against extremist teachers, and reforming the curricula in madrasas to ensure the teaching of the Burmese language and citizenship awareness (civic education). It also provides for intercommunal, interfaith and intercultural dialogues and exchanges between Buddhist and Muslim communities in Rakhine State.

The Myanmar government is attempting to chart a course that achieves three things: (i) maintains peace and security in Rakhine State; (ii) is sensitive to the concerns of the Rakhine Buddhists, both because this is critical for the maintenance of peace and because there is considerable Buddhist nationalist support for these concerns across Myanmar; and (iii) is sensitive to the concerns of key Western donors. It is not clear that these objectives are mutually compatible, which may be at least part of the explanation for the plan's ambiguity and lack of detail – and the specifics that are provided raise serious concerns about institutionalising discrimination and entrenching segregation.

The importance of the issue to the West has been made very clear to the government, notably by U.S. Secretary of State John Kerry to President Thein Sein during his 10 August visit to Naypyitaw to attend the ASEAN Regional Forum. President Thein Sein told senior Myanmar government officials later that month that it is crucial "to handle communal violence in Rakhine State with care as the international community is regarding that point as a major weakness of the government during the transition period".[170] However, donors are unlikely to support or finance a plan that is lacking in crucial details or contains provisions they find unacceptable, and any plan that meets international concerns may not be able to satisfy local demands.

Diplomats in Myanmar have generally welcomed the government's initiative to set out in writing its approach for dealing with Rakhine State, which they see as essential in ensuring it takes responsibility and leadership for the response, and provides an avenue for engaging it on the details. But elements of the plan, some versions of which have been leaked and widely shared, have provoked major concerns, prompting the UN and donor governments to write a joint letter to the authorities.[171] UNHCR has specifically ruled out any involvement in third-country resettlement of those deemed non-cooperative or non-citizens because these people would not be "recognized refugees who have fled persecution and conflict across international borders".[172] Human Rights Watch stated that the plan would "entrench discriminatory policies", was a "blueprint for permanent segregation" and should be "substantially revised or rescinded".[173] Others have warned that it could result in indefinite detention, and that the proposal – now reportedly removed – to incarcerate those who do not cooperate, including by refusing to identify as "Bengali", could constitute a form of collective punishment.[174]

[170] See "Union gov't holds 2014 four-monthly meeting to review reform process", *New Light of Myanmar*, 21 August 2014, p. 3.
[171] Crisis Group interviews, diplomats and UN officials, Yangon, September-October 2014.
[172] Quoted in "Rohingya could face detention under Myanmar draft plan", Reuters, 27 September 2014.
[173] "Burma: Government plan would segregate Rohingya", Human Rights Watch, 3 October 2014.
[174] Crisis Group interviews, Yangon, September-October 2014. See also "Rohingya could face detention under Myanmar draft plan", Reuters, 27 September 2014.

Beyond these very serious concerns, there are also practical considerations. It is unclear how much of the plan will actually be implemented before the 2015 elections. In particular, as discussed in Section B above, it seems unlikely that the citizenship verification process as currently conceived will be able to be rolled out across the state. It seems that the authorities have given up on the original intention of conducting citizenship verification followed by relocation. In the timelines provided in the current iteration of the plan, the resettlement takes place prior to the conclusion of the citizenship verification process. Given the huge challenges with implementing the latter, this may in effect become a relocation plan – but without any hope of reintegration of communities, particularly in Sittwe and other urban areas, which are very likely to remain Rakhine Buddhist as they have been since 2012 (the only exception is Aung Mingalar, the last remaining Muslim ward in urban Sittwe). What was almost certainly a key objective of some of the perpetrators of that violence would then have been achieved.

D. *Other Initiatives*

Long-term political and conflict resolution approaches are needed. Indeed, it is perhaps too early to speak of reconciliation between communities, when tensions are still so high and may increase further in the run-up to the elections. In addition to immediate support for the humanitarian and protection needs of vulnerable populations, efforts to combat extremism and hate speech are needed. Only by doing so can the current climate of impunity be addressed. Perpetrators must be brought swiftly to justice, which has not always been the case.[175]

Given the deep poverty and underdevelopment, it is also critical to improve services – clean water, health, education, basic infrastructure – to all communities. But this should not be done with the aim of improving the strained relations between Rakhine Buddhists and aid agencies or with the expectation that it would improve humanitarian access to vulnerable Muslim communities. There are two reasons for this: first, because this would be unlikely to succeed. There are strong grievances that Muslims have long received disproportionate levels of assistance, and populist leaders are likely to continue to stoke these grievances. Rakhine leaders are also likely to be suspicious that development programs are attempts to buy them off – or could be portrayed as such by their rivals – even if they themselves are calling for such programs. Thus, development programs will not necessarily build peace between communities or acceptance of agencies. The second flaw with such an approach is that it is bad practice. To be successful, development must be targeted in accordance with appropriate and transparent criteria, not focused on areas where communities are most resistant to aid operations.[176]

There are many other challenges to implementing development programs in Rakhine State. The conflict and instability does not provide a good context for achieving development outcomes, and donors are unlikely to fund major infrastruc-

[175] See "Situation of human rights in Myanmar", Report of the Secretary-General to the United Nations General Assembly, 29 August 2014 (UN doc. A/69/362).

