

# ***THE ARAKAN PROJECT***

## **ISSUES TO BE RAISED CONCERNING THE SITUATION OF STATELESS ROHINGYA CHILDREN IN MYANMAR (BURMA)**



### **SUBMISSION TO THE COMMITTEE ON THE RIGHTS OF THE CHILD**

**For the Examination of the combined 3<sup>rd</sup> and 4<sup>th</sup> periodic State Party  
Reports (CRC/C/MMR/3-4)**

**-MYANMAR-**

**Updated in January 2012**

## **SUBMISSION TO THE COMMITTEE ON THE RIGHTS OF THE CHILD**

**Issues to be raised concerning the situation of stateless Rohingya children in Myanmar (Burma)**

**The Arakan Project, January 2012**

Research funded by the National Endowment for Democracy (NED), USA

### ***The Arakan Project***

*The Arakan Project is a human rights organisation based in the Asian region which, since 1999, has specialized in monitoring and documenting the situation of the Rohingya Muslims, an ethnic, religious and linguistic minority in Northern Rakhine State of Myanmar. The Arakan Project regularly submits its findings to relevant UN Treaty Bodies and UN Special Procedures, including the Special Rapporteur on the human rights situation in Myanmar and other thematic experts.*

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All photographs of Rohingya children illustrating this report have been taken among registered and unregistered refugees in Bangladesh by refugees themselves.

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## QUOTES FROM ROHINGYA CHILDREN

***Being hungry is very painful; I cannot explain this. When I am hungry I feel like crying.***

-- Anwar, 9 years old,(Interview #1)

\*\*\*\*\*

***I am a Muslim and my country is Burma; so I am a Burmese Muslim. I don't feel that I am a Rohingya. I have never heard the word Rohingya in Burma. I only heard about Rohingya when I visit Bangladesh. I don't understand the difference between a Rohingya and a Burmese Muslim. We look the same and we speak the same language. But my identity is that I am a Burmese.***

-- Enayet Hussein, 11 years old (Interview #3)

\*\*\*\*\*

***If children are not in their family list they cannot stay in the village. Like my brother. My parents could not include my younger brother's name in their family list. That is why they had to leave the village. Some parents still live in the village without registering their children but they have to hide them. Or they have to register them with other parents. Like me. I am registered as the son of my grandmother.***

-- Anwar, 9 years old (Interview #1)

\*\*\*\*\*

***I have no future; I am afraid to think about the future. I only want to feed my brother and sisters. I want to live together with them; I cannot think of anything else. Every day I want to see a smile on their faces.***

-- Rafique, 12 years old (Interview #4)

\*\*\*\*\*

***Despite all this [forced labour], I continue my studies and I attend school as much as possible because I want to become a teacher.***

-- Karim Ali, 11 years old (Interview #5)

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**- PART 1 -**

**THE SITUATION OF ROHINGYA CHILDREN IN MYANMAR**



## **ISSUES TO BE RAISED CONCERNING THE SITUATION OF ROHINGYA CHILDREN IN MYANMAR (BURMA)**

The ARAKAN PROJECT wishes to draw the attention of the Committee on the Rights of the Child to the grave situation of Rohingya children in Northern Rakhine State, Myanmar<sup>1</sup>, and hopes that priority issues listed below will be addressed during the examination of Myanmar's combined third and fourth periodic report.

### **The Rohingya minority: Exclusion and discrimination**

The Muslim population of Northern Rakhine State, known as Rohingya<sup>2</sup>, constitutes an ethnic, linguistic and religious minority group in Myanmar. Their number is estimated at 735,000 or about 91% of the total population of that area<sup>3</sup>. They are ethnically related to the Chittagonian Bengalis just across the border in Bangladesh.

The Rohingya are discriminated against on the basis of their ethnicity and religion, and are subject to systematic state policies of exclusion, restrictions and arbitrary treatment imposed on them by successive governments over the last few decades.

These policies were the root causes of two mass refugee exoduses to Bangladesh, in 1978 and again in 1991/92. The outflow has not stopped and today Rohingyas continue to flee from Myanmar. In addition to 29,000 registered refugees housed in two refugee camps, Bangladesh currently hosts 200,000 or more unregistered Rohingya refugees living among local communities. Tens of thousands have also migrated to Malaysia and the Middle-East, including thousands of boat people.

Rohingya children, in particular, bear the full brunt of the devastating impact of these policies, which gravely impair their physical and mental development as children and will affect the long-term future of their community.

### **Implementation of the Committee's recommendations**

The Myanmar State Party report CRC/C/MMR/3-4<sup>4</sup> makes no reference to the Muslim population of Northern Rakhine State, and ignores the specific recommendations made by the Committee related to citizenship and discrimination in its Concluding Observations (CRC/C/15/Add. 237) adopted on 30 June 2004<sup>5</sup>. Furthermore, the written answer to the Committee's questions 6 in the document CRC/C/MMR/Q/3-4.Add.1<sup>6</sup> is silent on the question of Rohingya children.

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<sup>1</sup> In this report, Burma is referred to as Myanmar and Arakan State as Rakhine State, as used by UN agencies and by the UN Committee on the Rights of the Child.

<sup>2</sup> The term "Rohingya" to refer to the Muslim population of Rakhine State is not acknowledged by the Government of Myanmar. Many Muslims of Northern Rakhine State identify themselves as such and the term is also used by international organisations. Therefore, the author has adopted it throughout the text.

<sup>3</sup> Source OCHA in: [http://www.themimu.info/Information%20Products/NRS%20snapshot\\_Jun\\_2010.pdf](http://www.themimu.info/Information%20Products/NRS%20snapshot_Jun_2010.pdf)

<sup>4</sup> The Myanmar State Party report can be accessed at: <http://www2.ohchr.org/english/bodies/crc/crcs59.htm>

<sup>5</sup> CRC Concluding Observations for Myanmar dated 30 June 2004 can be accessed at: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G04/424/35/PDF/G0442435.pdf?OpenElement>

<sup>6</sup> The list of written questions and replies are available at: <http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.MMR.Q.3-4.Add.1.pdf>

Seven years later, none of these recommendations have been implemented and the Rohingya continue to be subject to the most severe forms of discrimination and human rights violations in Myanmar.

### **Re-affirmation of discriminatory policies in Parliament**

On 30 March 2011, the new government, elected in November 2010, was sworn in. Some positive signs and cautious steps toward democratization have since emerged. Parliamentary sessions have allowed for relatively open discussions and elected Muslim representatives from Maungdaw and Buthidaung were able to submit questions to the government on discriminatory policies and restrictions targeting their community in Northern Rakhine State. However, replies provided by the government in August and September 2011 reaffirmed those existing policies such as denial of citizenship, restrictions on movements, marriage restrictions, etc. and justified their implementation on national security grounds, through „illegal migration management“ as well as „control on population growth“, the latter particularly affecting Rohingya children. For the first time, these policies have been published by the government in the national media: the *Myanmar Ahlin* in Myanmar language and (poorly) translated into English in the *New Light of Myanmar*.

Confirmation of these policies by the new government, in spite of election promises, has demoralised the Rohingya community in Northern Rakhine State, shattering all hopes for a better future, and have resulted in increased refugee outflows since September 2011.



The following issues are primary areas of concern to be addressed with regard to fundamental human rights denied to the Rohingya.

## 1. Non-discrimination - Article 2

Discrimination against the Rohingya is rooted in the unitary concept of nationhood in Myanmar, focussed on the majority ethnic group, which is Burman and Buddhist. The government and, to a large extent, Myanmar society, perceive the Rohingya as a product of recent migration from a kin-state, Bangladesh. They are consistently referred to as **'illegal immigrants from Bangladesh'**.

