RISK OF MASS ATROCITIES AGAINST THE ROHINGYA POST-COUP

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Cover: Military personnel participates in a parade on Armed Forces Day in Naypyitaw, Myanmar, March 27, 2021. REUTERS/Stringer
INTRODUCTION

The Rohingya survivors of the 2017 genocide are again at risk. The ethnic and religious minority group, located primarily in Rakhine State, has experienced persecution, systematic discrimination, and waves of physical violence by the Tatmadaw, government officials, and other civilians for decades. In August 2017, the Tatmadaw committed genocide against the Rohingya, which included mass killings, sexual violence, and the forced displacement of over 700,000 people. The approximate 600,000 Rohingya remaining in Burma, about 130,000 of whom live in internally displaced persons camps in central Rakhine, continue to be denied citizenship, freedom of movement, basic services, and accountability.

On February 1, 2021, the Tatmadaw seized power in a military coup. Now, genocide perpetrators are leading the country, elected civilian leadership are in hiding, and civilians are again under attack. As of this writing, the Tatmadaw has killed over one thousand people in a brutal, escalating crackdown on pro-democracy protesters and unarmed civilians. Experts have said that this violence has risen to the level of crimes against humanity and war crimes.

The coup has increased risks for particular minority communities, notably the Rohingya, given their unique vulnerability including a history of mass atrocities. This policy brief outlines plausible scenarios of mass atrocities against the Rohingya that could unfold in the next one to two years. The Rohingya are just one group at risk. Because of ongoing conflict in nearly every region, the Tatmadaw’s brutality, and the absence of restraints and accountability, many other ethnic and religious minority groups may also be at risk. This brief mentions several of these groups, but does not go into detail on each.

Key Points

- The Rohingya—who experienced genocide prior to Burma’s 2021 military coup—are now at heightened risk of genocide and mass atrocities by the Burmese military, known as the Tatmadaw, and the Arakan Army, an ethnic armed organization in Rakhine State.
- Other vulnerable groups include the broader Muslim community and ethnic and religious minorities in areas where ethnic armed organizations and/or People’s Defense Forces are fighting the Tatmadaw.
- To prevent mass atrocities, the Tatmadaw should cease attacks on civilians and cede power so Burma can move toward a more diverse, representative, and credible democracy. The US and other governments should conduct a full mass atrocity risk assessment, provide rapid and flexible funding to civil society organizations responding to the crisis, and constrain and condemn the Tatmadaw.

The Simon-Skjodt Center focuses on situations where there is a risk of, or ongoing, genocide and related crimes against humanity. Since 2015, the Center has sounded the alarm about the risk of genocide against the Rohingya, and in 2018 found that there is compelling evidence that the Burmese military committed ethnic cleansing, crimes against humanity, and genocide against the Rohingya.

In this brief, we analyze future mass atrocity risk for the Rohingya and other minority groups in Burma. This brief uses the State Department/USAID Atrocity Assessment Framework and is a starting point for further research and policy action by governments, international organizations, and nongovernmental organizations.

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1 The center primarily works on large-scale, group-targeted, identity-based mass atrocities. Mass atrocities are large-scale, systematic attacks against civilian populations.

PLAUSIBLE SCENARIOS OF MASS ATROCITIES AGAINST THE ROHINGYA

This report presents plausible “worst-case scenarios” without presupposing that such atrocities will happen for certain. The intent is to stimulate and inform preventive programming and policy measures.

Scenario 1: Tatmadaw commits mass atrocities against the Rohingya, or incites attacks on the Rohingya by Rakhine civilians

In the most likely scenario of mass atrocities, if the Tatmadaw significantly consolidates power, it may feel emboldened to resume mass atrocities against the Rohingya.iii Post-coup, the Tatmadaw seems unconcerned with international legitimacy. The resumption of mass atrocities against the Rohingya is more likely if the Tatmadaw is successful against People’s Defense Forces (PDFs) and ethnic armed organizations (EAOs), reducing distraction, or if it is confident attacks would lead to minimal international repercussions, such as the loss of Russia or China’s backing. The Tatmadaw could also launch attacks to displace Rohingya civilians to advance its business-related goals on Rohingya land.

