“Look at those women– would anyone want to rape them?”¹

An academic article about sexual violence against the Rohingya women, in order to determine if sexual violence was used as a means of warfare, what the consequences for the victims are, and whether this opposes threats to (re)victimization.

¹ Statement made by Colonel Phone Tit, the Myanmar minister of Border Security. Documented by Jonathan Head (BBC, 2017).
# Table of content

PART I - Introduction .................................................................................................................. 3
  1. Introduction.......................................................................................................................... 3

PART II – History and background of the conflict..................................................................... 6
  2.1. The situation in Myanmar prior to 25 August 2017 ..................................................... 6
  2.2. The escalation ................................................................................................................ 8
  2.3. Sub-conclusion of the historic overview ...................................................................... 11

PART III - Methodology ............................................................................................................. 12
  3.1. Literature Review .......................................................................................................... 12
  3.2. Research timeline and location ..................................................................................... 13
  3.3. Respondents .................................................................................................................. 13
  3.4. Sampling ....................................................................................................................... 14
  3.5. Research method fieldwork ......................................................................................... 14
  3.6. Strength and weaknesses of the research ................................................................... 15

PART IV – Literature review...................................................................................................... 17
  4.1. Sexual violence as a means of warfare ......................................................................... 17
  4.2. Sexual violence against the Rohingya ......................................................................... 21
  4.3. Sub-conclusion based on the literature review ............................................................ 26

PART V – Results of the fieldwork .......................................................................................... 27
  5.1. Sexual violence against the Rohingya in Myanmar ...................................................... 27
  5.2. Sexual violence as means of warfare .......................................................................... 30
  5.3. Consequences .............................................................................................................. 32
  5.4. Sexual and Gender Based Violence in the camps ......................................................... 33
  5.5. Sub-conclusion based on the fieldwork ...................................................................... 36

PART VI – Conclusion & Discussion ....................................................................................... 37
  6.1. Conclusion ..................................................................................................................... 37
  6.2. Discussion ..................................................................................................................... 38

VII - References: ..................................................................................................................... 42

Appendix 1 – Interview set-up ................................................................................................. 51
PART I - Introduction

1. Introduction

After 25 August 2017 the Rohingya, an ethnic minority of Myanmar\(^2\), have been present in the news. On that date the Arakan Rohingya Salvation Army (ARSA) attacked police posts in the Rakhine State of Myanmar, thereby killing 12 people (Edroos, 2017). In response the Myanmar security forces launched a clearance operation in Rohingya villages in northern Rakhine State (HRW, 2017). Since then, more than 905,000 Rohingya refugees have fled Myanmar and sought safety in the Cox’s Bazar area of neighbouring country Bangladesh (OCHA, 24 May 2018). Before the August attacks, an estimated 328,500 Rohingya were already living in Bangladesh, of which 28,500 are documented as refugees living in official registered refugee camps. The undocumented refugees – of which estimations vary between 200,000 and 300,000- live in scattered settlements among the host community in the whole of the Cox’s Bazar region (Farzana, 2017). Due to the lack of registration and the fact that they live scattered throughout the region, other sources estimate that already about 500,000 Rohingya were living in Bangladesh (NOS, 2017).

The large number of Rohingya already in Bangladesh indicates that the Rohingya crisis started well before the mass media attention in August 2017. And indeed, for an explanation of the oppression of the Rohingya one has to look back into the colonial history of Myanmar/Burma.\(^3\) Myanmar believes the Rohingya are ‘Bengali’ who migrated into Burma illegally. As the foreign affairs minister of Myanmar, U Ohn Gyaw expressed in 1992: “In actual fact, although there are 135 national races in Myanmar today, the so-called Rohingya people are not one of them. Historically, there has never been a ‘Rohingya’ race in Myanmar. Since the first Anglo-Myanmar war in 1824, people of Muslim faith from the adjacent country illegal entered Myanmar Naing-Ngan and particular Rakhine State. Being illegal immigrants they do not hold immigration papers like other nationals of the country” (Ananta & Arifin, 2004, p. 267).

The attitude towards the Rohingya has not always been this negative. The first prime minister of Burma, U Nu, stated on 25 September 1954: “The people living in the Buthidaung and Maungdaw Townships are Rohingya, ethnic of Burma. The Rohingya has the equal status of nationality with Kachin, Kayah, Karen, Mon, Rakhine and Shan.” (Lwin, 2012, p.1). Hostility against the Rohingya intensified in 1982 when citizenship was denied to the Rohingya, leaving them without access to basic human rights, and limited opportunities to livelihood (OHCHR, 2017). Civilians in Rakhine state in

---

\(^2\) In 1989 the name of the country was changed from Burma into Myanmar by ‘The Adaptation of Expression Law’ introduced by the military junta. The change is recognized by the United Nations, but some countries prefer to still use the name ‘Burma’ for the country, since they do not accept the legitimacy of the unelected military regime to change the official name of the country. Internationally both of the names are recognized (BBC, 2007). In this thesis ‘Burma’ will be used for the country when referring to it before 1989, and when referring to the country after 1989 the name ‘Myanmar’ is used. Thereby avoiding any point of view of which name is more appropriate.

\(^3\) See section II for an overview of the history of Myanmar.
general feel culturally, economically and politically subordinated by the government (Shams, 2015). The Rohingya, who are predominately Muslim, are seen as competitors by the Buddhist majority in the region, and instead of promoting reconciliation among the groups, the government is supporting the Buddhist to safeguard their interest in the resource-rich region (Shams, 2015). Furthermore, the different religions in the region cause tensions between the groups. The Buddhist majority fears that their religion and culture is under siege by the Islam. Myanmar is surrounded by pre-dominantly Muslim countries in the region like Bangladesh, Malaysia and Indonesia (Blomquist, 2015).

On 9 October 2016, in reaction to the maltreatment of the Rohingya, the first round of attacks of a group that would later become known as Arakan Rohingya Salvation Army (ARSA) took place (BBC, 2016). After the second round of attacks, almost a year later on the 25th of August 2017, the Myanmar security forces launched widespread and systematic attacks on villages, where properties were pillaged, destroyed and Rohingya were raped and killed (OHCHR, 2017). Hundreds of villages were burned to the ground (Safi, 2018; Dalton, 2018). Many different Non-Governmental Organisations (NGOs) and United Nations (UN) organisations accuse the Myanmar government of ‘ethnic cleansing’ the Rohingya from Myanmar (Amnesty International, 2018; BBC, 2017; UN News, 2018; Ibrahim, 2016; Solomon, 2017; NOS, 2017), or even perpetrating genocide against them (NOS, 2017a; Wilkinson, 2018; Tyab, 2018). There is no precise definition of ethnic cleansing, since it is not recognized as a separate crime under international law. It is a term often used in Security Council resolutions and it materialized in the context of the conflict in Yugoslavia in the 1990s. An United Nations Commission of Experts mandated to look into the violations of international humanitarian law in the former Yugoslavia defined ethnic cleansing in their final report as: “a purposeful policy designed by one ethnic or religious group to remove by violent and terror-inspiring means the civilian population of another ethnic or religious group from certain geographic areas” (Security Council, 1994, p. 33). According to article 6 of the Rome Statute (2002), genocide is any of the listed acts, ‘committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group’.

Most of the amply 900,000 Rohingya refugees who sought safety in Bangladesh are women and children (OCHA, 2018). According to UNICEF, 67 percent of the refugee population is female (Lieby, 2017). The estimation of UNWOMEN (2017) is more conservative, with 51 percent. In this crisis situation women, girls and the most vulnerable are disproportionately affected due to perpetration and aggravation of already present and unrelenting gender inequalities, gender based violence and discrimination (UNWOMEN, 2017). As the differences in estimations illustrate, data of emergencies is often regarded as unreliable. Especially if it needs to be sex- and age-segregated (Roth et al., 2017). However, even without exact numbers it is clear that the female Rohingya in the refugee population are vulnerable. According to Hutchinson (2018) there was a significant number of pregnant and lactating women in the refugee population, indicating conflict-related sexual violence. That an increase of (unwanted) pregnancies could be an indicator of ongoing sexual violence is underlined by
the matrix of indicators of conflict-related sexual violence developed in response to the Security Council Resolution 1888 (UN Action, 2011). According to the same matrix other indicators of ongoing sexual violence could be observable signs of rampage: burned homes, destroyed crops, looted villages, displaced women/civilians. Another indicator is an increase in reports of entities and actors in position to respond (e.g. UNHCR, UNICEF, UNFPA, OHCHR, ICRC or NGOs) of gang-rape, relative to single-perpetrator rape and other forms of aggravated rape. And indeed various NGOs have published reports about burned villages, destroyed and looted property, and sexual violence in the Rohingya crisis (UNHCR, 2017; HRW, 2017; UN, 2017; Kaladan Press, 2017), and different news outlets, like the Associated Press (Gelineau, 2017), New York Times (Gladstone, 2017), and other outlets comprehensively documented the issue of sexual violence as well.

While the international community acknowledges the importance of researching and documenting the Rohingya crisis, it has rarely been analysed by academic researchers so far. It is hugely important to gather reliable data on the Rohingya crisis, since poor-quality data on this kind of violence may give false impressions of specificity and reliability, leading to incorrect policy assessments, or misallocation of resources (Roth et al., 2017). This study tries to make a contribution to the neglected field of academic research on the Rohingya crisis. The main focus will be on sexual violence used by the security forces in Myanmar and, through a literature review and fieldwork, it will try to answer the primary research question: “To what extent and how have the security forces in Myanmar used sexual violence against the Rohingya as a weapon of war?” Since the consequences for the victims of this sexual violence do not stop at the border of Myanmar, this research tries to gain insight in the aftermath and consequences of this sexual violence as well. As mentioned before, the Rohingya women and girls, but also women and girls in general in refugee settings are extremely vulnerable. Therefore the additional research question is: “Does the vulnerability of the Rohingya during the flight and in the camps pose threats to (re)victimization?”

In order to answer these research questions, the next part of this study will present the history of the situation of the Rohingya in Myanmar, as well as the escalation of their persecution after the attacks on the 25th of August 2016. In the third part the methodology of the research is discussed. Part four consists of a literature review on sexual violence as a weapon of war, as well of a review of the available literature on sexual violence used by the security forces of Myanmar against the Rohingya. This section ends with a sub-conclusion of the criteria for sexual violence to be considered a weapon of war and what can be concluded after analysing the available literature on the sexual violence by the security forces against the Rohingya. In the fifth section the results of the fieldwork on the sexual violence against the Rohingya in Myanmar, sexual violence as a means of warfare, the consequences for the victims and sexual violence and gender based violence in the camps are presented. The study ends with a general conclusion and discussion in section six.
PART II – History and background of the conflict

2.1. The situation in Myanmar prior to 25 August 2017.

To fully understand the persecution of the Rohingyas nowadays, the debate who lived in Arakan (now Rakhine state) before it was conquered by the British in 1826 is important. The history of Arakan and Burma were predominantly separate until 1784 (Ibrahim, 2016), since Arakan was a country on its own back then. The population of Arakan was predominately Muslim, and there are different historical theories to explain the Muslim presence in this region. The first states that Muslim sailors from Persia, Arabia, Turkey and Bengal settled in Arakan in the seventh century. During the 12th and 13th century larger groups of Muslims would have arrived in Arakan, and promptly integrated there. Another explanation for the presence of the Muslim population in Arakan is that an Indo-Aryan speaking group migrated from India to Arakan around 3000 BC. By 1000 AD they had largely adopted the Islam as their religion, and their language was shaped by different influences because of their trading across the Bay of Bengal (SIL, 2015). The Muslim empire of Arakan lasted until 1784, when the Burmese king Bodawpaya conquered the territory. It was situated at the edge of the British empire, and after the first Anglo-Burmese war which ended in 1826 Arakan was annexed. Under British rule the population in Arakan increased from 100,000 people to more than a million, through the relocation of Muslim and Hindu Indians in the East (Ibrahim, 2016). The Second World War and the Japanese invasion (1942) created tensions between the different communities. Since in the aftermath of the Second World War the Rohingya, the Muslim population in Arakan, reached out to Pakistan, which in that time also included Bangladesh, with a request to annex their territory (Calamur, 2017). Several thousands of Muslims left the centre of Burma to move to Arakan. In the next year the tension rose between the present Buddhists and Muslims, causing the Buddhists to leave the northern part of Arakan (Ibrahim, 2016).

In 1948 Burma gained independence from Britain. Since then it has been a difficult task to build a democratic state from different indigenous ‘nations’ (Than, 2015). Under British rule the Rohingya were promised partial independence, but this promise was reversed when the war was over (Christie, 1997). During the short upheaval that followed, some of the Rohingya politicians petitioned for inclusion of the northern districts of Arakan into East Pakistan (HRW, 2000). This gave the Rohingya an image as being hostile, and in 1948, unlike other minorities in the country, they were not given full citizenship (FIDH, 2000). In the 1950’s the attitude towards the Rohingya improved slightly, and as mentioned in the introduction, the first Prime Minister U Nu showed the first signs of recognizing the Rohingya as Burmese citizens in 1954.