On 9 February 2009, Ye Myint Aung, the Myanmar Consul in Hong Kong, in a flagrant display of racism, issued a letter to diplomatic missions and the media describing the Rohingyas as „ugly as ogres”<sup>7</sup>, largely reflecting popular sentiments:

*“In reality, Rohingya are neither "Myanmar People" nor Myanmar's ethnic group. You will see in the photos that their complexion is "dark brown". The complexion of Myanmar people is fair and soft, good looking as well. (My complexion is a typical genuine one of a Myanmar gentleman and you will accept that how handsome your colleague Mr. Ye is.) It is quite different from what you have seen and read in the papers. (They are as ugly as ogres.)”*

Discrimination against the Rohingya has its primary legal form in the deprivation of citizenship on the basis of group identity, which then legitimizes exclusion and arbitrary treatment. Discrimination is a dynamic and cumulative process of marginalization and exclusion, preventing children from accessing basic rights and from realizing their potential, with a profound impact on future generations.

On 2 April 2007, six UN human rights experts – the Special Rapporteurs on the situation of human rights in Myanmar, on Racism, on Adequate Housing, on Food and on Health as well as the Independent Expert on minority issues – released a joint statement<sup>8</sup> urging Myanmar to eliminate discrimination against members of the Muslim minority in Northern Rakhine State and immediately repeal the 1982 Citizenship Law.

## 2. Right to a nationality – Article 7

The Rohingya were rendered stateless by the Citizenship Act of 1982. This law, essentially based on *jus sanguinis* criteria, identifies three categories of citizens: *Full*, *Associate* and *Naturalized* citizens, who are issued with corresponding colour-coded ID cards.

Membership of ethnic groups listed among the 135 „national races”<sup>9</sup> settled in Myanmar before 1823, the start of the British colonisation of Arakan, guarantees *full citizenship*. But the Rohingya do not appear in the official list published by the

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<sup>7</sup> AFP, “Myanmar envoy brands boat people 'ugly as ogres’”, 11 February 2009 - Copy of letter on file

<sup>8</sup> <http://www.unhcr.ch/hurricane/hurricane.nsf/0/F0ED9448671A73E6C12572B100553470?opendocument>

<sup>9</sup> The official list of 135 national races to be found at:

[http://en.wikipedia.org/wiki/List\\_of\\_ethnic\\_groups\\_in\\_Burma](http://en.wikipedia.org/wiki/List_of_ethnic_groups_in_Burma)

government, which also does not include any other terminology under which the Muslim population could be registered. Very few Rohingyas could apply for *naturalized citizenship* due to the difficulty of meeting necessary criteria (proof of residence prior to 1948, tracing bloodlines as stated, fluency in the Burmese or Rakhine language) and even those who did meet stipulated requirements did not receive any response. The wide powers assigned to a government-controlled „Central Body“ to decide on matters pertaining to citizenship mean that, in practice, their entitlement to citizenship is not recognised.<sup>10</sup>

The 2008 Constitution<sup>11</sup> does not alter the fact that Rohingyas“ legal status relies entirely on the political will of the government: Article 345 (a) sets a double *jus sanguinis* requirement – both parents have to be citizens, whereas (b) refers to the existing 1982 Citizenship Law.

As a positive step, Myanmar allowed the Rohingya to vote, form political parties and stand as candidates during the elections of 7 November 2010. During the election campaign, the authorities pledged citizenship in an attempt to garner Rohingya votes for the government-backed Union Solidarity Development Party (USDP), but, in spite of a resounding USDP victory, these election promises have not been fulfilled. On the contrary, during parliamentary meetings in August and September 2011, the new government reiterated that existing policies and restrictions institutionalising racial discrimination would remain in place for national security reasons.

Rohingya children are deprived of the rights inherent to citizenship from birth. Despite UNHCR’s advocacy efforts to address their lack of status with the government, little progress has been achieved to date.

### **Birth certificate**

In its Concluding Observations of June 2004, the Committee urged Myanmar “*to strengthen its efforts to reform its civil registration system to ensure that all children are registered at birth without discriminatory conditions*”

In Northern Rakhine State, this obligation under the Convention is systematically and officially violated. The authorities have stopped issuing new-born Rohingya children with individual birth certificates since the mid-1990s. Parents are nevertheless obligated to register their children’s birth with the local authorities and in their family list against the payment of a fee. In practice, this process is not straightforward as parents may not be able to register a child in their family list for endless arbitrary reasons such as a defect in the family list, a third child refused registration, etc.

### **Civil documentation**

Identity documentation issued to Rohingya includes the Temporary Registration Card (TRC) and the family list. Neither of these documents mentions a place of birth, and therefore cannot serve as official evidence of birth in Myanmar, thereby perpetuating statelessness. TRCs bear a specific mention that the card cannot be used to claim citizenship.

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<sup>10</sup> Amnesty International, ‘*The Rohingya minority: Fundamental rights denied*’, May 2004  
<http://www.google.co.th/search?q=amnesty+international+fundamental+rights+denied+2004&ie=utf-8&oe=utf-8&aq=t&rls=org.mozilla:en-US:official&client=firefox-a>

<sup>11</sup> The 2008 Constitution is found at: [http://www.burmalibrary.org/docs5/Myanmar\\_Constitution-2008-en.pdf](http://www.burmalibrary.org/docs5/Myanmar_Constitution-2008-en.pdf)

### ***Marriage authorisations and the right to a family life***

Since 1994, local orders have been issued, applying exclusively to the Rohingya population in Northern Rakhine State and nowhere else in Myanmar, stating that couples intending to marry must first obtain official permission from the local authorities, generally the NaSaKa<sup>12</sup>. Marriage authorisations are granted against the payment of bribes and can take up to several years to obtain. Then the couple have to sign an undertaking that they will have no more than two children.

Non-compliance such as cohabitation or sexual encounters outside wedlock can result in the prosecution of the man under Section 493 of the Penal Code (that the man had deceitfully married the woman), which is punishable with up to 10 years imprisonment. In practice, local courts usually issue prison sentences of 4 to 5 years. Moreover, both partners also face conviction under Section 188 (2) of the Penal Code for disobeying the order of a public servant, which carries a prison sentence of 6 months, by which women can also be prosecuted. Since 2009, the Supreme Court has overturned a few convictions for unauthorised marriage but these rulings have not served to repeal the local decree.

Rohingya women who become pregnant without official marriage permission often resort to repeated backstreet-induced abortions, an illegal practice in Myanmar, **resulting in a high number of maternal deaths**. Many young couples, unable to obtain permission to marry, have fled to Bangladesh in order to live together.

### ***Unregistered children / black listed babies***

Tens of thousands of Rohingya children also remain unregistered, born out of unauthorised as well as authorised marriages. An estimate of 40,000 unregistered children was provided in 2008, possibly more today. Even when granted official marriage permission, some parents are too poor to afford travel costs and bribes for birth registration, or missed the registration deadline. The father may be absent if he left the country during his wife's pregnancy or the newborn is above the permissible number of births. Implementation of the „two-child policy“ has so far not resulted in prosecution, but in higher birth registration fees and bribes.

Babies born out of an unauthorised marriage or out of wedlock are not just refused birth registration but also constitute evidence of „illicit“ sexual relations that could serve to prosecute the parents. Subsequently, some couples without official marriage permission have registered their newborn child with another legally married couple, sometimes as the child of their own parents. Others have gone to deliver secretly in Bangladesh and abandoned their baby there.

An unregistered child does not exist administratively and is not included in his/her family list. His/her parents have to hide him/her during population checks. He/she cannot apply for a TRC when he/she reaches 10 years of age, and consequently is barred from obtaining travel permission, attending school and, in the future, from getting marriage permission. His/her family could even be arrested for hosting an unregistered guest.