Alternatively, if the Tatmadaw significantly loses control to pro-democracy groups, EAOs, or PDFs, it could attack the Rohingya in a desperate effort to consolidate Burman-Buddhist identity or blame the Rohingya for the junta-caused economic devastation and COVID-19 crisis. Similarly, if the Tatmadaw experiences a stalemate, it could calculate that attacks on the Rohingya would garner Buddhist nationalist support, allowing it to gain the upper hand. In the past, the Tatmadaw has used genocide for self-preservation by painting certain minority populations, including the Rohingya, as an existential threat to Burma and subsequently attacking them to gain public favor.iv This is increasingly likely as the Tatmadaw loses control to PDFs and faces mounting international and domestic pressure.

Key Actors

Arakan Army (AA): The AA is a Rakhine ethnic armed organization whose stated purpose is protecting the Rakhine people and advocating for their self-determination.

Arakan Rohingya Salvation Army (ARSA): ARSA is a Rohingya insurgent group that was responsible for attacks on police outposts that preceded the August 2017 attacks on the Rohingya by the Tatmadaw.

Ethnic armed organizations (EAOs): Burma has about 20 EAOs that have fought for decades for various degrees of ethnic autonomy across the country.

National Unity Government (NUG): The NUG is Burma’s civilian government-in-exile currently seeking international recognition. The NUG was established after the coup in April 2021 by former elected lawmakers.

People’s Defense Forces (PDFs): PDFs are armed self-defense groups formed to fight the Tatmadaw. Though initially conceived to be the armed wing of the NUG and a precursor to a federal army, in reality PDFs are disparate groups varying widely in size, capability, and allegiance to the NUG.

Rohingya Solidarity Organization (RSO): RSO is a previously dormant Rohingya armed group that has reemerged in recent years.

Mass atrocities could be triggered by a significant advance by pro-democracy groups, such as the international recognition of the National Unity Government (NUG), Burma’s government-in-exile. In this situation, the Tatmadaw might seek more desperate measures to assert its dominance by, for example, depicting the NUG and pro-democracy movement’s call for Rohingya citizenship as a threat to Burma and attacking the Rohingya.iv It could also determine it has

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iv Many scholars of mass atrocities believe that perpetrators use mass violence when they perceive their core interests to be threatened and other options have not worked. See Benjamin A. Valentino, Final Solutions: Mass Killing and Genocide in the 20th Century (Cornell University Press, 2004); and Straus, “Fundamentals of Genocide.”
If the Tatmadaw wants to trigger new crimes against the Rohingya, it could spread the rumor of an ARSA or RSO attack, or use an actual attack to claim it is countering a legitimate threat. In August 2017, it launched premeditated attacks on the Rohingya shortly after ARSA attacks on police outposts.7 Today, ARSA remains active and RSO is reemerging.v

Table 1. Summary of plausible scenarios of mass atrocities against the Rohingya

<table>
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<tr>
<th>Scenario</th>
<th>Precipitating factors</th>
<th>Triggers</th>
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| Tatmadaw commits mass atrocities against the Rohingya, or incites attacks on the Rohingya by Rakhine civilians | ● Tatmadaw significantly consolidates power  
● Tatmadaw significantly loses control to pro-democracy groups, EAOs, or PDFs  
● Tatmadaw experiences a stalemate in its conflicts with pro-democracy groups, EAOs, and PDFs | ● A significant advance by pro-democracy groups  
● An attack or rumored attack by the Arakan Rohingya Salvation Army (ARSA) or the Rohingya Solidarity Organization (RSO)  
● Anti-Rohingya propaganda on social media  
● Inflammatory allegations in Rakhine media against the Rohingya  
● A large-scale repatriation attempt |
| Arakan Army (AA) commits mass atrocities against the Rohingya | ● AA’s guiding philosophy, the Ra Ki Tha Way, shifts to intolerance of the Rohingya and non-Rakhine groups  
● AA prioritizes demographic change Rakhine State to increase Rakhine control | ● Inflammatory allegations in Rakhine media against the Rohingya  
● An AA counterterrorism policy shift that labels the Rohingya as a threat  
● A significant expansion of AA control  
● A large-scale repatriation attempt |

nothing to lose by resuming its campaign against the Rohingya.

