World Directory of Minorities

Muslims and Rohingya

Profile

Muslims in Burma, most of whom are Sunni, constitute at least 4 per cent of the country's entire population (CIA World Factbook, 2006), with the largest concentration in the north of Rakhine State (also known as Arakan), especially around Maungdaw, Buthidaung, Rathedaung, Akyab and Kyauktaw.

There are a number of distinct Muslim communities in Burma, not all of which share the same cultural or ethnic background. While the country's largest Muslim population resides in Rakhine State (also known as Arakan), it is actually made up of two distinct groups: those whose ancestors appear to be long established, going back hundreds and hundreds of years, and others whose ancestors arrived more recently during the British colonial period (from 1824 until 1948).

The majority of Muslims in Rakhine State refer to themselves as 'Rohingya': their language (Rohingya) is derived from the Bengali language and is similar to the Chittagonian dialect spoken in nearby Chittagong, in Bangladesh. There is some dispute as to whether the Rohingya are indigenous to the region or are more 'recent', being in the main the descendants of those who arrived in Rakhine State during the British colonial administration.

A second group of Muslims in the Rakhine State does not consider themselves as Rohingya, as they speak Rakhine which is closely related to the Burmese language, claim their ancestors have lived in the state for many centuries, and tend to share similar customs to the Rakhine Buddhists. They identify themselves 'Arakanese Muslims', 'Burmese Muslims' or simply 'Muslims'.

There are additionally other distinct groups of Muslim minorities throughout much of the country, and in particular in most Burmese cities or towns. Most of these disparate, though at times quite substantial, groups are the descendants of 'migrants' from various parts of what is now India and Bangladesh, though they may have been established for generations in the country.

Many of these latter groups of Muslims speak Burmese and/or their language of origin. Some of them, however, have gravitated to some degree into the linguistic and cultural spheres of other minorities. In Karen State, for example, many Muslims have integrated into Karen communities, speak Karen, and sometimes refer to themselves as 'Black Karen'.

Historical context

Rohingya and most Muslims whose ancestors originate from India and Bangladesh would have been considered as citizens of Burma under the 1948 Constitution and civilian administration until the military coup d'état of 1962. Their status was subsequently downgraded under the 1974 Constitution, which does not recognize them as indigenous, and the Citizenship Act of 1982, which states that citizens must belong to one of 135 'national races' as recognized under the constitution, or whose ancestors settled in the country before 1823. Given the lack of documentation to satisfy the latter requirement, the

result has been a hugely discriminatory denial of citizenship for most Rohingya and many other Muslims, effectively rendering them stateless. As a result, they have faced numerous discriminatory obstacles in access to education, health, travel, many areas of employment and even in terms of receiving permits allowing them to get married.

The cycle of violence, rebellion and crackdown by authorities which has marked much of Burma's history following the end of civilian rule, as well as the particular repressive and systematic measures against Muslims – and the Rohingya in particular – resulted in waves of hundreds of thousands, perhaps even over a million, fleeing to Bangladesh in the 1960s, 1980s and 1990s. In 1991, for example, a crackdown on Rohingyas seems to have resulted in perhaps 250,000 refugees taking shelter in the Cox's Bazar district of neighbouring Bangladesh. While most were subsequently repatriated to Burma, some are still in exile in Bangladesh, Pakistan and Saudi Arabia, with smaller numbers in Thailand and Malaysia. International pressure on the Burmese government to stop military action and begin a process to enable the Muslim population to return home has meant most of these have been repatriated, though some reports suggest that many repatriations were not voluntary. Reports from organizations such as Refugees International and Human Rights Watch indicate there were severe and systematic abuses of the refugees by camp officials, the police and the local population.

Since 1982 and their loss of citizenship, Rohingya have been persecuted and oppressed to an astounding level. They have been particularly targeted for atrocities committed by the Burmese army (the tatmadaw) such as torture, cruel, inhuman and degrading treatment and punishment, extra-judicial killing and summary execution, arbitrary arrest and detention, rape, destruction of homes, forced labour, forced relocation and eviction, confiscation of land and property, etc.

The denial of the basic human rights of the Rohingya and some other Muslims is not limited to the actions of the army. Government policy and regulations – often associated with the discriminatory refusal to recognize them as citizens – have a knock-on effect on other rights: the Rohingya do not have an automatic right to education, work or necessary social services. Because they are considered non-citizens, even their right to marry is in fact obstructed, since they must obtain a variety of authorizations before being issued a 'marriage permit', which may take years.