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<sup>12</sup> The NaSaKa is a Border Administration Force established primarily along the Bangladesh border.

However, at the village level, local authorities are mostly aware of the presence of unregistered children, and even keep separate records of their birth referred to as a **'black list'**. Those families suffer unending extortion as they have to pay bribes to the village administration to remain in the village. Registration in the „black list“ also involves arbitrary fees. The government stated that there were 7,289 black-listed children in Northern Rakhine State in 2009. However, the majority of those black-listed babies are believed to be from authorised marriages and the number of „illegitimate children“ from unauthorised marriages is likely to be far greater.

As reported in *the New Light of Myanmar*, the Minister of Defence, Lt. Gen. Hla Min, explained the official policy pertaining to „black listed babies“ in Northern Rakhine State during the Parliament session of 1 September 2011, which he described as an important measure to control population growth and to limit high birth rates. However, he added that the government planned to register these black-listed children in their family list and to add them to population censuses.

*“Black list baby issue is one of many significant aspects in population control measures in Maungdaw region of Rakhine State because of racial conditions; illegitimate children are those born to unmarried parents, defected father, once-defected father who returns illegally, widow, divorcee and single and while the marriage dossier is hearing; the identification of illegitimate children contributes to legal marriage, decrease in illegal relationship with once-defected husbands, and decline in birth rate by widow, divorcee and single; according to 2009 data, there are 7,289 illegitimate children; as they grow up, the problem will be more complex as they will still be unrecognized, breaching regional laws, married illegally, giving birth and their newborns will also unrecognized; so, the plan is under way to charge the respective guardians in accord with the law and to add them to respective census.”*

The New Light of Myanmar, 2 September 2011, Pg 9, Col 1 (copied *verbatim*)<sup>13</sup>

Since November 2011, the NaSaKa have taken some concrete steps to regularise „black list children“ and villagers have been encouraged by local authorities to come forward to register them and assured parents that they would not be arrested or face serious penalties. Villagers were told that the process would involve an application at and recommendation from the local NaSaKa Sectors or Stations to submit the file to the District Court in Maungdaw and that couples would have to appear before the court and only pay a nominal fine.

Implementation has just started but appears, however, to be opaque and unclear. Since early January 2012, The Arakan Project have talked to a variety of sources, including some Village Administrators as well as couples and women whose husbands live abroad -- all of whom were married with official permission. These couples and women had submitted relevant documents to the Court for their unregistered child and were awaiting a decision, but they complained that they had to pay up to 15,000 Kyat in bribes and fees, far more than a nominal fine. But couples without official marriage permission are apprehensive about coming forward.

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<sup>13</sup> *The New Light of Myanmar*, „Second regular session of First Amyotha Hluttaw continues for ninth day – Questions raised and answered, proposals submitted and approved“, Page 9, Column 1, 2 September 2011 <http://www.burmalibrary.org/docs11/NLM2011-09-02.pdf>

They fear that they could be prosecuted later for unauthorised marriage. Even the Village Administrators contacted were unsure whether the NaSaKa or the Court would approve the regularisation of unregistered children from unauthorised marriages and were unconvinced that prosecution might not follow.

The right to citizenship is fundamental for the enjoyment of other rights. As a consequence of their statelessness, Rohingya children, including those registered in the family list, experience restrictions and face discrimination with regard to education, health care and access to food.

### **3. Restriction of movement**

The Rohingyas are virtually confined to their village tracts. They must apply for a travel pass even to visit a neighbouring village, and travel is strictly restricted within Northern Rakhine State. In February 2001, Sittwe, the state capital, was declared off-limits for them. Their lack of mobility has devastating consequences, limiting their access to markets, employment opportunities, health facilities and higher education. Those who overstay the validity of their travel pass find their names removed from their family list, precluding them from returning home.

Rohingyas are also forbidden to travel abroad. Border passes are only issued for business purpose and sometimes for medical treatment in Bangladesh but, if caught upon return without valid permission, they could face prosecution and up to 5 years imprisonment for violating the Burma Immigration (Emergency Provisions) Act, 1947.

After migrating outside of Myanmar, Rohingyas are systematically denied the right to return to their country as Myanmar consistently refuses to re-admit them. Some Rohingya children remain in indefinite detention in neighbouring countries such as India and Thailand.

Restriction of movement impacts on Rohingya children in several ways. It prevents them from accessing university education, sometimes even secondary schools, and better equipped health facilities. But it also locks their family into poverty and food insecurity, preventing them from searching for jobs and markets elsewhere in Myanmar. Consequently it encourages out-migration with no prospect for return, thus dividing family units permanently.

### **4. Right to food**

Chronic malnutrition prevails among the Rohingya population, impacting negatively on mental and psychomotor childhood development and exposing children to preventable diseases.

The Global Acute Malnutrition (GAM) prevalence in Northern Rakhine State is exceptionally high, permanently above WHO emergency threshold of 15%. Nutrition surveys carried out in Buthidaung Township indicate a GAM of 22.7% in 2008 and of 20.2% in 2009<sup>14</sup>.

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<sup>14</sup> ECHO, Humanitarian Implementation Plan, Myanmar, 2011  
<http://ec.europa.eu/echo/files/funding/decisions/2011/HIPs/burma-myanmar-thailand.pdf>

Less than 60% of boys and less than 50% of girls were considered “normal” as measured by Mid-Upper Arm Circumference (MUAC) being greater than 13.5 cm<sup>15</sup>.

Although a predominantly rural area, only 30% of the population has access to land in Northern Rakhine State, the remaining 70% depend on casual day labour, irregularly available depending on the location and the season. Average daily wages vary between 1,700 and 2,200 Kyat (about US\$ 2). Rice prices fluctuate but were at 380 Kyat per kilo in December 2010<sup>16</sup>. More than 70% of Rohingyas’ income is spent on daily food intake, a marker of extreme poverty.<sup>17</sup>

The World Food Programme (WFP) conducted a food security survey in Northern Rakhine State In October 2010 and found that food security had deteriorated compared to a similar study using the same methodology conducted a year earlier<sup>18</sup>.

| Food access | October 2010 | September 2009 |
|-------------|--------------|----------------|
| Poor        | 54%          | 48%            |
| Medium      | 33%          | 34%            |
| Good        | 13%          | 17%            |

This WFP assessment also found that Northern Rakhine State had a high proportion of female headed households (24%), who were particularly vulnerable and food insecure. They also found that as many as 82% of households surveyed were in debt and had to repay loans. The main reason to take out loans was just to meet immediate food needs.

Food insecurity is also the direct outcome of discriminatory policies and human rights violations that the Rohingya experience in Myanmar, such as forced labour, restrictions of movement, land confiscation, arbitrary arrest and extortion, etc.

As a result, child labour is prevalent and crucial for the family survival. Many youths as well as children have migrated to other countries in search of means to support their family back in Myanmar and to escape persecution and hunger. Stateless, they must rely on illegal means and smuggling networks, which expose them to trafficking but also put their life at risk. Children as young as 10 were among the boat people intercepted on overcrowded and flimsy vessels in Thailand, and among those rescued in India and Indonesia after being towed out and set adrift from Thailand.