[176] It is good humanitarian practice to reduce intercommunal tensions by also providing support to communities hosting or located near to displaced or vulnerable populations receiving assistance. But larger development interventions cannot follow the same logic, for the reasons discussed in the text.

ture and other large-scale schemes.[177] Given the segregation and discrimination, such development would not be equitable, as it would disproportionately benefit non-Muslim communities.[178] There would be a significant risk that it would exacerbate inequalities and tensions, rather than helping to overcome them. These considerations apply far less to village-level community development schemes, for which there is great need among all communities in Rakhine State – provided they were implemented in line with the usual standards, including non-discrimination.

[177] Crisis Group interviews, Western diplomats, Yangon, July 2014.
[178] That is, Rakhine Buddhists and non-Muslim minorities such as the Chin.

VIII. Conclusion

The situation in Rakhine State remains volatile. There have been some significant recent developments, including the appointment of a new chief minister for the state, the first results from a pilot citizenship verification process, and the development of a comprehensive but problematic "action plan". These will introduce some important changes, including the potential for a better security environment, provision of legal status to many for the first time, and better social service provision to Rakhine State.

However, many of the changes could be highly problematic. Some aspects of the verification process and action plan will further marginalise the Rohingya, could entrench segregation, and may exacerbate tensions between Buddhist and Muslim communities, particularly in the lead-up to key national elections in late 2015. Recent steps to disenfranchise the Rohingya will create further grievances in that community, which already feels that it has been failed by the political process – raising the risk of organised violence.

There are no easy solutions to the complex challenges that Rakhine State is facing. Views are highly polarised, and there are fears and grievances in all communities. Addressing the situation must start with a detailed understanding of the context, which this report aims to provide. The crisis is one of governance and politics, which requires political solutions – including finding ways to ease Rakhine fears, while protecting the rights of Muslim communities. It is urgent that these be initiated, but results will take time, as tensions are still high and reconciliation far away. In the meantime, it is essential to also support the humanitarian and protection needs of vulnerable populations, which are likely to remain for some years to come. Extreme poverty, which affects all communities, must also be addressed in an effective and equitable way. This should be done not with the idea that it can have a major impact on conflict dynamics, but in order to address the chronic underdevelopment of Rakhine State.

Yangon/Brussels, 22 October 2014

Appendix A: Map of Myanmar



Map No. 4168 Rev. 3 UNITED NATIONS
June 2012

Department of Field Support
Cartographic Section

Appendix B: About the International Crisis Group

The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 125 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international decision-takers. Crisis Group also publishes *CrisisWatch*, a twelve-page monthly bulletin, providing a succinct regular update on the state of play in all the most significant situations of conflict or potential conflict around the world.

Crisis Group's reports and briefing papers are distributed widely by email and made available simultaneously on the website, www.crisisgroup.org. Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board of Trustees – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policy-makers around the world. Crisis Group is co-chaired by former UN Deputy Secretary-General and Administrator of the United Nations Development Programme (UNDP), Lord Mark Malloch-Brown, and Dean of Paris School of International Affairs (Sciences Po), Ghassan Salamé.

Crisis Group's President & CEO, Jean-Marie Guéhenno, assumed his role on 1 September 2014. Mr. Guéhenno served as the United Nations Under-Secretary-General for Peacekeeping Operations from 2000-2008, and in 2012, as Deputy Joint Special Envoy of the United Nations and the League of Arab States on Syria. He left his post as Deputy Joint Special Envoy to chair the commission that prepared the white paper on French defence and national security in 2013.