In the 1961 Burma census the Rohingya were still able to register themselves as Rohingya. But the relative tolerance towards them started to change gradually after the military came to power in 1962. The 1974 ‘Constitution of the Socialist Republic of the Union of Burma’ removed the status of Rohingya, and forced them to accept identity cards that labelled them ‘foreigners’ (Ibrahim, 2016).
The 1982 citizenship law increased measures against the Rohingya by removing all forms of citizenship for them. By this law Burma distinguished three categories of citizenship: citizenship, associate citizenship, and naturalized citizenship. Citizens are the people who belonged to either the Kachin, Kayah, Karen, Chin, Bamar, Mon, Rakhine, Shan, Kaman, or Zerbadee ethnic groups, or whose ancestors settled in Burma before the occupation of Arakan state in 1823. When a person is unable to provide proof of the aforementioned, this person could be classified an ‘associate citizen’ when a grandparent, or pre-1823 ancestor, was a citizen of another country. Persons who qualified for citizenship under the previous 1948 law, but who would no longer qualify under the 1982 law, could also apply for associated citizenship. To be regarded a naturalized citizen, one must provide “conclusive evidence” that he/she or ones parents entered Burma prior to independence in 1948. Persons who have at least one parent who holds one of the three types of Burmese citizenship are also eligible. Section 44 of the ‘Citizenship Law’ further states that the person must be eighteen years old, able to speak one of the national languages (which does not comprise the Rohingya language), be of good character, and be of sound mind (Government of Burma, 1982). All these rules basically deny the possibility for the Rohingya to acquire a nationality (HRW, 2000). Without a nationality the basic human rights, socio-economic rights like: education, employment, social welfare, housing, healthcare, as well as civil and political rights have been denied to the Rohingya. These rights include the freedom of movement, freedom of arbitrary detention, and political participation (UNHCR, 2017a)

This denial of a nationality is in conflict with article 15 of the Universal Declaration of Human Rights, which states that “everyone has the right to a nationality.” (OHCHR, 1948) The citizenship law also conflicts with the Burmese’s government obligation under article 7 of the U.N. Convention of the Rights of the Child (OHCHR, 1989), which states in article 7.1.: “the child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality...” The Burmese government ratified this convention in 1991, and is therefore bound to grant citizenship to every child born in Myanmar who would otherwise be stateless (HRW, 2000).

Central to the promotion and protection of the rights of minorities is the principle of non-discrimination. According to article 2 of the Universal Declaration of Human Rights, States are required to protect and respect the human rights of all, without distinction such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status (OHCHR, 1948). Article 30 of the Convention on the Rights of the Child (OHCHR, 1989) states that children belonging to minorities have the right to enjoy their own culture, profess and practise their own religion, and to use their own language. Article 4 of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (OHCHR, 1992) requires States to take positive measures to protect the rights and identity of minorities.

The Rakhine State, located in the western corner of Myanmar at the border of Bangladesh, is one of the poorest states in Myanmar, with limited access to basic services and few livelihood
opportunities for the entire population. The Rakhine Yoma mountain range forms a natural barrier between the Rakhine state and the centre of the country (FIDH, 2000). There are approximately 3,188,807 people living in this state, of which two thirds is Arkanese and less than one third is Rohingya (UNFPA, 2015). However, the last census conducted by the government of Myanmar in 2014 – which was the first census in 30 years prohibited the Rohingya to identify as such. Therefore it is hard to conclude how accurate this population estimation of Rakhine state is (UNHCR, 2016). The Arkanese are Buddhist and considered full citizens. The Rohingya are mainly Muslim, and are granted no citizenship (FIDH, 2000). The Rohingya face additional barriers with discrimination, restrictions of freedom of movement and no access to education (OHCHR, 2017). They suffer from eviction campaigns, forced labour, violence against women, expulsion form their lands and property and torture making them the most persecuted minority in the world (Yunus, 2016). Since 2012, incidents of religious intolerance and incitement to hatred by extremist and ultra-nationalist Buddhist groups have increased across the country (OHCHR, 2017). The Rohingya have been subject to long-standing discrimination by past military governments. Tensions occasionally erupted into violence, which in 2012 already led to hundreds of injuries and deaths, the destruction of property and the displacement of 140,000 people (OHCHR, 2013). The systematic violations of human rights have triggered irregular migration flows to Thailand and Malaysia, as well as to neighbouring country Bangladesh.

The central problem with the Rohingya is the question of the group’s belonging. The Rohingya themselves claim Burmese citizenship as their natural right and that they should be entitled to all citizenship rights, including state protection just like any other Burmese citizen (Farzana, 2017). In contrast, the Burmese authorities consider them ‘Bengali’, ‘illegal immigrants’ who had never been part of Myanmar’s history (Farzana, 2017). This view is shared widely among the Myanmar population (Ibrahim, 2016), despite historical evidence indicating presence of the Rohingya throughout Myanmar’s early history (Egreteau & Robinne, 2016; Ibrahim, 2016; HRW, 2000). This belief might also explain why the persecution of Rohingya is worse than that of other ethnic minorities (Ibrahim, 2016).

2.2. The escalation

On 9 October 2016 an until then unknown group of militants, called Harakah al-Yaqin, attacked three police posts in the Maungdaw and Rathedaung Townships in the northern Rakhine State in Myanmar (Fortify Rights, 2017). Those posts were the Border Guard Police (BGP) headquarters in Kyee Kan Pyin, the BGP sector headquarters in Nga Khu Ya in Maungdaw and a BGP outpost in Koe Dan Kauk (UNHCR, 2017; HRW, 2017). The group, mainly armed with sticks, knives, and an improvised explosive device, succeeded in killing 9 security officials. Afterwards the group renamed itself into the Arakan Rohingya Salvation Army (ARSA) and launched a second round of attacks on the 25th of August 2017. During these attacks 12 security officials were killed. ARSA announced that the attacks were a reaction on the mistreatment of the Rohingya population by the government of Myanmar.
Ever since the 9 October attacks the Myanmar security forces have been overly present in the northern Rakhine State oppressing the Rohingya even more (McPherson, 2017).

However, the story of the ARSA attacks is disputed by some (Kaladan Press, 2017b), since the already present security lockdown of Rohingya in northern Rakhine State made it impossible for the Rohingya to organise and execute these attacks. They conclude that the attacks were used as an excuse to implement a pre-planned expulsion policy. To them another indicator that the ARSA attacks are fake, is that the military of Myanmar launched (naval) attacks early on August 25 against villages without any link to the ARSA attacks, and that even in de villages where the police posts were allegedly attacked no evidence for the presence of ARSA members could be found (Kaladan Press, 2017b).

Although denying the existence of ARSA-attacks on security posts seems quite controversial, different NGOs, news sources and respondents share the view that these attacks were used as an excuse to increase the persecution of Rohingya in the area and ultimately clear the whole northern Rakhine state of Rohingya (OHCHR, 2017; Amnesty International, 2016; Fortify Rights, 2017; HRW, 2017). Even more so because immediately following on the afore mentioned attacks the security forces of Myanmar launched a large scale ‘clearance operation’ against the Rohingya. In a January 23 communique to the United Nations, the government of Myanmar said “the objectives of these operations were to apprehend the attackers on police outposts of security personnel and to recover arms lost during the recent attacks on police outpost” (United Nations, 23 January 2017). During these operations the security forces used violence against the Rohingyas. Mohammed Rafiq, a 25-year-old man from the Min Gyi village in the Maungdaw township recalls: “they tried to kill us all. There was nothing left. People were shot in the chest, stomach, legs, face, head, everywhere” (Fortify Rights, 2017, p.5). According to a satellite image analysis of Human Rights Watch (HRW) there is evidence that government troops burned down Rohingya villages in the Maungdaw area. In their report a 23-year-old male from Kyet Yoe Pyin told that he fled to Bangladesh on October 12, after the military entered his village, they shot randomly at villagers and set the village on fire with a combination of gasoline and shoulder-fired rocket launchers (HRW, 2016, p.2). OHCHR interviewed 204 refugees from the northern Rakhine State in Bangladesh after the 9 October attacks. From the witness testimonies of these refugees, out of the 204 respondents 65 percent reported killings, 56 percent reported disappearances (including persons having been ‘taken away’ by the security forces), 64 percent reported beatings, 43 percent reported rape, 31 percent reported sexual violence, 64 percent reported burning or other destruction of their property, and 40 percent reported looting or theft of their property (OHCHR, 2017).

The testimonies gathered describe three different types of Myanmar security forces and two different types of other armed elements that were involved in the attacks. First, the Tatmadaw in plain
green uniforms, which are the Myanmar armed forces. Second, the Border Guard Police Force (BGP), dressed in uniforms with a camouflage pattern. Third, the police forces of Myanmar, dressed in uniforms with grey shirts and dark trousers. Furthermore, several interviewees claimed that they witnessed Rakhine villagers dressed in uniforms attacking people. This indicates that the Rakhine villagers recently had been provided with uniforms and weapons. Some interviewees recognized their own Rakhine neighbours during the attacks. Otherwise, the interviewees could tell the difference between these villagers and official security forces because of their hairstyle. The villagers had longer hair and were less likely shaved properly whereas the security officials had a short military haircut. Lastly, some interviewees recall being attacked by Rakhine villagers in civilian clothes, who joined or supported the security forces (OHCHR, 2017).

According to different NGO reports (HRW, 2017; Fortify Rights; 2017, Amnesty International; 2017) the security forces used similar patterns when attacking villages. Security forces would come into the village early in the morning, while randomly shooting at villagers – men, women, children – who were often fleeing in fear. Some testimonies indicate that the security forces used helicopters during these attacks, from which villagers were shot as well. Additionally, some witnesses claim the use of explosive munition. During the security operations sexual violence was used against the Rohingya women and girls. According to the Amnesty International report (2017) most of the women and girls were raped during security sweeps after the men had fled. Victim and/or witness testimonies of the clearance operations indicate the prevalence of rape and gangrape. The (gang)rapes were accompanied with further acts of violence, such as beating women with fists and guns, kicking them, stabbing them and often killing women after the security forces were done raping them. Some survivors report that the security forces killed their children, parents, or siblings while they were being raped (HRW, 2017). The reports also indicate that the rape and sexual assault of Rohingya women and girls started well before the August attacks (HRW, 2017; Kaladan Press, 2017; Amnesty International, 2017).

As mentioned before, in response over a 900,000 Rohingyas fled to Bangladesh, to escape this violence – including many women and girls. As can be seen in the map of figure 1 Bangladesh and Rakhine state are on some parts only separated by the Naf river, causing many people to flee in this direction. Rohingya women, men and children have arrived in Bangladesh in desperate condition – hungry, exhausted, and sometimes with rape, bullet, or burn injuries (HRW, 2017). Due to their injuries, the flight of victims of sexual violence and rape was accompanied with extra pain and hardship. Victims state that they had to walk for days with swollen and torn genitals through the jungle before reaching Bangladesh (HRW, 2017). In the HRW report (2017) different survivors recall: “I cry at night because the journey was so hard”, “All of my body was pain” and “I just wanted to stop, I was so tired... I cannot even tell you the pain of walking” (HRW, 2017, p.29). According to UNWOMEN (2017) many Rohingya refugee households are female headed and are more vulnerable during their
flight than households headed by males. Women and children are also at heightened risk of becoming victims of human trafficking, sexual abuse or child- and forced marriages (ISCG, 2017)

From this overview it can be concluded that the situation for the Rohingya, who were already not entitled to many rights, worsened after the (alleged) attacks on the security posts on the 25th of August 2017. In order to protect themselves or their families, many Rohingya fled to neighbouring country Bangladesh, that opened its border to anyone seeking refuge. However, although Bangladesh was willing to take in the Rohingya refugees, this does not mean that they acknowledge that the Rohingya are actually Bengali who migrated illegally into Burma (Solomon, 2017b). Therefore the Bengali government refers to the Rohingya refugees as ‘forcefully displaced Myanmar citizens’ (Dhake Tribune, 2017). The UN system refers to them as refugees, which entitles them to certain rights. According to the 1951 convention relating to the status of refugees, a refugee is someone who ‘owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of its nationality, and is unable to or, owing to such fear, is unwilling to avail himself to the protection of that country (UNHCR, 1951). This right of seeking asylum is derived from article 14(1) of the Universal Declaration of Human Rights. This right on safe asylum compromises more than just physical safety. They have the right of freedom of thought, movement, and freedom from torture and degrading treatment. Economic and social rights are equally applicable, and refugees should have access to medical care, schooling and the right to work (UNHCR, 2002). Bangladesh officials have been reluctant to label the Rohingya as refugees, causing many livelihood problems for the Rohingya population, as they believe it would be more difficult to send the Rohingya back to Myanmar if they are granted this status (Zaman, 2017).