## 5. Right to health – Article 24

Health indicators in Northern Rakhine State are also appalling. The Special Rapporteur on the situation of human rights in Myanmar, Mr. Tomas Ojea Quitana, stated in his report of March 2010, that only 30% benefit from public health care, that the maternal mortality rate peaks at 380 deaths for 100,000 births and that there are

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<sup>15</sup> FAO, „FAO/WFP Crop and Food Security Assessment Mission to Myanmar“, 22 January 2009  
<http://www.fao.org/docrep/011/ai478e/ai478e00.htm>

<sup>16</sup> WFP, Monthly Food Basket Bulletin, October-December 2010

<sup>17</sup> ECHO, Ibid

<sup>18</sup> WFP, „Food Security Assessment in Northern Rakhine State, Myanmar“, February 2011  
<http://documents.wfp.org/stellent/groups/public/documents/ena/wfp234781.pdf>

only three medical doctors for a population of 430,000 people in Maungdaw Township, and two per 280,000 people in Buthidaung Township.<sup>19</sup>

A UN fact sheet on Northern Rakhine State (NRS) dated June 2010<sup>20</sup> cited:

- Maternal mortality ratio as: 3.8/1,000 in NRS - National average: 3.16/1,000
- Under 5 mortality rate as: 224/1,000 in Maungdaw Township and 135/1,000 in Buthidaung Township compared to a national average of 77/1,000.

Due to lack of investment in the field of health, Rohingya women are rarely able to seek ante-natal care, with predictable fatal results. Barely 22% of pregnant women in Northern Rakhine State, and as few as 7% in some areas, receive ante-natal consultations of any kind, and more than 50% of maternal deaths are attributed to unsafe abortion, haemorrhage and pre-eclampsia<sup>21</sup>.

Moreover, 49% of the total population in Northern Rakhine State do not have sustainable access to protected drinking water sources.<sup>22</sup> Only 1% has access to piped water. In terms of sanitation, 46% of the population have no access to a latrine and only 54% have some form of sanitary facility whether fly proof latrine (25%), surface latrine (21%) or direct pit latrine (8%).<sup>23</sup>

Restrictions on mobility, high levels of illiteracy, neglect of health facilities, low pay for health practitioners and discriminatory treatment against the Rohingyas (often meted out by Buddhist medical staff in government hospitals) seriously restrict access to health care. Rohingyas as non-citizens cannot work as nurses or medical staff in the government health sector. Rohingya community health workers provide basic health services in rural health centres as volunteers. For patients with a medical case too serious to be treated locally, prohibitions on travel or delays in the issue of travel passes make it virtually impossible for them to be referred to a hospital outside Northern Rakhine State.<sup>24</sup>

Unsafe abortion has become increasingly prevalent, mostly as a consequence of prosecution for unauthorised marriages, as pregnancy would be seen as evidence of the existence of an „illegal“ relationship.

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<sup>19</sup> UN Human Rights Council, Progress report of the Special Rapporteur on the situation of human rights in Myanmar, Tomás Ojea Quintana, 10 March 2010, ref. A/HRC/13/48, para. 93  
[http://www2.ohchr.org/english/bodies/hrcouncil/docs/13session/A.HRC.13.48\\_en.pdf](http://www2.ohchr.org/english/bodies/hrcouncil/docs/13session/A.HRC.13.48_en.pdf)

<sup>20</sup> Myanmar Information Management Unit, Snap shots, NRS June 2010  
[http://www.themimu.info/Information%20Products/NRS%20snapshot\\_Jun\\_2010.pdf](http://www.themimu.info/Information%20Products/NRS%20snapshot_Jun_2010.pdf)

<sup>21</sup> TRANSTEC, „Strategic Assessment and Evaluation of Assistance to Northern Rakhine State in Myanmar“, 19 December 2006

<sup>22</sup> OCHA, „Myanmar – Floods, Northern Rakhine State - Situation Report #2, 17 June 2010  
[http://www.themimu.info/SectorCluster/Coordination/100617\\_Myanmar\\_Floods\\_NRS\\_Humanitarian\\_Update\\_2.pdf](http://www.themimu.info/SectorCluster/Coordination/100617_Myanmar_Floods_NRS_Humanitarian_Update_2.pdf)

<sup>23</sup> WFP, „Food Security Assessment in Northern Rakhine State, Myanmar“, February 2011 – Annex 6  
<http://documents.wfp.org/stellent/groups/public/documents/ena/wfp234781.pdf>

<sup>24</sup> Chris Lewa, „Northern Arakan/Rakhine State: a chronic emergency“, European Institute for Asian Studies, 29 March 2006 - <http://www.eias.org/conferences/2006/burma290306/lewa.pdf>

## 6. Right to education – Article 28

The illiteracy rate of the Rohingya is estimated at 80%, with a higher percentage among women. More than 60% of children aged between 5 and 17 have never enrolled in school. We have not had access to recent education statistics but, according to official government figures for 2005, only 124,600 pupils or 36% of school-age children were then enrolled in Northern Rakhine State. Enrolment does not mean attendance: drop out rates are very high and attendance irregular. Consequently, few students pass primary school level and even less reach high school and complete basic education<sup>25</sup>.

| <b>Enrolment in 2005</b> | <b>Schools</b> | <b>Pupils enrolled</b> | <b>Teachers</b> | <b>Ratio teacher/pupils</b> |
|--------------------------|----------------|------------------------|-----------------|-----------------------------|
| Primary schools          | 448            | 103,134                | 1,359           | 1:75.8                      |
| Middle schools           | 20             | 16,758                 | 391             | 1:42.8                      |
| High schools             | 12             | 4,710                  | 156             | 1:30.1                      |
| <b>TOTAL</b>             | <b>480</b>     | <b>124,602</b>         | <b>1,906</b>    |                             |

The main reason for poor attendance and drop-outs is widespread poverty as children must contribute to the family income. Moreover, families who spent 70% or more on their earnings on food cannot afford the direct or indirect costs of education. Lack of school buildings and supplies, inadequate learning conditions, poor teaching and long distances to schools in remote areas also act as strong disincentives. While most village tracts have a primary school, middle and high schools are few and travel permits and alternative accommodation are often necessary. Forced labour also keeps children out of school.

As non-citizens, Rohingya are barred from the civil service and therefore cannot be employed as government teachers. At the most, they become „paddy teachers“ paid in paddy by international organisations or supported by the villagers. The majority of teachers are Buddhist, not inclined to teach in Muslim-dominated rural areas. Their presence in school is also irregular as they rely on other jobs and private tuition to supplement their low salary. Rohingya students often complain of being humiliated by Rakhine teachers.

The language of education is Burmese, which is a barrier for Rohingya pupils but their native dialect has no written script. Due to socio-cultural restrictions, girls are generally taken out of school once they reach puberty. Moreover, there are very few female teachers.

Access to post-secondary education is even more restricted. Sittwe has the only university in Rakhine State. Rohingya are barred from studying medical sciences and engineering. Since a ban on travel to Sittwe was enforced on the Rohingya population in February 2001, Rohingya students have faced serious difficulties in attending university on a full-time basis due to travel restrictions. Most can only study university level courses through distance education without teaching support and have also experienced problems in obtaining permission just to take their examination in Sittwe. In 2005, some 300 students from Northern Rakhine State

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<sup>25</sup> TRANSTEC, *ibid* – Figures provided in the education section are extracted from this assessment report.

enrolled in university classes but only 45 managed to sit the examination because their travel permits were mostly issued after the exams had already taken place. Since 2009, however, travel restrictions for students have reportedly eased.

Rohingya are also deterred from furthering their education as they have few prospects of securing employment, being excluded from government jobs.

## **7. Forced child labour**

As documented by the ILO, forced labour is constantly exacted by the authorities for the construction and maintenance of Army or NaSaKa camps, road building and repair, portering, sentry duty, the establishment of new settlers' villages, for cultivation work in military-owned plantations and shrimp farms, for brick-baking, and for collection of wood and bamboo, etc. Forced labour has been widely used for the construction of the border fence along the Myanmar-Bangladesh border. Forced labour is generally not remunerated and workers have to provide their own food.

In Northern Rakhine State, this practice is also discriminatory as it is only imposed on the Rohingya, and not on other communities.