The Tatmadaw could also foment social conflict leading Rakhine civilians to commit or support mass atrocities, as it has done in the past. It is unclear how Rakhine civilians would respond, vi but mass atrocities would be more likely if the Tatmadaw could lead the Rakhine community to feel threatened by advances in Rohingya rights. The Tatmadaw could do so by increasing anti-Rohingya propaganda on social media that creates a permissive environment for violence. Another trigger could be inflammatory allegations in Rakhine media against the Rohingya, often spread by Rakhine politicians.vii Though unlikely, an attempt at large-scale repatriation by Bangladesh could also trigger the Tatmadaw to attack the Rohingya or mobilize Rakhine violence against the Rohingya. Many Rakhine who moved onto Rohingya land after 2017 could see the Rohingya’s return as a threat to their economic interests.

Scenario 2: Arakan Army commits mass atrocities against the Rohingya

In the wake of the coup, the AA, an EAO fighting for Rakhine autonomy, is expanding its power and

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v The junta’s Anti-Terrorism Central Committee has already linked ARSA with the NUG, the Committee Representing Pyidaungsu Hluttaw, and PDFs, possibly in an attempt to scapegoat the Rohingya. See “Anti-Terrorism Central Committee discusses counter-terrorism measures,” The Global New Light of Myanmar, June 24, 2021, https://www.gnlm.com.mm/anti-terrorism-central-committee-discusses-counter-terrorism-measures/.

vi Some experts observed that security forces in the military, police, and immigration departments in Rakhine State were rotated after the coup. Interviewees suggested that officers that are new to the community are less likely to stop violence if the Tatmadaw or other proxy groups target the Rohingya communities again.

influence. Its increasingly popular philosophy known as the Ra Ki Tha Way advocates for the consolidation of Rakhine power in Rakhine State to undo injustices under Burmanization. The junta’s engagement with the AA post-coup may include a deal to grant it independence similar to the United Wa State Army in Wa State. With the removal of the AA’s terrorist designation, the junta appears to have given it a blank check to expand control in Rakhine State. The place of the Rohingya in a future AA-controlled Rakhine State is unknown. Since the coup, the AA has been accused of abuses against the Rohingya including extortion, provision of Rohingya land to Rakhine, and occupation of a Rohingya village.

Although thus far the AA has emphasized the need to include the Rohingya, the Ra Ki Tha Way could shift to promoting intolerance of the Rohingya and other non-Rakhine groups. The AA could also prioritize a demographic shift in Rakhine State to allow Rakhine people to control Rohingya land. If the AA decides that it needs to remove the Rohingya to consolidate Rakhine power, it could attack directly or mobilize Rakhine people to commit atrocities. An apparent disjunction between AA leadership and foot soldiers could mean that low-level rogue actors could commit mass atrocities without a direct command. AA attacks on the Rohingya could be triggered by inflammatory allegations in Rakhine media against the Rohingya, a significant expansion of AA control, a shift in AA counterterrorism policy that labels the Rohingya as a threat, or a perceived or actual possibility of Rohingya repatriation.

POTENTIAL SUPPORTERS OR ENABLERS OF MASS ATROCITIES

- Rakhine nationalist politicians and religious leaders: Post-coup, Rakhine nationalist leaders have spread divisive rhetoric. It is unclear how much power and leverage they have over civilians. The Tatmadaw’s emboldening of Buddhist nationalism could empower Rakhine nationalists to attack the Rohingya. Such attacks would likely be relatively small scale. They could also spread anti-Rohingya propaganda to mobilize social conflict.

- Buddhist nationalist groups: Since the coup, Buddhist nationalist groups including Pyu Saw Htee militias, MaBaTha, and the 969 Movement have organized, some with reported support from the military. Senior General Min Aung Hlaing has met with MaBaTha monks. Pyu Saw Htee militias have expressed the intent to be violent. These groups are not active in Rakhine State but could spread incendiary rhetoric supporting attacks against the Rohingya or directly participate if another group initiated violence.

MITIGATING FACTORS

Mitigating factors counterbalance the risk of violence in a given mass atrocity risk context.

- Budding awareness of and solidarity with the Rohingya's plight: Rakhine civilians, some previous participants in the Rohingya genocide, are more cognizant of the military’s “divide and rule” tactics.