2.3. Sub-conclusion of the historic overview

Arakan (now Rakhine State) and Burma (now Myanmar) had separated histories till their merge under British colonization. The cultural and religious differences between the predominately Buddhist population of Myanmar and the Muslim Rohingya population in Rakhine state created great tensions, with oppression of the Rohingya as a result. The decades of persecution and demonization led to the violent resistance of the Arakan Rohingya Salvation Army (ARSA), which attacked several Myanmar security posts. The latest round of attacks, on the 25th of August 2017, led to an intensification of violence against the Rohingya population, including the use of sexual violence, causing over 900,000 Rohingya to flee to neighbouring country Bangladesh. This study will examine whether this sexual violence amounted to the use of sexual violence as a weapon of war.
PART III - Methodology

As mentioned in the introduction, data on emergencies is often regarded unreliable, especially when sex- and age-segregated (Roth et al., 2017). To make this research as reliable as possible this study will use two different research methods. First, a literature review of existing academic literature and case law on sexual violence as a weapon of war is presented. Secondly, during the fieldwork in Bangladesh qualitative research has been conducted. As the available research conducted to sexual violence in the Rohingya crisis is limited, this study is explorative in nature. Therefore a qualitative research method seemed most appropriate, since it develops a deep understanding and captures human perspectives (Trumbull, 2000). In depth-interviews encourage interviewees to produce elaborate and detailed answers (Rapley, 2004), yielding responses about people’s experiences, perceptions, opinions, feelings and knowledge of the study objective (Patton, 1987).

3.1. Literature Review

To determine what kind of sexual violence constitutes as means of warfare, existing academic literature and relevant case law of the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR) are analysed. Academic articles regarding this topic were found through ‘LibSearch VU’ and Google Scholar. Articles were found by combining search terms like: ‘sexual violence’ and ‘rape’, with terms like: ‘conflict’, ‘weapon of war’, ‘means of warfare’ and terms like ‘ICTR’, ‘ICTY’, ‘ICC’, ‘International Tribunals’. Findings of the Tadic-case of the ICTY and the Akayesu-case of the ICTR are included in the study.

Furthermore, NGO reports about sexual violence against the Rohingya, or news articles which mentioned survivor testimonies were analysed. These reports were found by either searching the
websites of the big NGOs present in the field, or google on ‘sexual violence AND Rohingya’, and ‘sexual violence against Rohingya’. The findings of these reports are presented in section 4.2. Together with the data obtained through the fieldwork described below, a most comprehensive account on sexual violence against the Rohingya is presented.

3.2. Research timeline and location
The fieldwork was conducted from 22 April till 17 May 2018, with an additional Skype interview back in the Netherlands on the 11th of June 2018. Since the conflict is ongoing and the northern Rakhine State in Myanmar is inaccessible the fieldwork of this study took place in Bangladesh, where most of the Rohingya sought refuge after their flee from Myanmar. Two interviews were conducted in Dhaka, for many NGOs have their headquarters there. Fourteen interviews were conducted in Cox’s Bazar, considering that it is the nearest city to the camps and the place where most aid workers reside. While in Cox’s Bazar, one interview was conducted via Skype, since the respondent was based in Chittagong. In total three of the interviews took place at the office of the respondent, the other face-to-face interviews were conducted in a coffee shop or restaurant. The Skype interview that took place on the 11th of June was conducted at home in the Netherlands.

3.3. Respondents
Due to the principle of ‘do no harm’, or the principle of ‘non-maleficence’, interviewing professionals in the field was found more appropriate than interviewing the victims. This to minimize the risk that research participants suffer adverse consequences for participating in the research, since interviewing traumatized people might put them under severe stress or can even cause additional psychological problems (Bijleveld, 2017). To avoid the occurrence of negative consequences for the professionals participating in the study, the interviews were conducted in full anonymity. Therefore no names of people or organisations are included, as words of criticism could possibly influence the mandate of the particular organisation for delivering aid to the Rohingya. Also for practical reasons such as access to the population, visa restrictions and language issues interviewing professionals was a more sensible option.

In total 18 interviews with professionals in the field were conducted. Respondents included individuals working for the leading international Non-Governmental Organisations (NGOs), Government officials, but also employees of local NGOs and journalists were interviewed. Seven of the respondents were male, eleven female. The work experience of the interviewees with the Rohingya differentiated between a few days up to nine months. Since full confidentiality was promised to the respondents no overview of NGOs included in the study can be provided. However, fourteen respondents were working for big, well-known international NGOs, two for smaller, less well-known NGOs. Additionally one journalist and one embassy official were included in the sample.
With sexual violence being a quite specific topic, few people per organisation had explicit knowledge on this subject leaving mostly only one person per organisation suitable to talk to. The majority of the respondents are the Gender-Based Violence Coordinators (or functions alike) for their NGO.

### 3.4. Sampling

Before arriving in Bangladesh different potential respondents were approached by email. Contact details were found on the Bangladesh department of the humanitarian response website (https://www.humanitarianresponse.info/en/operations/bangladesh), or in specific publications (like NGO reports) about the Rohingya crisis. Furthermore, personal contacts working for (international) NGOs (not necessarily in Bangladesh), the Dutch embassy, or friends who used to live in Bangladesh also referred possible respondents.

While in Cox’s Bazar attending different Sub-Sector meetings (like the ‘Gender-Based Violence’, ‘Protection’ or ‘Communications with Communities Working Group’) enabled to reach out to several relevant professionals in the field at the same time. Furthermore, the snowball technique was used, by asking after the interview whether the respondent knew other professionals in the field who would be willing to be interviewed as well (Bijleveld, 2017).

Of the 146 people reached out to, 82 (56%) people responded to the e-mail. The 64 ‘negative’ replies either included automatic replies of people being on leave, or who quitted their job, or responses that people were too busy at the moment often due to the upcoming cyclone or monsoon season. Other responses included references to colleagues who had more suitable knowledge about the topic. As said before, 18 people were willing to be interviewed.

### 3.5. Research method fieldwork

With the 18 respondents an one-session in-depth interview was conducted, which on average lasted between 45 to 60 minutes. Before starting the interview it was clarified to the respondent that the interview would be anonymized, and permission was asked to record the interview. Eleven of the eighteen respondents had no objections for taping the interview, and the recording device was switched on after the respondent introduced him or herself. When the respondent objected to recording the interview, field notes were taken during the interview, and transcripts were worked out preferably immediately after the interview. All interviews were conducted in English.

The interview itself was a semi-structured open interview which in principle consisted of 16 pre-determined open questions (see appendix 1). Depending on the natural flow of the interview, the order in which questions were asked occasionally changed, or questions were left out if the information was provided previously. If necessary additional questions were asked to obtain a better understanding of the information provided by the respondent. Based on the answers and knowledge of
the interviewee some topics were discussed more in-depth than others. This open and semi-structured research model gave the opportunity for respondents to share all their experiences and views on the topic. Therefore also aspects not thought of when determining the questions, but of specific interest to the respondents were more likely to be exposed.

With the sixteen predetermined questions insight was gained in the conflict, the sexual violence against the Rohingya in Myanmar, the community responses, the general conditions in the camps, potential problems in the camps, and the work and needs of the NGOs (see appendix 1). Interviews were scheduled mostly in the evening or on Friday, since most of the respondents were working in the camps during the day. After 4:30 p.m. all humanitarian workers had to leave the camp, and with the camp situated two to three hour drive away from Cox’s Bazar, the evening was often found suitable for an appointment. Friday is a weekend day, which enabled scheduling interviews during the day.

What at times hampered the scheduling of interviews were the security recommendations for foreigners not to go out on their own after dawn. Combined with the fact that the professionals were in the field during the day often made it more difficult to schedule an appointment. Furthermore the working load pressuring the aid workers was immense, so people were sometimes too busy to meet, or interviews had to be rescheduled a couple of times. Therefore, the research population is limited to 18 respondents.

Subsequent to the interview transcripts were prepared, and send to the respondents. In the accompanying email it was emphasized that respondents were free to make changes in the text or to add notes when necessary. They were kindly requested to send the revised versions back before the 1st of June, and it was stressed that when no revised version was received before this date, it would be assumed that the transcript included in the e-mail was correct. In total 2 of the 18 respondents send revised versions back, and one additionally confirmed that the transcript was correct. The revisions made included deletions of certain answers to questions, since those answers were based upon own speculations instead of facts.

In addition to the interviews, three visits were paid to the camp. This to gain insight in the general conditions there and the aid programmes of different NGOs. Despite the camps being ‘open’, a permit is required to legally enter the camps, and due to security reasons it is advised not to travel to the camps with public transport. Therefore visits were only possible when NGOs agreed on accompanying them to their working areas. The first visit was to get a general impression of the camps. The second had a focus on water sanitation and the third was a visit to a medical centre.

3.6. Strength and weaknesses of the research
The aim to develop a deep understanding of the sexual violence against the Rohingya was proven successful by the qualitative and explorative nature of this study. A better understanding of the general
conditions in the camps, community responses, and aid delivered to the Rohingya as well as the potential risks in the refugee camps in Bangladesh was obtained. The open nature of the questions enabled the respondents to share all of their knowledge and experiences. The research contributes to the available knowledge on the Rohingya crisis and especially the sexual violence used against them in Myanmar.

However, the design of this study also has its downsides: the data was collected through aid-workers instead of the victims themselves. Most of the respondents retrieved their information through direct contact with the Rohingya, others through colleagues who had direct contact on this specific subject with the Rohingya, or lastly respondents obtained information from news and NGO reports. Often it was a combination of all three. The indirect nature of the information possibly made it less accurate.

Also, qualitative research is concerned with constructions of reality- its own constructions and in particular those constructions of the people under study (Flick, 1998). Therefore the data is always the subjective view of the respondent on a specific topic. However, objective data, like outcomes of truth finding mission or even criminal trials, about the sexual violence against the Rohingya in Myanmar is not yet available.

There are no actual numbers, but over a 150 NGOs are believed to be present in the Rohingya camps in Bangladesh. The respondents included in the study were working for 16 different NGOs, so only a small fraction of the present NGOs is included in the research. Access to the research population was hindered by the fact that this research was not commissioned by an organisation. This inhibited the willingness of some potential respondents to cooperate with the research. The aforementioned working load, in combination with the upcoming cyclone and monsoon season also restrained some professionals from cooperating. Due to the relatively small sample size, and the way of sampling the generalizability of the data is limited (Bijleveld, 2017; Bryman, 2014). However, the aim was not to provide generalizable data, but to provide a general insight into sexual violence against the Rohingya. By reaching out to as many different organisations (60 in total) and professionals in the field (146 individuals), the data of this study is made as generalizable as possible: respondents of international and national NGOs, journalists, embassy personnel, both male and female are included.

Nonetheless it is unfortunate that no government officials are included in the sample. Since the research was conducted on a tourist visa instead of either a research, or a student visa, it was too risky to reach out to the Bangladeshi government for cooperation. After consulting different actors in Bangladesh before going there, it was decided to go on a tourist visa and conduct the interview in a more informal way, since it was questionable whether a student or research visa would be granted for such a sensitive research topic.
Another possible disadvantage of this research could be the language barrier. All the interviews were conducted in English, which was not the mother tongue of most of the respondents (15). This might have influenced the understanding of the questions and depth of the answers provided. However, if signs occurred that the respondent did not fully understand the question, the question was reframed.

As mentioned before the interviewees were aware that the interviews were conducted in full anonymity. This might have influenced the information provided, for better or for worse. On the one hand, respondents might have been able to talk more freely about their experiences and their opinions. On the other hand they might not feel responsible for the answers given. This was illustrated by one of the respondents: R17 told she did not need to receive the transcript to check or correct it since her name or the name of her organisation would not be included.

PART IV – Literature review
The literature review will be two-fold. First academic literature and case law of the different Ad Hoc Tribunals will be analysed to determine the criteria for sexual violence to be used as a weapon of war. In section 4.2. the available NGO reports and news outlets on sexual violence against the Rohingya by security forces will be analysed in order to establish if sexual violence was indeed used as a weapon of war by the security forces in Myanmar, when using official reports and articles as a source.

4.1. Sexual violence as a means of warfare
Dating from the very first wars “rape and pillage” of the losing population has been one of the “spoils of war” taken by the victors (Chowdhury & Lanier, 2012). Rape on large scale occurred in conflicts all over the world, inter alia from Germany during World War II, to Bosnia, Sudan, Peru, and Tibet, Rwanda, Congo (Kivlahan & Ewigman, 2010; Maedl, 2011; Chowdhury & Lanier, 2012; du Toit, 2009; Boesten, 2014). The extent, form and purpose of sexual violence differ between the different conflicts, and depending on what the rape tries to achieve also the type of victims and perpetrators differ the victims and perpetrators differ (Kaitesi, 2013). Despite the large scale at which sexual violence takes place during conflicts, international and national justice mechanisms have largely neglected the impact of sexual violence. Until recently the failure to clearly recognise sexual violence as a weapon of war has resulted often in impunity, affecting the future prevalence of sexual violence during conflict (Park, 2007). It was not until the conflicts in Rwanda and the former Yugoslavia that those crimes attracted international attention (Kaitesi, 2013; Park, 2007).