Crisis Group's international headquarters is in Brussels, and the organisation has offices or representation in 26 locations: Baghdad/Suleimaniya, Bangkok, Beijing, Beirut, Bishkek, Bogotá, Cairo, Dakar, Dubai, Gaza City, Islamabad, Istanbul, Jerusalem, Johannesburg, Kabul, London, Mexico City, Moscow, Nairobi, New York, Seoul, Toronto, Tripoli, Tunis, Washington DC. Crisis Group currently covers some 70 areas of actual or potential conflict across four continents. In Africa, this includes, Burkina Faso, Burundi, Cameroon, Central African Republic, Chad, Côte d'Ivoire, Democratic Republic of the Congo, Eritrea, Ethiopia, Guinea, Guinea-Bissau, Kenya, Liberia, Madagascar, Nigeria, Sierra Leone, Somalia, South Sudan, Sudan, Uganda and Zimbabwe; in Asia, Afghanistan, Indonesia, Kashmir, Kazakhstan, Kyrgyzstan, Malaysia, Myanmar, Nepal, North Korea, Pakistan, Philippines, Sri Lanka, Taiwan Strait, Tajikistan, Thailand, Timor-Leste, Turkmenistan and Uzbekistan; in Europe, Armenia, Azerbaijan, Bosnia and Herzegovina, Cyprus, Georgia, Kosovo, Macedonia, North Caucasus, Serbia and Turkey; in the Middle East and North Africa, Algeria, Bahrain, Egypt, Iran, Iraq, Israel-Palestine, Jordan, Lebanon, Libya, Morocco, Syria, Tunisia, Western Sahara and Yemen; and in Latin America and the Caribbean, Colombia, Guatemala, Mexico and Venezuela.

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October 2014

Appendix C: Reports and Briefings on Asia since 2011

As of 1 October 2013, Central Asia publications are listed under the Europe and Central Asia program.

North East Asia

China and Inter-Korean Clashes in the Yellow Sea, Asia Report N°200, 27 January 2011 (also available in Chinese).

Strangers at Home: North Koreans in the South, Asia Report N°208, 14 July 2011 (also available in Korean).

South Korea: The Shifting Sands of Security Policy, Asia Briefing N°130, 1 December 2011.

Stirring up the South China Sea (I), Asia Report N°223, 23 April 2012 (also available in Chinese).

Stirring up the South China Sea (II): Regional Responses, Asia Report N°229, 24 July 2012 (also available in Chinese).

North Korean Succession and the Risks of Instability, Asia Report N°230, 25 July 2012 (also available in Chinese and Korean).

China's Central Asia Problem, Asia Report N°244, 27 February 2013 (also available in Chinese).

Dangerous Waters: China-Japan Relations on the Rocks, Asia Report N°245, 8 April 2013 (also available in Chinese).

Fire on the City Gate: Why China Keeps North Korea Close, Asia Report N°254, 9 December 2013 (also available in Chinese).

Old Scores and New Grudges: Evolving Sino-Japanese Tensions, Asia Report N°258, 24 July 2014.

Risks of Intelligence Pathologies in South Korea, Asia Report N°259, 5 August 2014.

South Asia

Nepal: Identity Politics and Federalism, Asia Report N°199, 13 January 2011 (also available in Nepali).

Afghanistan's Elections Stalemate, Asia Briefing N°117, 23 February 2011.

Reforming Pakistan's Electoral System, Asia Report N°203, 30 March 2011.

Nepal's Fitful Peace Process, Asia Briefing N°120, 7 April 2011 (also available in Nepali).

India and Sri Lanka after the LTTE, Asia Report N°206, 23 June 2011.

The Insurgency in Afghanistan's Heartland, Asia Report N°207, 27 June 2011.

Reconciliation in Sri Lanka: Harder Than Ever, Asia Report N°209, 18 July 2011.

Aid and Conflict in Afghanistan, Asia Report N°210, 4 August 2011.

Nepal: From Two Armies to One, Asia Report N°211, 18 August 2011 (also available in Nepali).

Reforming Pakistan's Prison System, Asia Report N°212, 12 October 2011.

Islamic Parties in Pakistan, Asia Report N°216, 12 December 2011.

Nepal's Peace Process: The Endgame Nears, Asia Briefing N°131, 13 December 2011 (also available in Nepali).

Sri Lanka: Women's Insecurity in the North and East, Asia Report N°217, 20 December 2011.

Sri Lanka's North (I): The Denial of Minority Rights, Asia Report N°219, 16 March 2012.

Sri Lanka's North (II): Rebuilding under the Military, Asia Report N°220, 16 March 2012.

Talking About Talks: Toward a Political Settlement in Afghanistan, Asia Report N°221, 26 March 2012.

Pakistan's Relations with India: Beyond Kashmir?, Asia Report N°224, 3 May 2012.

Bangladesh: Back to the Future, Asia Report N°226, 13 June 2012.

Aid and Conflict in Pakistan, Asia Report N°227, 27 June 2012.

Election Reform in Pakistan, Asia Briefing N°137, 16 August 2012.