Especially in rural areas, the Rohingya have to perform forced labour for several authorities such as the NaSaKa, the Army, the police, etc. at the same time. A family is required to send one person for a minimum of one day a week for maintenance of camps and one night a week for guard duty at the village sentry posts, more in case of road repair, new construction projects or in emergency situations.

The poor cannot afford to pay bribes to the authorities to avoid forced labour and are thus compelled to perform not only their own stint of work, but also that of those who had paid off the authorities. As male adults – fathers or elder brothers - are usually busy earning the daily wage to feed the family and as women are culturally prevented from participating in activities outside their homes, the burden of carrying out forced labour duties often falls on children – boys as young as 9 or 10. An international observer, who requested not to be identified, estimates that about 20% of forced labour in Northern Rakhine State is carried out by Rohingya children.

Forced labour has a severe economic impact, driving down the poor already surviving hand-to-mouth into abject poverty, exposing children to hunger and malnutrition. School-going children often miss classes and forced labour is also responsible for the low level of school attendance and the high number of school drop-outs.

## CONCLUSIONS AND RECOMMENDATIONS

Rohingya children are the innocent but most-affected victims of policies of discrimination and exclusion imposed by the government on the Rohingya minority. They grow up stateless, without full birth registration and civil documentation, without freedom of movement, with little access to health and education services, without adequate access to nutritious food but having to share the burden of forced labour. The compounded impact of denial of all fundamental human rights to Rohingya children and their parents severely impairs childhood development both physically and mentally, threatening generations to come.

The Committee on the Rights of the Child should urge the Government of Myanmar:

- To take immediate steps to eradicate all discriminatory policies and practices against the Rohingya population;
- To fulfil election promises and to immediately amend or repeal the 1982 Citizenship Law, with the effect of granting citizenship and accompanying rights to the Rohingya in Rakhine State, and to abide by its international human rights obligations under Article 7 of the Convention;
- To issue birth certificates to all Rohingya children born in Myanmar in compliance with domestic law and its obligations under the CRC (Article 7.1);
- To urgently register and provide full documentation to all unregistered Rohingya children; and, while acknowledging that the Government is currently undertaking a regularisation process of black listed children, to guarantee that parents of children born out of unauthorised marriage will not be prosecuted;
- To abolish local orders restricting marriages and put an end to the „two-child“ policy exclusively applied in Northern Rakhine State without further delay;
- To substantially improve access to quality health care and education services to Rohingya children;
- To ensure access to food and eradicate malnutrition so that children can meet their physical and mental needs; and,
- To eliminate forced labour and other coercive measures.

**- PART 2 -**

**ROHINGYA CHILDREN IN THEIR OWN WORDS**



# **ROHINGYA CHILDREN IN THEIR OWN WORDS:**

## **Five children aged 9 to 12 talk about their life in Myanmar**

Five Rohingya children, aged between 9 and 12, told their stories in their own words. Anwar, Abdullah, Enayet, Rafique and Karim talked about their lives in Myanmar, lives which reflect the ordinary life of thousands of Rohingya children in Northern Rakhine State.

The Arakan Project met them while they were on a short visit to Bangladesh, but **all these children are currently living and growing up in Northern Rakhine State, Myanmar**. They were afraid that they or their family would face problems back home because they talked to us. For this reason, we have omitted their real names as well as the name of their village and we have not included their photographs.

Semi-structured interviews were generally conducted with these 5 children, with open questions covering the key issues addressed in this submission. Interview transcripts below attempt to capture the children's own words, including the pejorative term „Magh“ they use to refer to Rakhine Buddhists (who constantly call them „Kala“, an insulting term for dark-skinned foreigners widely used in Myanmar).

### **1. Citizenship and documentation**

These 5 boys were all registered in their family list but they had not yet acquired a Temporary Registration Card. However, Anwar, the youngest at just 9 years old, had been included in his grandmother's family list as her son, because his parents had married without official marriage authorisation and consequently had to flee to Bangladesh with his younger, unregistered, brother. Anwar was left behind with his grandmother in Myanmar and we found him visiting his parents and younger siblings.

We also wanted to know children's views on their identity and lack of legal status. Although denied citizenship in Myanmar, none of them understood the meaning of „statelessness“. They did not feel stateless, because they were born and brought up in Myanmar and so were their parents. They all said they had a country, Myanmar!

Interestingly, when asked whether they were Rohingya, they all denied it and strongly identified themselves as „Burmese Muslims“. They were confused about who a Rohingya is, and tended to associate the term with their own people only after they fled to Bangladesh. The term is politically sensitive in Myanmar and its use is prohibited. Some of these children had never heard the word „Rohingya“ until they visited Bangladesh. In their minds, being a Rohingya is being a refugee in another country, and thus Rohingya do not exist in Myanmar.

### **2. Restriction on movement**

The 5 child respondents described how they had travelled from their village in Myanmar to Bangladesh. Some obtained a travel permit but others not. Crossing the Naf River illegally by boat does not seem particularly difficult. But Enayet took a serious risk in crossing the land border through a hole in the border fence.

Applying for a travel permit is costly for their poor families. As a result, few of these children ever travel outside their village, or only do so for a special reason. Abdullah strongly resented not being able to travel freely to visit his relatives in other villages.

### **3. Right to food and hunger**

Anwar, Abdullah and Rafique had experienced hunger during the monsoon season. Having faced days with nothing to eat appears to have marked these children deeply as they found it too painful to talk about.

### **4. Access to health care**

The 5 children explained that, when sick, they and their family usually visit a traditional healer in the village or a local pharmacy. Due to distance and costs involved in transport, travel permits and medicine, their family generally does not go to a government health facility but some use medical services provided by international NGOs for certain diseases.

### **5. Education**

Only Enayet Hussein and Karim Ali are still attending school, but not regularly. They had to miss some classes to work for their families or to do forced labour on their behalf, but they are eager to continue their education. Abdullah's parents put him in a madrasah to learn memorising the Quran because, at 11, he has a progressive disability and he can no longer work hard, or even walk properly. Enayet is the only boy among them who studies in a government school where Muslim and Buddhist students sit together in the classroom, but he is daily confronted by discrimination and humiliation, not just from non-Muslim pupils but also by his teachers.

### **6. Child labour/Forced child labour**

All these 5 children had various experiences in performing forced labour in Myanmar. In addition, they also had to work from a very young age to support their families, often large families. Three of them had even been arrested and detained for a short time: Anwar, 9, twice because he had fallen asleep while on sentry duty and Abdullah, because a cow he was looking after was captured by soldiers.

Finally, when asked about dreams for their future, Rafique had no vision at all and could only think about being able to feed his younger siblings. The other children dream of becoming a teacher. Even if Enayet and Karim manage to complete high school, they will find it difficult to find a job, and they could only hope to become a „paddy teacher“ paid in paddy by the World Food Programme or a religious teacher (maulvi), as stateless Rohingya are banned from government jobs.

Unless Myanmar takes radical steps to eliminate restrictions and institutional discrimination against the Rohingya and to provide them with rights, access to services and opportunities, it is unlikely that any of these children will ever fulfil their dreams. Or else, if one day we again meet Anwar, Abdullah, Enayet, Rafique and Karim as grown-ups, we may find them among unregistered refugees in Bangladesh or perhaps among boat people searching for a better life in Malaysia or elsewhere.

## **Interview #1: The story of Anwar, 9, registered as his grandmother's son**

|                               |   |
|-------------------------------|---|
| <b>Name:</b>                  | <b>Anwar</b> (not his real name)                            |
| <b>Age:</b>                   | <b>9 years old</b>  |
| <b>From:</b>                  | <b>xxx Village Tract, Maungdaw North (NaSaKa Sector 3)</b>  |
| <b>Occupation:</b>            | <b>Cattle herder</b>  |
| <b>Arrival in Bangladesh:</b> | <b>5 December 2011 (to visit his parents in Kutupalong)</b> |
| <b>Date of interview:</b>     | <b>11 December 2011</b>                                     |
| <b>Interview Ref.</b>         | <b>#11/49</b>   |

We are 2 brothers and 1 sister. In Burma I live with my grandmother but my brother and my sister live together with my parents in the Kutupalong makeshift camp here in Bangladesh. I came here to see them.