Before the International Criminal Tribunal for the former Yugoslavia (ICTY) and International Criminal Tribunal for Rwanda (ICTR) there was a lack of definitions and appropriate procedural processes for persecuting sexual violence. The reference to sexual violence in the Hague Regulations and the Geneva Conventions and Additional Protocols was limited to the prohibition of rape, without a
clear definition what constituted as rape (Meron, 1993). The variation and brutality of sexual violence during conflicts nowadays is not covered by this prohibition of rape (Park, 2007). The ICTY and ICTR both base their case laws on their respective Statutes, but also on customary international law, providing them with a broader legal framework than their mere statues (Park, 2007). The tribunals considered rape and sexual assault in terms of torture, grave breaches of the Geneva Convention, violations of the laws and customs of war, crimes against humanity and genocide (Hampson, 2004). They constituted that sexual violence may have deliberate and planned characteristics, and therefore could be considered a mechanism of warfare.

The ICTY made an important contribution of recognizing sexual violence as a means of warfare with its ruling in the Tadic case, which stated that even though it was not proven that Tadic himself had committed sexual violence, the chamber held him responsible for his participation in a general campaign of terror, manifested by murder, rape, torture and other forms of violence (Askin, 1999). This verdict demonstrates that one could also be persecuted for ‘inactive’ participation in sexual crimes. In the Akayesu case the ICTR became the first international tribunal to define rape and sexual violence. Sexual violence was defined as “any act of a sexual nature which is committed on a person under circumstances which are coercive.” Rape was defined as “a physical invasion of a sexual nature under circumstances which are coercive.” While rape was defined separately, it is also part of sexual violence (De Brouwer, 2005). The tribunal also interpreted rape as an offense against the honour of the victim, thereby linking it to torture. Since the conflict in the former Yugoslavia was an international armed conflict, the ICTY could use international humanitarian law. However, the conflict in Rwanda was an internal conflict, which took place merely on the territory of Rwanda. Therefore, the ICTR had to make a leap forward in prosecuting sexual violence as genocide in the context of an internal conflict (Park, 2007)

In the Akayesu conviction, the Tribunal made the first conviction of an individual for the charges of genocide and international crimes of sexual violence. In its ground-breaking decision in the Akayesu case:

“the Chamber wishes to underscore the fact that in its opinion, rape and sexual violence constitute genocide in the same way as any other act as long as they were committed with the specific intent to destroy, in whole or in part, a particular group, targeted as such. Indeed, rape and sexual violence certainly constitute infliction of serious bodily and mental harm on the victims and are even, according to the Chamber, one of the worst ways inflict harm on the victim as he or she suffers both bodily and mental harm.”

And

4 The Prosecutor v. Jean Paul Akayesu (1998), Case No. ICTR 96-4-T, Trial Chamber I, Judgment (2 September 1998), para 731
“The rape of Tutsi women was systematic and was perpetrated against all Tutsi women and solely against them. The sexualized representation of ethnic identity graphically illustrates that tutsi women [sic.] were subjected to sexual violence because they were Tutsi. Sexual violence was a step in the process of destruction of the tutsi group - destruction of the spirit, of the will to live, and of life itself.5 

During the Akayesu case the Chamber determined that when rape or other acts of sexual violence takes place during genocide, a lack of consent should be assumed. It also recognized rape and other forms of sexual violence as independent crimes constituting crimes against humanity (Askin, 1999). The ICC shares this believe, and identifies different sexual crimes that constitute as seperated crimes against humanity. These are the crime against humanity of: rape; sexual slavery; enforced prostitution; forced pregnancy; enforced sterilization, and; sexual violence. According to the Elements of Crime of the International Criminal Court (ICC) the crime against humanity of sexual violence is: “The perpetrator committed an act of sexual nature against one or more persons or causes such persons to engage in an act of sexual nature by force, or by the threat of force or coercion”6. The crime against humanity of rape is defined as: “the perpetrator invaded the body of a person by conduct resulting in penetration, however slight, of any part of the body of the victim or of the perpetrator with a sexual organ, or of the anal or genital opening of the victim with any object or any other part of the body.”7 The concept of invasion is broad enough to be gender neutral. For all of these to constitute as a crimes against humanity the conduct had to be: “part of a widespread or systematic attack directed against a civilian population”.8 All the above named crimes can also constitute as a war crime, when the conduct took place in the context of, and was associated with an international armed conflict.9 

Sexual violence during conflict times can be conducted by an individual, a group, in private or in public. It can be planned, ordered, instigated, or because of opportunity (Maier, 2011). The motivation to use sexual violence can differ from conflict to conflict. It could be the result of a cost-benefit ratio, with women being easy targets when the men of the targeted community are for example fighting in the conflict, and perpetrators are often not faced with the consequences of their actions, leading to a feeling of impunity (Thornhill & Palmer, 2001). However, for sexual violence to constitute as a weapon of war the sexual violence has to have a systematic, pervasive, or officially orchestrated aspect, which emphasize that rapes ‘are not random acts, but appear to be carried out as deliberate policy’ (Niarchos, 1995). According to Scholz (2007) the motivation to use sexual violence in religious or ethnic related wars lies in impregnating the women of the targeted group. Aiming at interference or extinction of the opposed religious or ethnic group. The child conceived of rape will

5 The Prosecutor v. Jean Paul Akayesu (1998), Case No. ICTR 96-4-T, Trial Chamber I, Judgment (2 September 1998), para 732  
6 Article 7 (1)(g)-6(1), Elements of Crime, The International Criminal Court.  
7 Elements of crimes, ICC.  
8 Article 7 (1)(g)-6(4), Elements of Crime, The International Criminal Court.  
9 According to the Elements of Crimes of the ICC, Article 8 (2) (b) (xxii) 1 to 6.
make the parents and others always remember the sexual violence. Especially in very conservative and traditional cultures, the women and the child are likely to be abandoned by the man and ostracized by the community (Scholz, 2007). Another way to destroy or interfere with the existence of the religious or ethnic group your enemy belongs to, is the spreading of HIV or other STDs through rape (Carter, 2003).

According to Skjelsbaek (2001) the determining features for both conventional and non-conventional weapons to be characterized as weapons of war, are that they are used as part of a systematic political campaign which strategic military purposes. And also according to Park (2007) the linkage between sexual violence and the political agenda is crucial. This is underlined by the Akayesu ruling, which stated that sexual violence and military objectives could be one and the same. While sexual violence is unusual weapon of war, it is definitely an effective one. Diken and Laustsen (2005) state that war rape is probably the clearest example of an asymmetric war strategy. The soldier attacks a civilian (no combatant), a woman (no male soldier), and only indirectly with the aim of holding or taking a territory. The primary aim of rape war is to inflict trauma and thus to destroy family ties and group solidarity within the enemy camp. It can also become an integral aspect of ethnic cleansing. According to Rehn and Sirleaf (2002): “Men and boys as well as women and girls are victims of this targeting, but women, much more than men, suffer gender-based violence. Their bodies become a battleground over which opposing forces struggle. Women are raped as a way to humiliate the men they are related to, who are often forced to watch the assault. In societies where ethnicity is inherited through the male line, the ‘enemy’ women are forced to miscarry through violent attacks.

UNICEF also agrees that sexual violence is an effective weapon of war, as it erodes the fabric of a community in a way that few weapons can. The attack is not only directed at the direct victim, but at the community as a whole. The damage can be enormous because of the strong community reactions to the violations. Women are often seen as the carers and reproducers of the community. Therefore if one group wants to control another they often do it by impregnating women of the other community as a way of destroying the opposing community (UNICEF, 1996). According to Steains (1999) the main purpose of sexual violence in armed conflict is to empower, to shame, terrorise and humiliate the enemy. The effects of sexual violence persist long after the actual events have occurred. Physical and psychological trauma, forced impregnation resulting in unwanted babies, and the deliberate spread of sexual transmitted diseases (STD) make sure there is a long lasting distrust and hatred between members of opposing troops (Park, 2007).

So it can be concluded that rape in in the context as a weapon of war is a political event, with a strong bond to the militaristic or nationalist agendas (Seifert, 1994; Skjelsbaek, 2001). So in order to establish if the sexual violence in Myanmar was used as a weapon of war, a link to the strategic military purposes needs to be present. The fact that the nature of the Rohingya conflict is either
religious or ethnical would indicate that the Rohingya women were often impregnated, and/or infected with STDs and HIV/AIDS (Scholz, 2007; Carter, 2003). Furthermore it needs to be clear that the women were targeted because they are Rohingya. And in order to constitute as the crime against humanity of sexual violence it needs to be part of a widespread or systematic attack, directed at a civilian population.

4.2. Sexual violence against the Rohingya

Since the onset of the violence on August 25, 2017, different NGO reports and news outlets have accused the security forces of Myanmar of using sexual violence against the Rohingya population. On the 24th of November, the United News of Bangladesh published an article stating that Medicine Sans Frontières (MSF) has treated 84 survivors of sexual violence in the camps in Kutapalong. Half of the survivors were under the age of 18, with several even under the age of ten. MSF said that these cases probably only represent a fraction of the Rohingya women and girls who were sexually assaulted in Myanmar, since the victims are presumably reluctant to seek assistance due to a number of reasons, including shame and stigma, a lack of awareness of the medical assistance available and the uncertainty of what will happen if they do seek assistance (United News of Bangladesh, 2017).

Human Rights Watch (HRW) published a report about sexual violence against the Rohingya in November 2017. The report, titled: ‘All of my body was pain’, is based on 52 interviews with Rohingya women and girls, including 29 rape survivors. Those survivors came from 19 different villages of Rakhine State, Myanmar. Human Rights Watch found that the Myanmar security forces raped and sexually assaulted women and girls both during major attacks on the villages, but also in weeks prior to these. In every case described to them the perpetrators were uniformed members of security forces, almost all military personnel. Some witnesses report seeing women being raped, and then killed. They also indicate that victims restrain for reporting sexual violence for the same reasons as MSF indicates, but also that victims are afraid they have to pay medical fees they cannot afford. All but one of the cases reported to HRW were gang-rapes, so involving two or more perpetrators. HRW also documented six instances of ‘mass rape’ were soldiers gathered all the women of a village together, and then raped or gang-raped them, while the others had to watch. The sexual assaults were also accompanied by other acts of violence, like beating, kicking or stabbing. Women reported they had to watch cruelties against their family while being raped. Three women report that they witnessed their young children being murdered. Other examples are security forces pushing elderly people back into their burning house – burning them alive (HRW, 2017).

The ‘Gender Brief on Rohingya Refugee Crisis Response in Bangladesh’ of the UNWOMEN of October 2017 states that “according to community leaders and interviews with refugees, almost every woman and girl in the Balukhali makeshift settlements in Cox’s Bazar is either a survivor of or a witness to multiple incidents of sexual assault, rape, gang-rape, murder through mutilation or burning alive of a close family member or neighbour. Women and girls have experiences sexual- and gender-
based violence, perpetrated by both the Myanmar army and by Rakhine locals. Many women whose sexual assault resulted in conception are reported to have sought out abortion after arriving in Bangladesh.”

The OHCHR published a Flash Report on 3 February 2017, for which 101 women were interviewed. In total 52 of the women reported having survived rape or experienced other forms of sexual violence. Of these 24 women were rape survivors, of which 2 were girls, and an additional 28 women (of which 5 were girls) reported having suffered other forms of sexual violence. The perpetrators have been identified as mainly military, although rape by police and Rakhine villagers were also reported. The majority of interviewed survivors were gang-raped, by usually three to four, but even up to eight soldiers. The victims reported that the attackers mainly spoke Burmese, causing not all survivors to understand what was said to them. The accounts of the victims who do understand Burmese suggest that the women were targeted as a punishment for: (a) not knowing were their male relatives and/or the ‘insurgents’ were hiding; (b) allegedly supporting the ‘insurgents’ by e.g. cooking for them; (c) simply for being Rohingya (OHCHR, 2017).

OHCHR identified that the rapes often followed on one of the following scenario’s. In the first scenario women and girls were rounded up by military and several of them would be taken to nearby schools, mosques, houses or the forest or jungle to be gang raped. The remaining women had to distantly witness the sexual assaults. In the second scenario the military would follow women and girls fleeing to individual houses and rape or gang-rape them there. In the third scenario the military attacked the women and girls unexpectedly in their homes or the homes they were taking shelter. During these attacks also pregnant women were raped, and other women found out that they were pregnant afterwards. According to the OHCHR report sexual assaults were more common than rape, and the most common form was invasive body searches during the round-ups or house searches during which women, but also girls as young as toddlers had their private body parts touched and/or exposed. The purpose of this was to either intimidate and humiliate the women, or to loot any valuables that the women and girls might be hiding.