Nepal's Constitution (I): Evolution Not Revolution, Asia Report N°233, 27 August 2012 (also available in Nepali).

Nepal's Constitution (II): The Expanding Political Matrix, Asia Report N°234, 27 August 2012 (also available in Nepali).

Afghanistan: The Long, Hard Road to the 2014 Transition, Asia Report N°236, 8 October 2012.

Pakistan: No End To Humanitarian Crises, Asia Report N°237, 9 October 2012.

Sri Lanka: Tamil Politics and the Quest for a Political Solution, Asia Report N°239, 20 November 2012.

Pakistan: Countering Militancy in PATA, Asia Report N°242, 15 January 2013.

Sri Lanka's Authoritarian Turn: The Need for International Action, Asia Report N°243, 20 February 2013.

Drones: Myths and Reality in Pakistan, Asia Report N°247, 21 May 2013.

Afghanistan's Parties in Transition, Asia Briefing N°141, 26 June 2013.

Parliament's Role in Pakistan's Democratic Transition, Asia Report N°249, 18 September 2013.

Women and Conflict in Afghanistan, Asia Report N°252, 14 October 2013.

Sri Lanka's Potemkin Peace: Democracy under Fire, Asia Report N°253, 13 November 2013.

Policing Urban Violence in Pakistan, Asia Report N°255, 23 January 2014.

Afghanistan's Insurgency after the Transition, Asia Report N°256, 12 May 2014.

Education Reform in Pakistan, Asia Report N°257, 23 June 2014.

Afghanistan's Political Transition, Asia Report N°260, 16 October 2014.

South East Asia

The Communist Insurgency in the Philippines: Tactics and Talks, Asia Report N°202, 14 February 2011.

Myanmar's Post-Election Landscape, Asia Briefing N°118, 7 March 2011 (also available in Chinese and Burmese).

The Philippines: Back to the Table, Warily, in Mindanao, Asia Briefing N°119, 24 March 2011.

Thailand: The Calm Before Another Storm?, Asia Briefing N°121, 11 April 2011 (also available in Chinese and Thai).

Timor-Leste: Reconciliation and Return from Indonesia, Asia Briefing N°122, 18 April 2011 (also available in Indonesian).

Indonesian Jihadism: Small Groups, Big Plans, Asia Report N°204, 19 April 2011 (also available in Chinese).

Indonesia: Gam vs Gam in the Aceh Elections, Asia Briefing N°123, 15 June 2011.

Indonesia: Debate over a New Intelligence Bill, Asia Briefing N°124, 12 July 2011.

The Philippines: A New Strategy for Peace in Mindanao?, Asia Briefing N°125, 3 August 2011.

Indonesia: Hope and Hard Reality in Papua, Asia Briefing N°126, 22 August 2011.

Myanmar: Major Reform Underway, Asia Briefing N°127, 22 September 2011 (also available in Burmese and Chinese).

Indonesia: Trouble Again in Ambon, Asia Briefing N°128, 4 October 2011.

Timor-Leste's Veterans: An Unfinished Struggle?, Asia Briefing N°129, 18 November 2011.

The Philippines: Indigenous Rights and the MILF Peace Process, Asia Report N°213, 22 November 2011.

Myanmar: A New Peace Initiative, Asia Report N°214, 30 November 2011 (also available in Burmese and Chinese).

Waging Peace: ASEAN and the Thai-Cambodian Border Conflict, Asia Report N°215, 6 December 2011 (also available in Chinese).

Indonesia: From Vigilantism to Terrorism in Cirebon, Asia Briefing N°132, 26 January 2012.

Indonesia: Cautious Calm in Ambon, Asia Briefing N°133, 13 February 2012.

Indonesia: The Deadly Cost of Poor Policing, Asia Report N°218, 16 February 2012 (also available in Indonesian).

Timor-Leste's Elections: Leaving Behind a Violent Past?, Asia Briefing N°134, 21 February 2012.

Indonesia: Averting Election Violence in Aceh, Asia Briefing N°135, 29 February 2012.

Reform in Myanmar: One Year On, Asia Briefing N°136, 11 April 2012 (also available in Burmese and Chinese).

The Philippines: Local Politics in the Sulu Archipelago and the Peace Process, Asia Report N°225, 15 May 2012.

How Indonesian Extremists Regroup, Asia Report N°228, 16 July 2012 (also available in Indonesian).

Myanmar: The Politics of Economic Reform, Asia Report N°231, 27 July 2012 (also available in Burmese and Chinese).

Indonesia: Dynamics of Violence in Papua, Asia Report N°232, 9 August 2012 (also available in Indonesian).

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