### ***Q – How is your life in Burma?***

I do not know how life is in Burma. I have to go to the hills to collect firewood. Every morning I have to go to the field with a cow and return in the evening. That is my life. I only know the hills and the field for the cow.

## **Documentation/citizenship**

### ***Q – Do you have an ID card? Are you in your family list?***

I don't have an ID card but I am in my grandmother's family list.

### ***Q – What is your nationality? What is your country?***

I don't know my nationality but I know that I was born in a village in Burma. My parents were also born and brought up there but they had to leave our village and they left me behind. I don't have an ID card yet because I am still under 15. I am not like the Maghs and other children in Burma but Burma is my country.

### ***Q – Do you understand the word "stateless"? What does it mean to you?***

Stateless, what is this? You say people who have no country are stateless. I have a country. My country is Burma.

### ***Q – Are your brothers and sister registered in your parents' family list?***

No, they are not because they live in Kutupalong makeshift camp with my parents. They are younger than I.

### ***Q – Do you have any friends who are not in their family list?***

All my friends of my age are registered in their family list. If children are not in their family list they cannot stay in the village. Like my brother. My parents could not include my younger brother's name in their family list<sup>26</sup>. That is why they had to leave the village. Some parents still live in the village without registering their children but they have to hide them. Or they have to register them with other parents. Like me. I am registered as the son of my grandmother.

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<sup>26</sup>Anwar's parents fled to Bangladesh because of unauthorized marriage. When Anwar was born, they registered him as the son of his grandparents, but his younger brother was born after his grandfather died and thus remained unregistered. His parents left when the Village Chairman wanted to report them to the NaSaKa.

## **Restriction on movement**

### **Q – How did you come to Bangladesh?**

My mother went back to Burma secretly and she took me along with her across the border. This is the 4<sup>th</sup> time I have visited Bangladesh. My mother paid 4,000 Kyat to the NaSaKa. To cross the river, she also paid 2,000 Kyat for her and 1,000 Kyat for me to the ferryman.

### **Q – Have you ever travelled to other villages?**

I have never visited any other villages - only Kor Khali [*Lake Ya*] where my uncle lives. This village is not far from our village. Since I am very young I do not need a travel permit.

## **Right to food**

### **Q – Have you ever been hungry?**

Sometimes I have been hungry. When there is no job my grandmother and I remain hungry. Being hungry is very painful; I cannot explain this. When I am hungry I feel like crying.

When there is no food, my grandmother borrows rice from the neighbour but sometimes the neighbours cannot give any rice to her because they also have no rice. We are hungry mainly during the monsoon.

## **Access to health care**

### **Q – Are you sometimes sick? What do you do then?**

I had diarrhoea and my uncles took me to Kor Khali [*Lake Ya*] clinic. My uncle paid 4,000 Kyat at the clinic. I received some medicine and a drip and I became well again. Usually people go to the village doctor. First the village doctor gave me medicine but it did not work. That is why my uncle took me to the clinic.

## **Education**

### **Q – Do you go to school? If not, why?**

My uncles sent me to school. I was in class for 40 days. But my name was not registered at the school and I had to stop going. I don't know why my name was not registered. I did not ask my uncles. But I don't like learning Burmese. I only like learning Arabic at the maktab.

## **Child labour/forced labour**

### **Q – Do you work?**

Yes, I work for a neighbouring farmer. I look after his cows. I work from morning to evening. I return to sleep at my grandmother's house.

### **Q – How much does he pay you?**

I don't know because my grandmother receives my wages.

**Q – How does the farmer treat you?**

I have never been beaten by my master but he often scolds me when I make a mistake.

**Q – Do you have to do forced labour?**

Yes, I had to carry loads for the NaSaKa and the Army about 8 or 9 times in total. They took me from my village to Kor Khali. I also did other work for them. I had to repair roads and cut grass in the NaSaKa post.

I also work as a village sentry when my uncle cannot go. When he works during the day, my uncle does not do the night duty at the sentry post. Then he asks the *sehgaung* to take me instead of him. I had to pay chicken and money because I fell asleep during the duty.

**Q – Do other children also do forced labour?**

Yes, many children of my age do this type of work because their fathers have to work for their family. So they send their young children to do forced labour. Otherwise these families would be hungry.

**Arrest/detention**

**Q – Have you ever been arrested and detained?**

Yes, I was twice detained by the NaSaKa. They arrested me from the sentry post because I was sleeping. They took me to their post. Later my uncle and my grandmother released me. One time they had to give a chicken and the other time they paid some money to release me.

**Q – Has anyone in your family been arrested and detained?**

My father was arrested 3 times. The first time he was arrested because he was late to go for forced labour. The second time, they arrested him because he was sleeping during sentry duty. The last time our village chairman informed the NaSaKa that my father had married without official authorisation. He was already father of 2 sons. Our chairman had allowed my father to marry my mother without official permission. He had promised them that he would save them if anything happened. My father paid him a lot of money. But then my father and the chairman had some quarrels and the chairman informed the NaSaKa that my father's marriage was illegal. That is why my father had to flee to Bangladesh. My father left me with my grandmother and fled about 3 or 4 years ago.

**The child's future**

**Q – What do you want to do in the future?**

I don't know. Maybe a Maulvi, or a skilled labourer, because I will have to earn my own food! I would like to become a religious teacher but there is very little chance.

**Q – Have you ever thought about leaving the country?**

No. I never thought about going anywhere. I want to stay in Burma.

## **Interview #2: The story of Abdullah, 11, on the way to becoming paralysed**

|                               |   |
|-------------------------------|---|
| <b>Name:</b>                  | <b>Abdullah (not his real name)</b>                       |
| <b>Age:</b>                   | <b>11 years old</b>                                       |
| <b>From:</b>                  | <b>xxx Village Tract, Buthidaung Township</b>             |
| <b>Occupation:</b>            | <b>Madrasah student but formerly cattle herder</b>        |
| <b>Arrival in Bangladesh:</b> | <b>9 December 2011 (to visit his uncle in Kutupalong)</b> |
| <b>Date of interview:</b>     | <b>11 December 2011</b>                                   |
| <b>Interview Ref.</b>         | <b>#11/48</b>   |

We are 3 brothers and 4 sisters. I am the 4<sup>th</sup> child. My father is a farm labourer and my mother works as a housemaid in rich people's houses. One of my brothers is a trishaw puller and the other also works for a farmer.

I came to Bangladesh to accompany my elder sister. She is now 19 and my parents cannot marry her. It is too expensive to obtain marriage permission in Burma. My parents cannot afford to pay for her marriage authorization and also for her dowry. So they decided to send her to the Kutupalong makeshift camp in Bangladesh, where my uncle lives. My uncle had said that he would arrange my sister's marriage. He had already chosen a husband for her but this man is too old. He is even older than my father! So he is now looking for another husband for her.

### ***Q – How is life in Burma?***

Life is dull in Burma. I am very bored and I don't feel I am alive. Everything is slow and every day is like another day. There is nothing pleasant in Burma. We only work from morning to evening and eat rice with a bit of vegetable curry. We stay inside our house as much as possible because we are afraid of the Army, the NaSaKa and the police. Most cars that we see are from the authorities. Life is good for the Army, the NaSaKa and the police but not good for us.