On 16 April 2018 an open debate on sexual violence in Conflict was held at the Security Council. During this meeting Ms. Razia Sultana, a Rohingya lawyer, researcher and educator specialized in trauma, mass rape and trafficking of Rohingya girls and women, spoke. Since 2014 she has been directly working with Rohingya girls and women in the camps in Bangladesh. Her own research provided evidence that over 300 women and girls in 17 villages in Rakhine State were raped. With over 350 villages attacked and burned since August 2017, she believes this number is likely only a fraction of the real number of girls and women raped, since many women will feel too ashamed to come forward as a survivor of rape. She states that the scale provides evidence that the rape was systematically planned and used as a weapon against the Rohingya. The pattern of mutilation of
women’s private parts after the rape, suggest that it was used to install fear, but also to destroy their means of reproduction. She also shared her concerns about the human trafficking of girls from the camps in Bangladesh. They are being kidnapped, or promised jobs or marriage and then disappear. Many see no future, and are desperate to escape to a better life (Sultana, 2018).

Razia Sultana also worked together with Kaladan Press in an investigation into sexual violence. They published their report ‘Rape by Command’ in February 2017. This report includes testimonies of 36 refugees, of which eight rape survivors. They state that the weeks before the official launch of the operation on August 25, thousands of Myanmar Army troops were deployed in the northern Rakhine State and were the main perpetrators of sexual violence. In the weeks prior to August 25, six women and one six-year-old girl were gang-raped by those security forces in two different villages in northern Buthidaung. The majority of rapes, involving hundreds of women, took place during the actual attacks starting on August 25. Women and girls were being raped in their houses, as they were running away, or after being rounded up in large groups in or near the villages. In the village of Tula Toli (Min Gyi) survivors estimate that well over one hundred women and girls were raped during the attack. Many of them were killed afterwards. They identify six arguments why the rape was not just a case of opportunity, but was commanded: 1) the widespread incidence of rape; 2) rape took place in military camps, which could not have taken place without the full authorization of commanding officers of the camps; 3) the fact that so many soldiers, in different locations, willingly grouped together to commit rape, or stood by when others raped, indicates a clear confidence of impunity; 4) soldiers openly committed rape in front of civilians, also implicating a strong feeling of impunity; 5) despite the blatant criminality of rape of minors, soldiers committed these acts flagrantly, showing again a feeling of impunity; 6) most of the rape incidents involved other forms of brutal torture, including biting, beating, cutting with knives and setting on fire. In eleven villages victims are known to have been killed or died from their injuries. This indicates that rape was part of an overall strategy to mete out savage punishment to women and girls – apparently for their identity as Rohingya (Kaladan Press, 2017).

In a video of Medicine Sans Frontiers (MSF) a midwife called Ruksana, working for MSF, tells about the sexual violence used against the Rohingya women. She tells that a lot of the survivors were gangraped, often by three, five or even eight people. She shares a story that made her cry herself as well. At the beginning of March 2018 she treated a woman who was attacked at her home. The attackers took her and her baby by force elsewhere. The woman was raped three or four times and beaten severely. The woman was left unconscious. After fleeing of 15 up to 20 days she made her way to Bangladesh. The disclaimer of the movie tells us that the story is shortened to protect the participants (MSF, 07 March 2018). In a different video called ‘Sexual Violence Against Rohingya Refugees’ another midwife, Aerlyn Pfeil, tells that the challenge of treating the victims of sexual violence in the camps in Bangladesh lies in the brutality of the rapes. There was a lot of gangrape or
public rape. Some girls were taken for days and assaulted often. She tells that a lot of these women were concerned for bodily harms, but also pregnancies. She also tells that they saw a lot of women coming in bleeding, for unknown reasons. Those numbers were high enough to start speculating that they started taking abortion measures at home. MSF has threatened 125 survivors of sexual violence by December 28, 2017, but also explain that they suspect the actual number of cases is much higher (MSF, 28 December 2017).

The website ‘Women in the World’ of the New York Times published the story of Begum (for security reasons not her real name) about being abducted and raped in Myanmar. She told this story to Jennifer Bose, an emergency communication officer of CARE. Begum told that she was kidnapped from her house during one night. They entered while she was asleep. She told she was blindfolded and dragged to a place on a walking distance of about two hours. When they removed her blindfold she saw that there were 20 or 30 other women, with half of them being young girls. They were stripped naked and beaten, and the men laughed at them. They took turns on the women – each one was dragged to a corner by 10 to 15 men. There they were held down by a couple of men, while the others raped them. Begum herself begged them to spare her when it was her turn. They started punching her, and she fell unconscious. By the time she regained conscious her lower body hurt a lot, a feeling that lasted for three days. The second day two men came and raped her again. Together with 10 other women she was able to escape (Bose, 2017). In this source it is not clarified if the men who raped these women were civilians or security forces.

BBC News released a video about sexual violence during the attack of Tula Toli, a village in the Northern part of Rakhine State. BBC states they were able to crosscheck facts with video evidence of the survivors, maps and interviews collected by human rights organisations. According to their report the Myanmar security forces entered the settlement of Tula Toli around 8 o’clock in the morning on the 30th of August 2017. About 150 soldiers were shooting and burning down houses as they went along. As people tried to flee, they got trapped on the bank of a river on the east side of the village. There were local Buddhist people participating in the attack as well, asking the villagers for money and jewels. Those locals were from a neighbouring village, and their faces were recognized by the survivors. The soldiers were gathering all the people, and started to kill the men. Babies were snatched from women and thrown on the ground while hitting them with bamboo sticks and riffle buts. According to one interviewee and the Mayor of Tula Toli there was an agreement signed between the security forces and the Rohingya that there would be no killings, which is why many Rohingya stayed in the village, eventhough they heard about the attacks on villages and saw villages across the river burning. According to Momtaz (not her real name) the women were made to kneel at the riverbank. They were moved into huts five at a time. The security forces were hitting and slashing them with knives and used force to move them inside. Momtaz was raped and a bamboo stick was shoved into her vagina. Then they started beating her breasts. After they were done raping her they left her for
Another woman called Rashida (not her real name) told that after they closed the door they would do whatever they wanted to them. They were beating and stabbing them. After they raped the women they would kill them, and they tried to slid Rashida’s throat. Scars of this can been seen on her body. They thought she was dead, and left her in the house. When she regained conscious she saw they had set fire to the house. Momtaz was also left in a burning house, and on her body you can see the burning wounds and scars (BBC News, 14 November 2017).

The accusations of these sexual assaults are all denied by the government of Myanmar.

Colonel Chon Tit said to a BBC journalist called Jonathan Head: “Look at those women” (meaning the Rohingya women) “who are making these claims – would anyone want to rape them?” During the same Security Council meeting as were Razia Sultana presented her evidence, Hau Do Suan, the Myanmar permanent representative to the U.N. rejected the accusations. He told the U.N. that the decision to list the Myanmar military in the report was done based on unverified allegations. The Myanmar spokesman Zaw Htay said: “It’s a baseless accusation that sexual violence was used as a weapon to force them to flee their homes. Even an ordinary person can see that 300 rapes in 17 different villages is impossible.” (Radio Free Asia, 2018, p.1).

Table 1: Overview of reports, number of victims, specialities and geographic location.

<table>
<thead>
<tr>
<th>Report</th>
<th>Nr. of victims</th>
<th>Specialities</th>
<th>Geographic location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Médicine Sans Frontières (United News of Bangladesh, 2017)</td>
<td>84 survivors treated by 1 December 2017</td>
<td>Half were under 18- y.o. Several under the age of 10. Sexual violence, rape, gangrape.</td>
<td>Not specified</td>
</tr>
<tr>
<td>UNWOMEN (2017)</td>
<td>Almost every women is either survivor or witness.</td>
<td>sexual assault, rape, gang-rape, murder through mutilation or burning alive</td>
<td>Not specified</td>
</tr>
<tr>
<td>OHCHR (2017)</td>
<td>52 survivors of sexual violence or rape, out of 101 women interviewed</td>
<td>Sexual violence, rape, gangrape.</td>
<td>Maungdaw Township</td>
</tr>
<tr>
<td>Razia Sultana (Sultana, 2018)</td>
<td>300 survivors</td>
<td>Sexual violence, rape, gangrape.</td>
<td>17 different villages</td>
</tr>
<tr>
<td>Kaladan Press (2017)</td>
<td>36 testimonies (8 rape survivors, 28 witnesses).</td>
<td>Sexual violence, rape, gangrape.</td>
<td>Maungdaw Township (so; Shilkali, Done Paik, Myint Lut, Ale Than Kyaw, Naisapuru, Udaung, Maungdaw Town, Inn Din, Shoragozi bil, Tula Toli, Hadirbil, Cheinkali, Zula Fara) and Bauthidaung township (so; Gufi, Tami, So Fara, Maung Nu)</td>
</tr>
<tr>
<td>Source</td>
<td>No. of Survivors/Timeline</td>
<td>Type of Violence</td>
<td>Source Location</td>
</tr>
<tr>
<td>--------</td>
<td>--------------------------</td>
<td>-----------------</td>
<td>----------------</td>
</tr>
<tr>
<td>MSF - Ruksana’s story (MSF, 07 March 2018)</td>
<td>No actual numbers</td>
<td>Gangrapes</td>
<td>Not specified</td>
</tr>
<tr>
<td>MSF - Aerlyn Pfeil (MSF, 28 December 2017)</td>
<td>125 survivors treated by 28 December 2017</td>
<td>Sexual violence, rape, gangrape</td>
<td>Not specified</td>
</tr>
<tr>
<td>New York Times (Bose, 2017)</td>
<td>One testimony, but she talks about 20 or 30 other victims</td>
<td>Sexual violence, rape, gangrape</td>
<td>All from one village</td>
</tr>
<tr>
<td>BBC News (14 November 2017)</td>
<td>No actual numbers, but the two testimonies talk about women being moved ‘five at a time’ into huts, indicating large number of victims</td>
<td>Sexual violence, rape, gangrape. Extreme use of violence. The throat of one of the interviewees was slashed.</td>
<td>Tula Toli</td>
</tr>
</tbody>
</table>

4.3. Sub-conclusion based on the literature review.

As clarified in the last paragraph of section 4.1, for the sexual violence used in a conflict to constitute as a weapon of war it has to occur not merely because of the opportunity. It has to be part of a deliberate policy, with a clear link to the military agenda and the use of sexual violence has to be widespread and systematic (Niarchos, 1995; Skjelsbaek, 2001; Park, 2007). With the conflict in Myanmar being about ethnicity and/or religion, the expectation is that the Rohingya women are impregnated and/or infected with STDs and HIV/AIDS (Carter, 2003; Scholz, 2007).

From the NGO reports and news outlets discussed in section 4.2, no conclusion can be drawn about a link to the military or strategic purposes. However, they indicate that the sexual violence used against the Rohingya was widespread, and systematic, presenting evidence for the prevalence of sexual violence in up to nineteen different villages in Rakhine State (HRW, 2017). According to most of the analysed reports the actual number of victims is higher than the estimations included in the reports. The OHCHR report (2017) identifies three main scenario’s, indicating a systematic approach of the use of sexual violence. The report of Kaladan Press (2017) and OHCHR Flash Report (2017) the women were partly targeted for being Rohingya. Other reports claim that sexual violence was used to install fear, and testimonies also include that a lot of women were killed after they were raped. However, besides the report of Kaladan Press (2017), the discussed reports do not include information about a link to the strategic military purposes, the spread of STDs or impregnation of the victims.

When these reports present the truth – and additional fieldwork is conducted to establish if they do – it can be concluded that the sexual violence used by the security forces in Myanmar was used as a weapon of war against the Rohingya. The Kaladan Press (2017) report explicitly mentions that they believe the sexual violence was ordered by a high ranking official in either the Myanmar government or the military. But even without a direct order to use – or individual participation in – the sexual violence against the Rohingya, (high ranking) individuals could be prosecuted for their role in the campaign of terror against the Rohingya and be prosecuted for ‘inactive’ participation of sexual crimes (as happened in the Tadic case at the ICTY). According to the Akayesu case at the ICTR sexual
violence can constitute genocide in the same way as any other act when committed with genocidal intent. However, this paper will withhold itself from determining if the violence used against the Rohingya constitutes genocide. In the statute of the ICC rape and other forms of sexual violence are recognized as independent crimes constituting as crimes against humanity (Askin, 1999). The sexual violence used has to be part of a widespread or systematic attack directed against a civilian population. From the data presented in this literature review it can be concluded that this was the case in with the sexual violence against the Rohingya, and that this could qualify as the crimes against humanity of; rape, forced pregnancy and sexual violence.

PART V – Results of the fieldwork.

In addition to the literature review on sexual violence as means of warfare, and the review of NGO reports, fieldwork was conducted in Bangladesh. 18 professionals in the field were interviewed on the general condition in the camps, their knowledge on the sexual violence against the Rohingya in Myanmar, whether they believed it was used as a weapon of war, and what the motivation for the use of this sexual violence by the security forces could be. The main focus is on sexual violence in Myanmar in order to answer the research question: “To what extent and how have the security forces in Myanmar used sexual violence against the Rohingya as a weapon of war?” The additional research question: “Does the vulnerability of the Rohingya during their flight and in the camps pose threats to (re)victimization?” tries to gain insight in the situation of the victims in the camps. Therefore, in part 5.1. the sexual violence against the Rohingya in Myanmar will be discussed. Section 5.2. will discuss if the sexual violence was believed to be used as a means of warfare. In section 5.3. consequences of this sexual violence will be analysed. Lastly section 5.4. will present the answers given by the respondents when the additional research question was asked.