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viii Also known as the Rakhine Way or the Rakhine Roadmap.
ix Burmanization is a state-led process that privileges Burman identity and culture over those of ethnic minority groups.
x Wa State is an autonomous region of northern Burma near the Chinese border.
xi Exclusionary ideologies, especially when based on ethnic or religious identity, often define “in-groups” and “out-groups” that may be used to justify mass killing. See Straus, “Fundamentals of Genocide”; and Barbara Harff, "No Lessons Learned from the Holocaust? Assessing Risks of Genocide and Political Mass Murder since 1955," The American Political Science Review 97, no. 1 (February 2003): 57-73.
xii The AA has a counterterrorism/countering violent extremism policy. Some experts noted that the AA may be highlighting Rohingya terrorism as a potential threat, a dangerous strategy which could trigger mass atrocities against the Rohingya.
xiii Since the coup, the Tatmadaw has released Aye Maung, a prominent Rakhine politician, from prison and he has been touring Rakhine State using divisive and racist rhetoric.
xiv The Rohingya outnumber the Rakhine; as a result, nationalists have historically promoted violence to gain political dominance.
Countrywide, there is a nascent, urban-based solidarity with the Rohingya. If this strengthens, Rakhine and other civilians could be less inclined toward violence.

- **Stronger civil society:** Since 2017, civil society in Rakhine State has grown and strengthened. Often the only humanitarian actors with access to Rakhine State, these groups would potentially play a key role in restraining violence.

- **Conflict fatigue:** Rakhine civilians are weary of the conflict between the AA and the Tatmadaw and may be less likely to support or participate in violence.

- **Low levels of conflict in Rakhine State since the election:** Following an informal ceasefire in November 2020, the absence of conflict in Rakhine State may reduce mass atrocity risk.

- **Distracted Tatmadaw:** Focused on suppressing the pro-democracy movement and PDFs, the Tatmadaw may be less likely to attack a specific minority group unless it serves its strategic interests, as outlined above.

- **De-platforming of Tatmadaw on social media:** Though the Tatmadaw has a near-monopoly on state media, it has been barred from Facebook, limiting its ability to spread anti-Rohingya propaganda that could incite violence.

### OTHER VULNERABLE GROUPS

With an increase in fighting in nearly every region since the coup, several other groups could be at risk of identity-based mass atrocities. The following section, though not comprehensive, lists groups that seem to be at highest risk.

- **Muslims:** Similar to the Rohingya, the Tatmadaw has historically committed human rights violations against the wider Muslim community, painting it as a threat to Burman-Buddhist identity. Buddhist nationalists have historically incited mob violence and attacked Muslims at mosques and schools.

Since the coup, pro-military social media accounts have churned out anti-Muslim rhetoric and disinformation blaming Muslims for recent attacks. The Tatmadaw has also spread propaganda likening the pro-democracy resistance movement to Islamic terrorism and accusing the NUG and EAOs of attempting to establish a Muslim state in Burma. As in the scenario outlined above for the Rohingya, if the Tatmadaw faces significant political losses, it could scapegoat the entire Burmese Muslim population and attack Muslims across the country, or spread false narratives (for example that Muslims will turn majority-Buddhist Burma into an Islamic country) to incite localized attacks.

- **Ethnic and religious minority groups in regions where EAOs or PDFs are fighting with the Tatmadaw:** The Tatmadaw has historically committed crimes against humanity and war crimes against ethnic and religious minority groups in areas where it is fighting EAOs. Since the coup, the Tatmadaw has resumed its “Four Cuts” strategy, in which it targets civilians to deprive EAOs of support. This strategy of viewing civilians as the enemy could lead to mass atrocities. Given increased fighting post-coup, Karen, Kachin, Shan, and other ethnic and religious minority groups are again at risk of targeting by the Tatmadaw. In particular, if a PDF has the appearance of being ethnically based as opposed to location-based, the Tatmadaw could target the ethnic groups in areas under the PDF’s control. A trigger for such attacks could be strengthened alliances or the targeting of major infrastructure by EAOs or PDFs.

### CRITICAL UNCERTAINTIES

Spiraling violence in Burma heightens the risk of identity group targeting. The following factors are uncertain at the time of writing but should be closely monitored because they would significantly affect mass atrocity risk and how certain mass atrocity scenarios would unfold:

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xvi In addition to the groups listed, ongoing clashes between different ethnic groups and EAOs, including the Ta’ang National Liberation Army/Shan State Progressive Party and the Restoration Council of Shan State in Northern Shan State and the AA and ethnic Chin in Paletwa Township and Rakhine State, could lead to mass atrocities committed by one EAO against another ethnic group.

xvii Burmese Muslims make up approximately four percent of Burma’s population. Though the majority of Burma’s Muslims are Rohingya and live in Northern Rakhine, there are Muslim communities of various descents spread throughout the country, primarily concentrated in cities and towns. See “Muslims and Rohingya,” World Directory of Minorities and Indigenous Peoples, Minority Rights Group International, last updated June 2019, https://minorityrights.org/minorities/muslims-and-rohingya/.
• **How long can Burma’s population resist the Tatmadaw?** Civilians have been peacefully protesting the junta for over six months. PDFs are emerging and growing, but it is uncertain how long they can sustain resistance given limited resources and training. A waning resistance movement could lead the Tatmadaw to turn its attention to the Rohingya.