When I was only 5 years old my father sent me to work in a farmer's house. I worked there for 5 years and every year I used to receive only 20 to 25 baskets of paddy. But this year I fell ill. I started feeling pain in the joints of my legs and my hands. The pain became so strong that I had to quit my job. I can no longer walk as I did before and I have become an extra burden on my family. My father decided to send me to a madrasah because there is free education there. He said I would receive some sympathy there because I am slowly becoming paralysed. In the madrasah there is a separate section for memorizing the Quran and my father put me there. Within a year I progressed a lot and my memory is good. I can memorize the Quran better than the other students.

There is no boarding house at the madrasah. So I stay at a house nearby and the family gives me 2 meals a day. In exchange for the food I teach the Quran to their children and I also help the family with domestic chores.

### **Documentation/citizenship**

***Q – Do you have an ID card? Is your name registered in your family list?***

I don't have any ID card but my father, my elder brothers and my elder sister have a white ID card. My name is registered in my family list and all my brothers and sisters' names too.

**Q – What is your nationality? What is your country?**

I am a Burmese Muslim. I belong to Burma. I am a Burmese because I am born there and my name is registered there.

**Q – Do you understand the word “stateless”? What does it mean to you?**

I don't know the word “stateless”. You say that someone who has no country is stateless. Burma is my country. I am not stateless. I live in a country called Burma. If someone is born and brought up in a country then he belongs to that country. All people are born in some country and that is their country. Why should one be stateless?

**Q – Do you know any children/friends not registered in their family list?**

In our area no one can live in a village without registration because everything is under the control of the NaSaKa and the Army. If they find someone living there without registration, they will fine and beat him.

**Restriction on movement**

**Q – How did you come to Bangladesh?**

I came here with my sister to bring her to my uncle and I will go back soon. My sister and I obtained a Form 4 [travel permit from township to township]. We explained to the authorities that we needed to visit our relatives living in Maungdaw. We spent 7,000 Kyat for this travel permit. Apart from this, we also had to pay 500 Kyat and 200 Kyat at the two NaSaKa gates on the road between Buthidaung and Maungdaw. The bus fare was 1,000 Kyat each.

We took a ferry boat from Shwe Zarr in Maungdaw to Teknaf. I paid 3,000 Kyat for the ferry boat but my elder sister had to pay 6,000 Kyat. First, the boat man demanded 10,000 Kyat for her alone. We reached Teknaf without any problem. In Teknaf we paid 150 Taka each to the man who took us to a bus to Kutupalong, and we paid the bus fare separately.

**Q – Do you travel often outside your village?**

I visit Buthidaung town from time to time. We have relatives in Sindaung and I also go there. I have to get a travel pass if I go to Sindaung and I can only stay overnight if my relatives register me as a guest. Otherwise I cannot travel.

Once my elder brother visited our relatives in Sindaung without a travel pass and he stayed overnight there. But the NaSaKa checked the houses and he went to hide in the cowshed. The NaSaKa found him and beat him. Finally my relatives were fined 3 gallons of gasoline. They paid the price of the gasoline immediately and my parents reimbursed them later. It is very dangerous to visit other places without a travel pass and to spend the night outside of our village.

I would like to travel freely. I want to visit my relatives. I want to come back to Bangladesh too. But I cannot because of the travel restrictions. I would not try.

## **Right to food**

### ***Q – Have you ever been hungry?***

I was hungry 3 or 4 times last year and also the year before during the monsoon. Sometimes 2 days in a row, we had nothing to eat. The monsoon is a bad time. We cannot go out because of the rain and there is no work. Farmers don't use many workers once the monsoon cultivation is over. During the rainy days we must eat less food. First we try to borrow rice or money but soon people stop lending us money if we cannot reimburse them on time.

When there is no food at home, my father borrows money and my mother tries to make us feel better and she tells us: "Your father will soon come back with some rice and then I will cook for you. Just wait and you will have your belly full." Sometimes my mother also goes out and collects green leaves that she cooks for us.

Being hungry is not nice. It is very painful. We try to forget about this because it hurts. It is not only my family but also many other neighbours. Hunger is common in our area. Only families who have paddy land have some rice in stock but the other families who have no land suffer. My family is like the other poor of our village because we don't have a paddy field. We only have a house and a house yard. We are hungry during the monsoon and when there is too much forced labour.

There is a big Army camp to the north-west of our village, so there is often forced labour. Poor people are always victims of forced labour and sentry duty. We also suffer hunger when there is continuous forced labour. It is possible to avoid forced labour but then we have to pay money to the village authorities.

## **Access to health care**

### ***Q – Are you sick sometimes? What do you do then?***

I feel sick sometimes and my father brings medicine for me from Buthidaung town. When I became very sick my father took me to Buthidaung Hospital and the doctor said that he could cure my disease but that it would cost a lot of money. So my father did not try to take me to hospital any more. All the money we have is to buy rice every day. We need 2.5 kg of rice every day for our family and that costs at least 1,000 Kyat.

My parents are often sick too. When they have a bit of money, they go to the village doctor. We can buy medicine from him. Sometimes he sells medicine on credit. Otherwise my parents take some herbal medicine on the advice of village elders. It is the same for my brothers and sisters. Our main sickness is fever and there is natural medicine for fever. But when we think we may have malaria we go to the NGO clinic in Buthidaung town. They take a blood test and, if they find malaria, they give us medicine.

I cannot get proper medical treatment because it is too expensive and my family does not have money to buy medicine. Buthidaung Hospital only gives free consultation but no medicine.

## **Education**

### ***Q – Have you been to school? If not, why?***

I went to school for 1 ½ year. I went to a „paddy school“ and I used to receive 10 kg of rice 5 times a year. But then the teacher changed. A Magh [*Rakhine*] teacher replaced the Muslim teacher and my father took me out of school. He said: “It is a waste of time to go to class because Maghs will not teach Muslim students properly. You had better work and earn some money for our family.” And my father sent me to work for a farmer. I had to look after his cows.

### ***Q – How were the teachers in your school?***

There were 4 teachers in my school: 2 women and 2 men - all were Maghs. But all students were Muslims and the Magh teachers did not like to teach us. They dislike us because we were Muslims.

### ***Q – Are there sometimes fights between Muslim and Buddhist children?***

Not at school because we were only Muslim students. But I have seen fights in our village. Clashes are always one-sided. We, Muslims, cannot fight back. But Maghs beat us and the NaSaKa beat us.

## **Child labour/forced labour**

### ***Q – Do you work to get money for your family?***

Until one year ago I used to work for my family but now I cannot anymore because I have lost the strength in my knees and legs. I am becoming weaker day by day. But I used to look after a farmer’s cows.

### ***Q – How were you paid? How many hours a day did you work?***

I used to receive 20 to 25 baskets of paddy, one longyi and one shirt at the end of the year. I also received food there. I had to work from very early morning until Eshar prayer in the evening. After returning with the cows, I also had to do housework for the farmer’s family. Sometimes the farmer beat me because I worked too slowly.

### ***Q – Do you have to do forced labour?***

My father and my elder brothers do the forced labour duties for our family. But I had to work three times for the Army. All 3 times soldiers picked me up on the road or in the grazing field. Once I had to collect food for a white elephant and the soldiers grabbed 7 boys like me. Another time they forced me to carry a load for them and the third time they brought me to their camp to clean their courtyard. They did not pay anyone for this work and they did not give any food. I also worked as a sentry but for 2 nights only because sentry duty is usually done by my father and brothers. But the Army use boys of my age to work for them. Sometimes fathers also send their children to work instead of them.