5.1. Sexual violence against the Rohingya in Myanmar

During the interviews the respondents were asked the question: “From the news and NGO reports I read that there are accusations of sexual violence against the Rohingya’s. What could you tell me about this?” They were also asked how they gathered this information, and if they could give an example of a story about the sexual violence in Myanmar they have heard. Additionally they were asked whether the sexual violence was used as a means of warfare, and what they believed was the motivation for the security forces behind using sexual violence against the Rohingya. All respondents indicated that they believe that sexual violence was used by the military in Myanmar against the Rohingya. R14 describes a focus group meeting conducted with 15 Majhi (traditional community leaders of the Rohingya) about sexual violence in Myanmar:

“One of them told me that his wife was raped only one time by the Burmese military, and that they left the country then already. He told me that there are many women who were raped many, many times.
And indeed, another Majhi was crying and told us that his wife was raped five times, and she was pregnant now.” (R14 – 11 May 2018).

He also recalled another story:

“A women told me that she had a daughter as good looking as a fairy. She was beautiful and the women kept her always close to her. She was always trying to save her, because they knew that the army and local monks would try and rape, or even rape and kill the girls. So she was always very careful with her daughter. After telling this the women started to cry very hard, and told that one night the army came to her house and raped her daughter. Afterwards she was killed. They tore up her daughter at her arms and legs.” (R14 – 11 May 2018).

That sexual violence was widespread against the Rohingya in Myanmar is described by R6:

“Very few times you talk to people and they do not express that they saw such violence happening. However, getting people to say that they are a survivor is difficult. So you mostly get witness statements and not survivor statements.” (R6 – 2 May 2018).

A view shared by R15:

“Women do not really open up to it in the group sessions we are doing. But they will mention things like my niece, my cousin, my neighbour was a victim of...” (R15 – 11 May 2018).

According to R6 the reason why you only get witness statements instead of survivor statements is because the military mostly killed the people that they raped. A different explanation for not receiving many survivor statements is that sexual violence is a taboo issue, and the victims are too ashamed to talk about it. As different respondents explained is the Rohingya community a very conservative community, were such topics are not discussed openly. As R10 explains:

“The Rohingya is a very strict society. Matters of sexual relations, because of their religious and traditional believes are not discussed open. If it gets known that someone is a rape survivor this person gets really treated badly.” (R10 – 6 May 2018).

Contradictory, some respondents described that they found the Rohingya women to be very open about this issue. R7 explains that:

“People are aware that this is the time to get the testimonies noted down. The people just speak naturally about their circumstances, about what their households used to be like, who of their family members are killed, how they fled, sexual violence. If it were only a few who were raped there would be a great stigma, since the Rohingya community is quite conservative. But as it is so widespread being the survivor of sexual violence is somewhat normalized.” (R7 – 2 May 2018).

R8 underlines this view:
“I think, for good or bad reasons, the women have been very open about some of their issues. It is probably because they are a community that really wants justice for what has happened to them. Community leaders kind of want people to discuss this kind of things so it can be documented. But we need to do this very careful, because it could also backlash to them. Like: ‘You did not say this right, you should have said this, you should have done that’” (R8 – 2 May 2018).

R9 also obtained first hand survivor testimonies. After the August attacks in 2016 she came across 30 Gender Based Violence (GBV) cases in the camps, of which 22 were rape cases committed in Myanmar by the military. Most of them concerned victims under 18. One of the victims she treated was infected with HIV. The case that made the greatest impression on her was that of a 16-year-old Rohingya girl, who came to the women friendly space were R9 was working. The girl would just sit there in the corner of the room, too afraid to talk to anyone. R9 made this girl draw what happened to her, because she could not talk about it. She found out that she was gangraped by the military in Myanmar. For 250 days R9 treated her, and during the last meeting she made a drawing of herself as a bird, “finally free of what happened to her”. (R9 – 3 May 2018).

Respondent 3 shared a very elaborate testimony of a rape survivor. It was a 20-year-old Rohingya girl from Tula Toli village.

“This girl told him that she was running together with some family members while holding her 1 year old daughter to try and escape from the army. They ran towards the river at one side of the village, but they ran into soldiers. There everybody was made to lie down, and men were stabbed or shot to dead. They separated the women, and threw the small children accompanying them on the ground and killed them. This was what happened to her daughter as well. The mothers were separated and made to stand in a large pond. She witnessed the army raping women, kicking them and killing them. They cut women’s breasts and their vaginas. The soldiers did this in groups of about 8 to 10 soldiers, and she was also raped by a group. She fell unconscious and when she awoke the whole house was burning. Together with one sister she was able to escape the burning house, but everyone else inside was killed.” (R3 – 28 April 2018).

R5 recalled a similar example. The victim had told this story to a colleague of R5, so she did not know the exact details, R5 stated that in her opinion this story was illustrative for the sexual violence used in Myanmar. Again, the victim was a mother with a small child. While the village of this woman was attacked, and the soldiers were shooting, she tried to hide in her house. She was then found by the soldiers who forced her to come with them. Outside the house the baby was taken from her and killed. Then, all the women of the village were rounded up in the village centre, where they were kept for a couple of hours. The soldiers selected some girls or women and raped them, while the rest was forced to watch. This woman herself was beaten, but not raped.
5.2. Sexual violence as means of warfare

When asking the respondents if, to their opinion, sexual violence was used as a means of warfare in Myanmar thirteen respondents answered positive, two answered they believed it was not, and three indicated they had not enough knowledge on the topic to answer this question. The two respondents who answered it was not a means of warfare did not think the situation in Myanmar lived up to a war and therefore the use of sexual violence could not be named a means of warfare. They explained that they believed the description ‘war’ only applies to a conflict were two parties are fighting. In the situation in Myanmar the government used extreme force against the civilian population, and only a “very insignificant small part of the Rohingya [the ARSA militants] were fighting the government. The majority is just being victimized by the government.” (R7 – 2 May 2018). However, she also stated in a previous answer that:

“Sexual violence was not only used to scare the population, but also as a tool of ethnic cleansing. Or even as a step towards genocide. The sexual violence was widespread, systematic and it is long lasting” (R7 – 2 May 2018).

Therefore, with her indicating that the sexual violence used by the security forces of Myanmar was widespread, systematic and long lasting, it can be concluded that although she answered it was not used as a means of warfare explicitly, from the context of the whole transcript it can be concluded she in fact did believe it was used as a weapon of war.

From the thirteen respondents who indicated that they believed that the sexual violence used by the security forces in Myanmar was used as a weapon of war, R1 described it as:

“Yes, it is a tool of war. When you humiliate the people like this they have nowhere to go.” (R1 – 24 April 2018).

R3 answered:

“Yes it is a means of warfare. It was pre planned by the Myanmar government to use this as a way to get them out of the country”. (R3 – 28 April 2018).

R6: “I don’t think anyone has a doubt that sexual violence was used as a weapon of war in the Rakhine State. It was so widespread.” (R6 – 2 May 2018).

R8 agrees that the answer to this lies in the number of sexual violence victims, and adds:

“I think it is in the sense of the number, I mean compared to indifferent countries, for example when you think of Rwanda, Bosnia, you recall things happening on such a large scale. It was a campaign to dehumanize the people. The Rohingya did not have any citizenship, they were considered foreigners and they had no rights as a community. So I think it was a whole process of dehumanizing them to a point where I can gangrape someone and not think twice about what I am doing, and I can kill a child, an elder person, a woman without thinking twice, or even blinking”. (R8 – 2 May 2018).
Respondent 3 thinks that part of the evidence that sexual violence is used as a means of warfare could be indicated from:

“the rape often took place in front of other troops, and other civilians. Showing signs of impunity, and therefore there was a shared knowledge of an authorisation to rape”. (R3 – 28 April 2018).

The respondents identified different motivations for the use of sexual violence by the military forces. R3 describes that already in 1977 the military saw that when they targeted the women sexually, all the villagers left, not only the women. According to R3 sexual violence installs fear throughout the population. Respondent 4 also refers to earlier uses of sexual violence against the Rohingya as an explanation why it was used in the august attacks as well. He says:

“There were attacks on the 9th of October 2016 already. The military did already everything they did now as well, torturing and also raping. And no one did anything. No leader said anything. It was just as if Myanmar now knew they could anything to the Rohingya”. (R4 – 29 April 2018).

Different Rohingya women told R14 that the sexual violence in Myanmar happened well before the escalation.

“The Rohingya women have 4, 5, 6, sometimes even 10 children. And I was wondering why, because in Myanmar they were already facing problems with access to medical services, children had no education etc. So why would you have so many children? And they told me that when babies would grow up, and the wife would stay without being pregnant she will targeted for rape. So the women used it as a preventive measure to make sure they were not raped”. (R14 – 11 May 2018).

However, that this was not always an effective way of preventing rape is explained by different respondents who told that security forces made no exception for pregnant women, and they were raped as well.

As mentioned before by R8, hatred against the Rohingya and dehumanizing them also served as an explanation for three respondents to why (sexual violence) was used against them by the security forces. R5 describes:

“The population hates them [Rohingya]. Do you know Au Shan Suu Kyi? She is a Nobel peace prize winner, and she even hates them.” (R5 – 30 April 2018).

R13 underlines the “strong dehumanizing current within the discourse in Myanmar and the way the people talk about the Rohingya”. According to her: “Women are especially already a bit dehumanized, and I think with the Rohingya it is even a bit more severe.” She also said that: “I would also say it is an attack on the religion, on the identity of the male within their community as the protector and the provider. It is not only an attack on the women but also aimed at emasculating the community”. (R13 – 10 May 2018).
R5 told that: “it was used to scare them and make sure everyone left. And also to dishonour them. A lot of women witnessed this being done to other women, so even if it was not you, you were very scared. I think that is what they wanted. And the men don’t like women anymore who are raped.” (R5 – 30 April 2018).

R6 gives as an explanation: “This was a forced migration situation, you want to terrorize them and make sure that they left. They left and did not come back. I mean sexual violence is a powerplay by security forces. It is used to terrify people. And this started long before the clearance operation of August as well. It is used to show that the community is powerless. (R6 – 2 May 2018).

R7 also added: “Part of it is also probably just opportunistic. First they disarmed the people who could fight them; so that would be the males. And then would target the women. Sometimes the men were killed first, but in other stories I heard they traumatized the men by raping women and girls in front of them, and the women by killing their babies and sexually target them.” (R7 – 2 May 2018).

Almost all respondents touched upon the fact that the Rohingya is a conservative community, and therefore sexual violence was an effective way to humiliate the community.

According to R8: “It is a way to humiliate the community or a family. And this comes with an element of honour, especially within this kind of conservative communities. They wanted to dishonour this community, by dishonouring their women. The sexual violence was brutal, there are girls who were not just raped by a penis, they were raped by objects. There are girls that are not just raped by one man, but gangraped. It was brutal in a sense that it was extreme humiliation. So to me it was more of a disgrace to the community than it being just rape”. (R8 – 2 May 2018).

R12 added that not only young women were raped, but also children and elderly women. “What we came across, the age ranges between 10 to 50+. ” (R12 – 10 May 2018).

5.3. Consequences

During the interview 15 out of the 18 respondents mentioned that a worrisome consequence of the sexual violence used against the Rohingya by the security forces in Myanmar is the massive numbers of unwanted pregnancies. These babies were conceived because of the sexual violence in Myanmar.

As R13 describes: “There is a concern within the GBV working group with the capacity of care for unwanted children born of rape. I think that in itself is a strong indicator for widespread sexual violence in Myanmar.” (R13 – 10 May 2018).

R11 told me about a focus group discussion with women who suffered from this: “These women wanted to get rid of the baby, they wanted abortion. But there were no safe abortion services in the camp. These babies will suffer a lot when they come into this world.” (R11 – 6 May 2018).
R15 describes that in group meetings women would tell about illegal abortions, and especially that their nieces, daughters or neighbours had this done when they arrived in Bangladesh.

The hardship of these pregnancies is explained by R10: “First of all, these women are really, really traumatized. At the time of discussing there were women who were suicidal. They wanted to kill themselves and it was also anticipated that those babies could be killed. Accepting these babies into your home.. Every day you have to see that baby, which is a reminder of what you went through.” (R10 – 6 May 2018).