• **Will the Tatmadaw remain unified?** An internal coup or mass defections within the military, though unlikely, would significantly alter its capacity to commit mass atrocities.

• **Will the Tatmadaw seek international support?** Though the Tatmadaw has recently shrugged off international condemnation, its future valuation of international support could affect whether it will instrumentalize another group to attack the Rohingya.

• **Will China play a mediating role?** China could use its relationship with the junta and the AA to warn both actors not to perpetrate mass atrocities against the Rohingya and implement consequences if they do. China may prioritize stability within Rakhine State and elsewhere in Burma, but it has not historically exerted diplomatic muscle to restrain the Tatmadaw’s attacks on the Rohingya. Additionally, if China seeks to invest in Rakhine State development projects that would require Rohingya land or resources, it may have an even less incentive to stop atrocities.

• **Will PDFs target particular identity groups?** PDFs vary widely in size, organization, and abilities, and are not coordinated under the NUG’s Minister of Defense. Some PDFs are using tactics traditionally used by the military against ethnic communities. It is possible that PDFs could target sub-ethnic groups based on preexisting tensions that have little to do with the military coup. It is also possible that PDFs would attack an identity group that is not overwhelmingly supporting the anti-coup movement or is supporting the Tatmadaw.
POLICY RECOMMENDATIONS

To mitigate mass atrocity risk in Burma, the international community must ensure that the country’s government is truly moving toward a more diverse, representative, and credible democracy. The recommendations below outline steps for stakeholders to address threats of mass atrocities and protect civilians. Domestic and international actors should undertake comprehensive mass atrocity risk assessments to inform additional policy actions.

FOR THE TATMADAW

- Immediately cease attacks on civilians.
- Peacefully cede power to civilian rule.

FOR THE NUG

- Give equal, credible representation to the Rohingya and other ethnic minorities in leadership and decision-making structures and improve its policy position toward the Rohingya. xviii
- Outline an action plan for mitigating mass atrocity risk in Burma, including steps for strengthening civilian protection mechanisms.

FOR CIVIL SOCIETY ACTORS IN BURMA

- Continue to document atrocity crimes in Burma, especially in areas where independent researchers or media have limited access, noting that this work is often done at great risk.
- Promote cultural exchange and solidarity with the Rohingya.
- Help the Burmese public identify disinformation, misinformation, and propaganda about ethnic groups, violence, and government policies and practices.
- Develop and strengthen early warning networks for populations at risk.

FOR THE US AND OTHER GOVERNMENTS

- Expand consultations and communicate directly with Burmese civil society on atrocity risks and measures to mitigate risk and protect civilians.
- Update the country strategy for Burma to include targeted sanctions on perpetrators and enablers of mass atrocities, support to civil society, accountability, and humanitarian assistance, including refugee resettlement programs, and coordinate this strategy with like-minded and regional governments.
- Complete and publicly release a legal analysis of the mass atrocities committed by the Tatmadaw against the Rohingya and other groups pre- and post-coup.
- Support long-term efforts to advance justice for crimes committed by the Tatmadaw. This would include formally supporting the proceedings launched by the Gambia at the International Court of Justice and supporting robust resources for the Independent Investigative Mechanism for Myanmar.
- Comprehensively limit the capacity of the Tatmadaw to commit mass atrocities, including expanding targeted sanctions, bilaterally and multilaterally, and leading the UN Security Council to implement a global arms embargo.
- Expand and improve rapid, flexible cash funding to grassroots actors documenting crimes and mitigating mass atrocity risks.

FOR BANGLADESH AND OTHER GOVERNMENTS HOSTING ROHINGYA REFUGEES

- In line with Bangladesh’s international legal obligations, host refugees until repatriation can be safe, dignified, and voluntary. Recognize the Rohingya as refugees and offer asylum to those who wish to remain in Bangladesh.


11 Kyaw Hsan Hlaing, “Arakan Army extends.”


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