State Peace and Development Council/State Law and Order Restoration Council (SPDC/SLORC) policies since the 1990s appear to be aimed at reducing the presence of Muslims in Rakhine State through a series of discriminatory policies: large areas of arable land are expropriated, usually without any or with inadequate compensation. These areas are either left to go back to jungle or used for military and police camps, plantations, shrimp farms and other economic projects controlled by military interests, or they are handed over as part of a massive colonization project to settle Buddhists in 'model villages' on lands confiscated from the Rohingya in the northern part of Rakhine State. Since this colonization project is part of official government policy, the (mainly) Buddhist families in these model villages not only benefit from 'free' land (about 4 acres), they also receive a pair of oxen and a house – the latter sometimes constructed by Rohingya of neighbouring villages through forced, unpaid, labour.

Lack of citizenship has meant that for the last couple of decades most Rohingya and many other Muslims are excluded from a large number of employment categories: public school teachers, university lecturers, government doctors and health personnel, and most other government employment opportunities are restricted to citizens; thus in practice the Rohingya are banned from all of these jobs because of the discriminatory nature of the citizenship requirements.

The religious activities of these minorities are also severely curtailed. Many mosques and religious schools have been demolished since the 1980s, and repairs to them are often prohibited. There have been substantiated reports of waqf land (mosque land) and Muslim cemeteries being appropriated by

authorities, as well as Muslim monuments, place names and historical sites being destroyed.

Travel restrictions have also been imposed since 2001, which has increased the intensity of the breaches of human rights for the Rohingya in particular. Many of the areas of northern Rakhine State where the Rohingya are concentrated are subject to travel restrictions, so that travelling from one place to another without a pass is banned. Because of the difficulty in obtaining these passes, which have to be paid for, visits to hospitals, doctors and markets, employment opportunities and even the ability to attend school beyond the primary level have all been drastically curtailed. This is especially true at the higher education level. As the capital, Sittwe, has the only university in Rakhine State, Rohingya students living outside the capital are effectively unable to join university on a full-time basis because of the travel restrictions and can only study through distance education: even if, in theory, they could obtain a pass to sit their examinations in the capital, in practice they face serious difficulties in obtaining such passes.

Current issues

The overall human rights' situation of the Rohingya and Muslims has not improved in any marked way in 2005–7 and was highlighted in the June 2007 report of the UN Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance. In some respects their situation has deteriorated. Lack of citizenship has maintained the exclusion of Rohingya and many Muslims from employment and other opportunities in society.

The requirement of a permit for Rohingya to get married has led to a backlog of applications, and delays of years before permission is granted. One report refers to at least 10,000 marriage applications pending with authorities in northern Arakan. In April 2006 in Maungdaw Township a young couple was found 'guilty' of the crime of getting married without a licence – and were sentenced to seven years. New reported requirements from February 2006 suggest the (male) applicant must be 'clean' shaven and the application for marriage must also be signed by three 'clean shaven' guardians.

Travel restrictions that particularly impact on Rohingya in northern Rakhine State have not been relaxed. On 29 July 2005 for example, the wife and three children of U Kyaw Min, a Rohingya MP of the National Democratic Party for Human Rights (NDPHR) were sentenced to 17 years each for travelling and residing in Yangon (Rangoon) without a permit. There appears to have been a hardening on the restrictions of movement that affect the Rohingya in northern Rakhine since 2005 far more than other parts of the country; a pass is now required for any movement between villages, even for day trips to health clinics.

The armed forces still routinely force Rohingya villagers and children to work without pay on various projects and installations, despite widespread international condemnation of such forced labour practices and the attention of the International Labour Organization. Forced labour continues to be used by the army for construction and maintenance of their camps and for their shrimp farms and plantations, portering, the establishment of model villages, etc.

Confiscation of land has also continued throughout the last few years, especially farmland in certain areas targeted for new villages and Buddhist settlers in northern Rakhine. Though not as extensive as in the 1990s since Burma attracted a great deal of attention from the International Labour Organization, the confiscations are at times given the appearance of 'consent' through torture, with continued reports in 2006 of Rohingya landowners being tortured by soldiers into signing over their farmland to Buddhist settlers.

These continued land confiscations, combined with the cumulative effects of the discriminatory restrictions on movement, employment, educational access and even food, have led to extreme hardship, increased poverty and even malnutrition among Rohingya populations. The stricter application of movement restrictions (including on the movement of rice into Rakhine), arbitrary taxes that tend to target the Rohingya, restricted access to forest resources and arable land and tighter control of local economies has created a situation where poverty has created a food security problem, with an estimated 60 per cent of the Rohingya children in northern Rakhine State thought to suffer from chronic malnutrition.