However, R17, who is working for an organisation which a main objective of delivering help to children, seemed not too concerned: “If a baby is born and no-one is looking after it, our case management team will jump in. It happened the last few months, a very small number of babies have been left behind at health facilities. One of the most urgent matters for these babies is death through malnutrition, so we link these babies with mums that are lactating. It is a very close effort between health providers, and our nutrition and child protection teams. But it is encouraging that there not have been so many cases so far, compared to the data we have of women that have been sexually assaulted. So that would indicate that most women would keep these babies. Or alternatively, women have - when they came to Bangladesh – had access to abortion services. In Bangladesh abortion is illegal after twelve weeks. So there were a lot of women accessing ‘menstruation regulation’ as they call it here. So maybe we are not going to have that baby boom everyone is talking about.” (R17 – 12 May 2018).

5.4. Sexual and Gender Based Violence in the camps
In this section the results of the additional research question: “Does the vulnerability of the Rohingya during their flight and in the camps pose threats to (re)victimization?” will be detailed. During the interviews almost all respondents shared their concerns about Sexual Violence and Gender Based Violence incidents in the camps. As most of the respondents were GBV Coordinators for their NGO this topic was also their explicit field of expertise.

In the camps many Gender Based Violence and Sexual Violence issues arise, R1 describes: “Protection wise the camp is not very safe. Many NGOs have built latrines, but the women don’t use these because they are not friendly to them. They don’t want to be seen using them, and they also do not feel safe using them. Especially at night time.” (R1 – 24 April 2018).

R4 elaborates: “Traditionally the women do not leave their house. Here in the camp there are many cases known of women washing in the house, going to the toilet in their houses.” (R1 – 24 April 2018).

According to R6 the biggest GBV issue in the camps is domestic violence, or intimate partner violence as other respondents describe it. “I think relationships are complicated in the camps, between men and
women. And you got a lot of polygamy and extra marital affairs.” (R6 – 2 May 2018). According to R15 the polygamy is closely linked to the issue of appointed Majhi who abuse their power: “The Majhi marry or decide which women goes with which men. A lot of women lost their husbands, or there are girls with no male relatives to take care of them anymore. When they are ‘old enough’, between quotation marks, because old enough sometimes means there are 10 year old girls being married to older men.” (R15 – 11 May 2018).

According to R7 16 percent of the households are led by a women, and for 4 percent by children, which causes the traditional role patterns in households to shift. “In the camp there are a lot of dangers of GBV. They live in shelters without light or locks on the doors, there are shared wash facilities, shared latrines. But also tasks like firewood collecting are a risk. This role has moved over to boys and girls in the camps. Girls go out to collect firewood, and stay away for a couple of hours. Sometimes a child goes out and doesn’t return at all”. (R7 – 2 May 2018).

As reported by R9 there are also cases known of rape in the camps, within the Rohingya community. “30 days ago four girls were raped by several Rohingya boys. These girls were from camp 18 and the boys from camp number 20.” (R9 – 3 May 2018).

R14 also described an example of GBV in the camps of a woman who was waiting in the line to collect good distributed by IOM. While she was standing in line waiting for the goods to be distributed she was attacked by some men. She told that her husband was angry with her, and beaten her in public. She was bruised, and given some medical treatment. To him the explanation lies in the fact that “the people live in very small spaces. There is just no privacy. And after 5 pm there is no military or aid workers in the camps anymore.” (R14 – 11 May 2018).

Another issue touched upon by R15 and R11 is that the women in Myanmar were used to wear a veil or sometimes even a burqa. Most of the women had to leave their veils in Myanmar, when fleeing to Bangladesh. Since it is for most teenage girls and women not an option to go outside without one, it became a protection issue. During a focus group meeting with men it came clear to R15 that there is a lot of blaming the women for occurring GBV issues. “The men generally have an idea that women put themselves at risk. It is their own fault when they are attacked in the camps. It could be because the women went out without a veil, or in the dark. And then of course you are an obvious victim for rape.” (R15 – 11 May 2018).

Also according to R15 the different NGOs providing the help influence the community, for instance in how strict the clothing rules for women are. “It was very noticeable that women in our safe space in Jamtuli are wearing burqa’s and in the other they were wearing scarfs, which were much more loose and colourful. At first I thought this was because they were from different parts in Myanmar, but they told me that was not the case. It was because Jamtuli has been targeted by some more Arab, or Middle East NGOs, and they provided the veils to them. So in the beginning all the women might have been
wearing those loose colourful scarfs, but now they have changed and got used to the black burqa’s. And so that is what they started to request.” (R15 – 11 May 2018).

Out of the 18 respondents eleven raised their concerns about human trafficking. As R5 describes: “These people are so desperate, they see an opportunity to a better life, so they are vulnerable to be convinced. And then they end up in all kind of bad situations. There are also child trafficking threats in the camps. So we convince them to come to the child friendly space. There they can roam around freely, they can play without worrying. If a child is in a centre they are protected, and moms are also assured that their child is safe.” (R5 – 30 April 2018).

Other respondents told that although there is a lot of talking about human trafficking, there are only a few known cases. R6: “Everyone is terrified of it in the camps. But a lot of cases that come to us, that are presented as trafficking, end up not being trafficking at all. People disappear for all sort of reasons. But that’s it: they are vulnerable for trafficking. If someone comes along and says to a young girl ‘I got a better option for you’ she might take it.” (R6 – 2 May 2018)

R7: “Trafficking sits within the bigger system of people not having access to help and rights. This makes them vulnerable. When they don’t see an opportunity to provide for their families, they might be more tempted when someone tells them they have a great job for the adolescent daughters. There is this one case we know of a well-dressed Rohingya woman who came into the camps. She told the families that she could arrange household work for girls in Chittagong. They did not disclose that the girl would be doing sexual work as well.” (R7 – 2 May 2018). She also mentioned that there were stories about humanitarian workers involved in the trafficking of girls.

R4 elaborated on this: “Three weeks ago three Rohingya women were arrested just behind my hotel here in Cox’s Bazar, while they were prostituting. They were accompanied by aid workers.” (R7 – 2 May 2018).

With the upcoming monsoon there are concerns for an increased threat of trafficking, or kidnapping of kids. As reported by R13: “We are likely to face a lot of family separation, children separation from guardians, which is likely to lead to an increase in trafficking. Because people who are looking for children will be running after these situations, and hunting for them.” R15 adds: “Women and children being separated, and therefore prone to human trafficking, it happens in any natural disaster. Like in Nepal, it was massive. Children just got missing like snap.” (R13 – 11 May 2018).

According to R17 there are about 40 known cases of human trafficking, which is a relatively small number compared to the high number of children in the camps. She works for a NGO which is focused on child protection. “We ourselves don’t have cases were children have gone missing. There must be some informal protection network in place in the camps.” (R17 – 12 May 2018). She knew many journalists who were interested in writing a story about human trafficking. For example BBC invested
a lot of resources in a story about human trafficking. The only thing they came up with were prostitutes in Cox’s Bazar, including a few Rohingya. But these girls were in their twenties, and they did not have any background information about from which camps these girls were. “To me this is not a trafficking story, this is an exploitation situation. So I was a bit sceptical about the human trafficking rumours, but then we did a survey among the children in the camps. We asked the kids about their hopes and dreams, but also their biggest fear. And their number one fear was kidnapping; that someone would take them in the night. So this surely must mean something when they are all terrified of this.” (R17 – 12 May 2018).

According to several of the respondents the Majhi also play an important role in GBV problems occurring in the camp. R7: “The appointed Majhi in the camps could use their power for human trafficking or other issues. Exploitation has been going on for a very long time.” (R7 – 2 May 2018). Adding on to this R8 illustrates: “When the people came to Bangladesh the Majhi were appointed by the army here. Since some of them were no leaders previously, they had no experience with how to lead the community. So in every situation where there is power, that is being unaccounted and untracked, you’re going to get exploitation. It’s the same here. And it is sad because for example in this camp here, people are actually paying rent to stay in the camp.” (R8 – 2 May 2018).

According to the respondents the sexual violence and gender based violence issues will likely increase with the coming cyclone and monsoon season. With new emergencies the attention will be shifted to emergency relief aid, instead of for instance awareness programs or psychosocial help. As R10 summarizes: “You have to save in order to serve. If you don’t save, you have no-one left to serve.” (R10 – 6 May 2018).

So although the situation in the camps, and the vulnerable position of the women and girls there, imposes threats of gender based violence and sexual violence, it can not be concluded if the victims of these types of violence are also the women and girls victimized by the security forces in Myanmar. As R7 describes: “So yes, these problems all occur in the camps. But it is impossible for me to tell if this is revictimization, or just victimization.” (R7 – 2 May 2018).

5.5. Sub-conclusion based on the fieldwork.
The interviews conducted paint an unambiguous picture about the sexual violence used in Myanmar by the security forces. Most of the respondents believe it was used as a means of warfare, since it was extremely widespread and systematic. According to the respondents the troops showed signs of impunity, which could indicate a shared knowledge of authorisation of rape. Another clear indicator for the widespread nature of the sexual violence against the Rohingya are the massive number of unwanted pregnancies. When taking the ethnic and religious nature of this conflict in account, this is what could be expected according to Scholz (2007). During the interviews respondents raised their concerns about sexual and gender based violence issues in the camps. Within their own families a lot
of women are suffering from intimate partner violence. Additionally, general conditions, like unsegregated latrines, increase the opportunity and prevalence of gender based and sexual violence. Also the Majhi, with power over their community influence the occurrence of GBV issues in the camps. Ultimately, even the NGOs delivering aid to the Rohingya shape the way the community behaves, thereby also increasing GBV and sexual violence issues, as indicated by the example of the veils. With the upcoming monsoon and cyclone season the situation for the Rohingya could, since attention will be shifted to live saving measures instead of special aid to victims of sexual or gender based violence.

With the current data it is impossible to conclude if the victims of GBV and sexual violence in the camps are also the victims of the sexual violence used by the security forces in Myanmar. Therefore the term revictimization cannot be used to refer to the victims of GBV and sexual violence in the camps. It is also impossible to indicate if the victims of sexual violence by the security forces in Myanmar increased the risk for women and girls to be sexual or gender based harassed in the camps in Bangladesh. However, it can be concluded from the data collected during the interviews that the risk of becoming a victim of sexual violence did not end by crossing the border to Bangladesh, since the Rohingya girls and women are targeted in the camps as well.

PART VI – Conclusion & Discussion

6.1. Conclusion

This study tried to answer the primary research question: “To what extent and how have the security forces in Myanmar used sexual violence against the Rohingya as a weapon of war?”, but also the additional research questions “What are the consequences of the sexual violence in Myanmar on the Rohingya victims?” and “Does the vulnerability of the Rohingya during their flight and in the camps pose threats to (re)victimization?” In order to answer these questions a literature review on sexual violence as a means of warfare and on sexual violence against the Rohingya was conducted. Additionally, in order to gain a better insight in the nature and scope of the sexual violence, if the sexual violence was used as a means of warfare by the security forces in Myanmar, what the consequences were for the victims, and if their flight and the camps oppose new threats of sexual violence, fieldwork was conducted in Bangladesh. In total 18 professionals in the field were interviewed, using an open interview with 16 predetermined questions.

From the literature review on sexual violence as a means of warfare it could be concluded that in order for sexual violence to constitute as a weapon it should not occur because of the mere opportunity. There had to be a link to the military strategic agenda and the sexual violence should be widespread and systematic. Additionally, since the conflict was about ethnicity and religion, impregnation or the spread of STDs would be likely to occur. Both the NGO reports and news outlets analysed in section 4.2., and the data obtained during the interviews, suggest the security forces did
not try to hide that they were raping women and girls. Often other women, girls, but also their
husbands or other family members had to watch. This shows signs of perceived impunity, that it did
not matter who witnessed it because they would not be punished because of it. However, in official
outlets of the government of Myanmar the use of sexual violence against the Rohingya is denied,
which could indicate that the feeling of impunity only applies on the direct perpetrators of the sexual
violence, and not for the high ranking officials in charge. The direct perpetrators could have used
the sexual violence because they were in the opportunity to do so.

In order for this sexual violence to constitute as a weapon of war there has to be a link to the
military strategic agenda. However, neither from the literature review, nor the fieldwork clear
information about the military strategic agenda is derived. Therefore it can not be concluded if the
sexual violence was ordered, or it was indeed merely the opportunity. However, from both the
literature and the fieldwork it can be concluded that the sexual violence was widespread and
systematic in nature. In many different villages in Rakhine state rapes, gang-rapes and sometimes
mass-rapes occured, and the sexual violence attacks followed often the same pattern. The prediction
that many ‘unwanted babies’ will be born follows the expectations, since the conflict in Myanmar is
about religion and/or ethnicity. So although no hard conclusions about the military strategic agenda,
and a possible link to the sexual violence can be drawn, the data presents strong indications that the
sexual violence used in Myanmar by the security forces was indeed used as a means of warfare.

Since the effects of the sexual violence for the victims do not fade when leaving Myanmar and
women and girls are extremely vulnerable during their flight and in the camps an additional research
question was included. Respondents were asked whether they believed that the vulnerability of the
Rohingya during their flight and in the camps posed threats to (re)victimization. Many respondents
raised their concerns about occurring sexual and gender based violence issues. Women and girls are
suffering from intimate partner violence, general unsafe conditions in the camps and there are
indicators for the occurrence of human trafficking. GBV and sexual violence issues are also influenced
by the way different NGOs are delivering aid to the Rohingya, and the appointed Majhi’s in the
camps. The respondents fear that these issues will only increase when the camp is hit by the cyclone
and monsoon season.

6.2. Discussion
As an addition on the methodological discussion in section 3.6., some critical remarks can be made on
the methodology of the research. First of all, the fieldwork depends on the experiences of the
professionals and the stories they are willing to share. However, truth seeking is not a priority for the
NGOs working with the Rohingya in Bangladesh. As R13 describes: “It is never a priority in the
humanitarian working field. That is a different kind of expertise. Normally it would be something we
would want to come out of the population, so a community driven process of documenting what
happened. But thinking of all the historical reasons why these people themselves might not initiate
something like that... I mean decades and decades of extreme oppression and fear of speaking the truth and severe consequences for anyone being seen as speaking out... So even now there is a relative sense of safety within Bangladesh now, I think the tradition and the skills are not there necessarily for both truth seeking and documentation efforts.” (R13 – 2 May 2018). Therefore they are not explicitly asking for these kind of stories, or documenting the experiences of the Rohingya in Myanmar. Most of these stories are also not disclosed during therapy sessions focussed on trauma recovery. Consequently it is hard to say if these stories are illustrative for what happened in Myanmar, or if there are specific reasons why these stories are shared, and others are not.

Since this data is indirect in nature (witness statements instead of victim statements) it can not be used as forensic data for a criminal case. Therefore, in order to hold the perpetrators of the sexual violence in Myanmar against the Rohingya accountable a proper truth finding mission needs to be conducted. With the perpetration of the sexual violence being longer ago day by day the victims might start to forget important details, or mix up their own experiences with other stories they have come across. Therefore it is worrying that no NGO, or other (international) institution have been collecting such data on widescale since the onset of the conflict.

Since sexual violence was used widespread and systematic in this conflict, this should not be neglected when prosecuting individuals for their involvement in the violence against the Rohingya. As illustrated by the analysis of case law of the ICTY and the ICTR sexual violence can play an important role in their cases. The ICTY ruled in the Tadic case that one could be prosecuted for ‘inactive participation’ in sexual violence. At the ICTR it was concluded that sexual violence could be part of an integral part of genocide. The conflict in Myanmar is under investigation at the ICC. Since (as indicated by this study) the sexual violence was most probably used as a weapon of war in the Rohingya conflict in Myanmar, high ranking officials could be prosecuted at the ICC for the active perpetration of sexual violence by their subordinates. This research refrained from determining if the violence against the Rohingya constituted crimes against humanity or genocide. However, the ICC could either convict the perpetrators for the different crimes against humanity of a sexual nature identified in section 4.1 (for instance the crime against humanity of rape), or as an integral part of genocide.

Also, the data gathered is likely not sufficient to unambiguously state that there was a link between the sexual violence and the military strategic agenda. Therefore, it can only be concluded that there are indicators that the sexual violence used by the security forces in Myanmar was used as a weapon of war. However, even without a strong conclusion, the study could still function as a good introduction of the topic of sexual violence as a weapon of war during the conflict in Myanmar, and provide the reader with an overview of the literature, NGO reports and news sources on this topic. It could function as a call for more research into the topic of sexual violence against the Rohingya, and
sexual violence as a means of warfare in this conflict. In order to protect the Rohingya from suffering of sexual and gender based violence in Bangladesh as well, more research is needed to identify who the victims of these types of violence are, and what could be done to prevent this.

With the upcoming monsoon not only the prevalence of GBV issues and protection issues will increase, but also the aid provided on these issues will decrease as protecting the population takes precedence over preventing GBV related issues. This implicates that even fewer women will have access to psychosocial help for their sexual violence related traumas or problems.

Another issue related to the access and way of delivering aid to the Rohingya is the immense number of NGOs present in the field. This impedes the coordination of help, but as R8 describes: “In the field it is more quantity than quality. And everybody wants to do everything. There are for instance a lot of organisations claiming that they are dealing with psychosocial help, but then you go in and see the people act around there, and you’re like ‘this is not psychosocial services, these are recreation activities.’” By implementing many different programs a NGO is able to reach more interested potential donors, but by wanting to do everything the quality of the offered help is often not as good as you would want it to be. Another problem linked to the presence of many NGOs, and even specific NGOs is the way help is delivered. As R15 told, there are some problems related to Arab or Middle Eastern NGOs. The camp is overcrowded, and it is often very difficult to find space to build for instance a safe space. R15 explained that this is impeded by the fact that: “all the empty spaces are taken by Mosques. There was a limitation in the beginning, with how many Mosques could be built in the blocks, but that was completely overstepped by some of the Qatari’s and Saudi NGOs. And the Rohingya of course willingly cleared land to put up space for Mosques. Which are for men and boys only of course.”

According to her, as explained in section 5.4. different NGOs have been providing burqas, creating protection issues. Those issues illustrate that the NGOs present in the camps need to be extremely sensitive and self-reflective as well about the aid they are providing, and the way they are doing this.

The ‘unwanted baby’ issue is also influenced by cultural or religious believes. Different respondents told that abortion is legal in Bangladesh in the first twelve weeks of a pregnancy. This raises the question why, although it was commonly known that a lot of sexual violence was happening in Myanmar, the aid organisations did not provide emergency anticonception to women when coming in to Bangladesh. All the refugees are processed and registered by IOM. Somewhere in this process there must have been an opportunity to carefully investigate if the women or girls were pregnant and if this were wanted pregnancies. As stated before, different medical help providers, like MSF, saw many illegal abortion occurring. Those women being so desperate to get rid of the baby they were carrying – causing them to choose for dangerous, illegal abortions – would, when given the opportunity, probably have chosen for a safe option. However, organisations need official mandates for the help they are
providing, and most probably no mandate would be given for abortion measures. On the other hand, it would have prevented the problem of ‘unwanted babies’ the Rohingya community is facing now.

Related to the ‘unwanted baby’ issue, is the fact that NGOs choose tactically what kind of stories they publish, which could be influenced on what they believe raises donations. This is illustrated by the earlier given example of the respondent who told me in the interview (as one of the few) that the ‘unwanted baby’ issue would probably not be as big as everyone feared. Contrary, a couple of weeks later someone of the same organisation told in a Dutch radio interview that the problem of ‘unwanted babies’ was going to be a big issue in the camps. There are a couple of reasons why the views of those people of the same organisation could differ. The first is that they were working in different parts of the camp, or came in contact with different people. The second is that the radio interview was a couple of weeks later, so in the meantime more cases surfaced in the camps. The third is that the ‘unwanted baby’ story raises a lot of donations. And the fourth is the earlier mentioned reason in section 3.6. that the respondent did not feel the need to carefully evaluate the information provided for this fieldwork.

Lastly, the government of Bangladesh has on one hand done an incredible job by opening up its borders to the Rohingya refugees, and the way they are granted a safer place in the camps. On the other hand the government denies the refugee status for the Rohingya, thereby denying them basic rights. For instance, the area they can move through is restricted, they are not allowed to have jobs, and children have almost no access to education. These restrictions cause many Rohingya to just sit around during the day, bored and frustrated. With many especially (young) men frustrated new threats of intimate partner violence, sexual violence, GBV, but even potential political or religious radicalisation can occur. There are concerns about possible terrorist threats in the camps. The children in the camps can grow up as a ‘lost generation’, when they don’t have any access to education, but also not much psychosocial aid to help them coping with their traumas.

This critical reflection on this study, and the way aid is delivered by different NGOs, should function as a recommendation for academic researchers to further investigate the sexual violence against the Rohingya. Also, professionals in the field, and the organisations they work for, need to feel the urge to reflect critically on the way they are delivering aid to people in need, and in this case specifically the Rohingya. Furthermore, the government of Bangladesh should reconsider the status of the Rohingya. Without a refugee status the situation of the Rohingya in Bangladesh is hopeless. However, most of the attention should be invested by the international community in pressuring the government of Myanmar in order to stop the persecution of minorities in the country and to secure a safe return of the Rohingya to Myanmar. The perpetrators of the violence against the Rohingya, and, with regare to the main focus of this study, especially the perpetrators of sexual violence against the
Rohingya, should be held accountable. This in order to seek justice for the most persecuted minority of the world.

VII - References:


trying-to-flee-myanmar/, on 04-06-2018.


Kivlahan, C., & Ewigman, N. (2010). Rape as weapon of war in modern conflicts: Families and
communities are victims, as well as individuals. *British Medical Journal, 341*(7771), 468-469.


Sultana, R. (16 April 2018). Statement by Ms. Razia Sultana. UN Security Council Open Debate on


Appendix 1 – Interview set-up

Dear,

Thank you for your willingness to cooperate with this research. Before we start I would like to make sure that you are aware that the interview can be ended at any time and/or you can choose not to answer a particular questions.

Your privacy, and that of your organisation will be guaranteed. Therefore I would also like to know if you have any objections about recording this interview? If you prefer I can also take notes instead of taping it. After the interview I will e-mail you the transcript to verify my understanding of the information you provided. Feel free to add notes or correct information if necessary.

I will start with introducing myself: I’m Myra de Vries, 24 years-old, and currently living in Amsterdam. I was born in Nepal, when my parents were working there. My father worked in a beekeeping project, and my mother in a women empowering project. They moved back to the Netherlands when me and my twin-sister were one. When I became 18 I moved to Leiden, a small city in the Netherlands, to study Criminology. After that I travelled through South-East Asia for six months, and when I came back I started my masters International Crimes and Criminology. This master focusses on crimes against humanity, war crimes and genocide. In order to graduate this master I need to write a thesis. During the year I read a lot about the Rohingya’s in Myanmar, and was horrified by what is done to them. Although it is an extremely awful situation, not many people in the Netherlands are really aware of what is going on, and why the Rohingya’s are targeted. There is also not a lot of academic literature on the Rohingya’s, and therefore I decided to make a contribution to the available literature and knowledge about the Rohingya’s.

About the research: I’m conducting this research in order to gain insight in the scoop and nature of sexual violence against the Rohingya’s, and the overall conditions in the camps. The main focus of this research will be on the question if sexual violence is used as a means of warfare by the security forces of Myanmar. I’m also interested in the community responses within the Rohingya community and the vulnerability of the Rohingyas during their flee and in the camps in Cox Bazar. I want to investigate whether this vulnerability imposes new treats of becoming a victim of sexual violence, or even human trafficking.

Summarizing; the following topics will be discussed:
1. Practicalities
2. Conditions in the camps
3. Sexual violence
4. Victimization and community response
5. Work of your NGO

In order to gain a sound and clear insight in your opinion about these topics I will only ask a few open questions, and let you tell your story. If needed I will ask for additional information. This will result in around 15 main questions. The interview will last about an hour, but longer is also not a problem.

Do you have any questions before we start with the official interview?

Date and time:
1. Introduce yourself:

2. From the literature I know the denial of human rights and persecution of the Rohingya’s is already happening for years. What could you tell me about this?

3. You told me you work for... And you do ... (recap of info question 1). So you work in the Cox’ Bazar refugee camps. How are the conditions in the camp? Could you give an impression of the livelihood?

4. From the news and NGO reports I read that there are accusations of sexual violence against the Rohingya’s. What could you tell me about this?

5. How did you gather this information?

6. Can you give examples of stories you’ve heard or read? And Why this example?

7. Why do you think Rohingya women are sexually targeted?

8. Recap moment. You told me so and so many women are raped, etc. What are the effects of this victimization on the victims now?

9. The refugees are vulnerable, during flee and in the camps. Do you think this imposes threats of (re)victimization?

10. What are the reactions of the Rohingya communities to the victims?

11. As explained, the main focus of my study is to find out if the sexual violence opposed against the Rohingya’s is used as a means of warfare. The determining features of conventional and non-conventional weapons to be characterized as weapons of war, are that they are used as a part of systematic political campaign which has strategic military purposes. The link between sexual violence and the political agenda is essential. In this case I want to find out if the sexual violence is used as a means to cleanse the Rakhine area of the Rohingya’s. What is your view on this topic? Do you think sexual violence is used as a means of warfare?

12. What kind of interventions are set up to help the victims? By your organization or others that you are aware off. Are you satisfied with the help you are able to offer? Or what would you need to increase this?

13. How do you think the situation of Rohingya’s in the camps can be improved? Would they ever be able to return to Myanmar?
These were my questions. Let me have a look if I have everything I need. Recap moment.

14. Thank you for sharing your experiences and knowledge with me. Is there anything you would like to add?

15. Do you have questions for me?

16. Are there people who believe might be helpful for me to talk to, which you can connect me to?

Again many thanks for sharing your story with me. As told before the interview I will send you a transcript of this interview as soon as possible. Feel free to insert notes or track changes in the text. When my thesis is finished I’ll send you a copy as well.

Would it be okay if I contact you later on in the study if I found out I forgot to ask something, or need further clarification?