## Arrest/detention

### **Q – Have you been arrested and detained?**

Yes, I was arrested once and I was detained for one night. This was because of a cow. The Army caught and detained a cow from my master [*the farmer*]. My master would be very angry if I returned home without his cow. So I went to the Army camp and took the cow back without telling them. But soldiers found me on the road with the cow. They slapped me 3 or 4 times in my face and brought me back to their camp. They detained me along with the cow. They did not give me any food at night. The next morning, my father and my master arrived at the Army camp and paid 10,000 Kyat – 5,000 from my father and 5,000 from my master – and they released me.

My father was also arrested once because some villagers complained against him. I don't know the reason. Some friendly villagers paid 30,000 Kyat to release my father.

## The child's future

### **Q – What do you want to do for your future?**

I want to be a teacher, maybe a religious teacher. I will try. Since I cannot work, I have to study so I can become a teacher and teach the Quran. But it will depend on my health.

### **Q – Have you ever thought about leaving the country?**

I never tried, but my uncle tried to go to Malaysia by sea but he failed.



### **Interview #3: The story of Enayet, 11, discriminated against at school**

|                               |   |
|-------------------------------|---|
| <b>Name:</b>                  | <b>Enayet Hussein</b> (not his real name)                     |
| <b>Age:</b>                   | <b>11 years old</b>   |
| <b>From:</b>                  | <b>xxx Village Tract, Maungdaw North</b>                      |
| <b>Occupation:</b>            | <b>Student, sells food in markets &amp; collects firewood</b> |
| <b>Arrival in Bangladesh:</b> | <b>27 November 2011 (to visit relatives)</b>                  |
| <b>Date of interview:</b>     | <b>1 December 2011</b>  |
| <b>Interview Ref.:</b>        | <b>#11/47</b>   |

My parents are alive and we are 6 brothers and 2 sisters. I am the 4<sup>th</sup> child. My elder sister is married. She married with official marriage authorization. My other sister is still single. Our family sells cooked *chana* [*chickpeas*] and puffed rice in the village market on market days. My mother cooks the food and my father takes it to the market. My brothers and I also help our father. There are 2 market days a week – on Wednesdays and Sundays. My father also has a mobile shop in Ta Man Thar market. Apart from this, we also go to the hills to collect firewood. We stock the firewood in our house yard and then sell it to our villagers. We don't have land in Burma but we have a house with a house yard.

On each market day my father earns 15,000 to 20,000 Kyat but the profit is very low. That is why we also sell firewood on the other days of the week. A bundle of firewood can be sold for 500 Kyat. My two elder brothers and I collect firewood in the hills 6 days a week. My school hours are from 7 to 11 a.m. so I always go to collect firewood in the hills immediately after school. The hills are only 1.5 miles from my house.

#### **Q – How is your life in Burma?**

I don't find anything pleasant in Burma but, despite this, Burma is my country. The only nice time this year is this trip to Bangladesh. I have 15 days off after my 4<sup>th</sup> Standard exam and now I am here to visit my uncle in Kutupalong camp.

However, I feel more at home in Burma because Burma is my country and I was born and brought up there. At the same time I am always afraid when I see the NaSaKa and the Army patrolling. They often use bad words against us.

Maghs [*Rakhine Buddhists*] and other communities also use bad words against us in class and at the playground. But their insults do not hurt me anymore as I am used to hearing them all the time.

Once I went to Kha Maung Zeik with other villagers, just to visit that area. As we crossed a Magh village and passed near a NaSaKa post, a NaSaKa man called me. He asked me some questions in Burmese but I could not follow what he said and he slapped me. Then he went inside the post and I took the chance to flee. That happened about 1 ½ years ago. But, since then, I always feel afraid whenever I see a NaSaKa man or a soldier.

Both Muslim and Magh students of the same age play football together almost every afternoon in the football field. We play together because there is no other field to

play. Here too, Magh youths often use bad words against us and we feel lower than them. They dominate us at school and in the playground. We are always oppressed by them but we have to keep our anger under control. We don't answer back because we know that if we do, or protest they will beat us. Our parents also advise us not to argue with them under any circumstances, otherwise peace will be destroyed and there will be clashes every day.

### **Documentation/citizenship**

#### ***Q – Do you have an ID card? Are you registered in your family list?***

I have not received a white ID card yet but my name is in our family list. My father registered me after I was born. I am now 11 and, this year, my father will apply for a separate ID card for me.

#### ***Q – What is your nationality? What is your country? Are you Rohingya?***

I am a Muslim and my country is Burma; so I am a Burmese Muslim. I don't feel that I am a Rohingya. I have never heard the word Rohingya in Burma. I only heard about Rohingya when I visited Bangladesh. I don't understand the difference between a Rohingya and a Burmese Muslim. We look the same and we speak the same language. But my identity is that I am a Burmese. I don't feel that I am equal to the Maghs and other communities in Burma, but I still feel I am Burmese because I was born and brought up there. I can see that my classmates from other communities are different from me. Their clothes are nicer than mine. Their lifestyle is totally different from ours. They can do many things that we cannot do. They don't have to work for the NaSaKa and for the Army but we are forced to work for them. I do feel inferior to them. Sometimes I think it is because our community is poor and illiterate. Sometimes I think that maybe the country is not mine and that is why my classmates discriminate against me. Despite this, I still believe I am a Burmese Muslim.

#### ***Q – Do you understand the word “stateless”? What does this mean to you?***

I was born in Burma and my father and my grandfather were also born there. But sometimes I am confused. Is Burma my country or is it not? I only know that I was born in Burma and that I live in Burma. I don't know what stateless is... You say that stateless people are people without a country. What do stateless people look like?

When I think about it, Magh boys can travel without any travel document and they can go wherever they want to go but I can't do that. Maybe this is because the country belongs to them and does not belong to me. Is that why we face so many problems to visit people in a different village? Or, maybe, it is because Burma is only for Buddhists, not for Muslims. Does this mean that I am stateless? I don't understand this.

#### ***Q – Are all your brothers and sisters registered in your parents' family list?***

All my brothers and sisters' names are registered in our family list. My two elder brothers already have a separate white ID card.

**Q – Do you have any friends not registered in their parents’ family list?**

My friends’ names are also in their family list. It is impossible to live in our village without being in the family list. The chairman would immediately inform the NaSaKa if someone stayed in the village without registration.

But some parents have no money to pay the NaSaKa and they cannot put their children’s names in their family list. Adding a name in the family list is very expensive in our area. Sometimes it costs 8,000 or 10,000 Kyat. These parents hide their children when the NaSaKa come to check. Sometimes they give a little money to the NaSaKa and promise they will pay the rest later. But they cannot pay for the registration because they are too poor. They cannot follow the laws of the NaSaKa because they are poor.

**Restriction on movement**

**Q – How did you travel from your village to Bangladesh?**

I travelled with another man from my village. First I applied for a travel pass to Taung Pyo [a border village] to our village chairman. I said, “My school is off and I need to go to Taung Pyo to buy some goods for my father.” The chairman asked for 500 Kyat and gave me a travel permit for 7 days.

I started walking at about 7 a.m. together with another villager. From our village to Taung Pyo, we had to pay 500 Kyat to an Army patrol and again 500 Kyat to a NaSaKa patrol. We reached the border fence at about noon. Some people have made a hole in the ground under the border fence in the middle of a paddy field in order to cross the border. We crossed the border fence through that hole. On the Bangladesh side, some local villagers saw us and we had to pay 40 Taka to each of them. We walked along the fence until we found a house. We waited a bit and then we found an auto-rickshaw and went to Kutupalong to see my uncle. It was quite dangerous to cross the border fence in this way. I was afraid. I thought that the NaSaKa or Bangladesh border patrol might find us. But we were lucky.

**Q – Do you often travel outside of your village?**

I have never visited Maungdaw town but I visited Kha Maung Zeik, Bali Bazar and Garatorbil because I have relatives there. My aunt lives in Bali Bazar and sometimes I go to see her with a travel pass. For more than a year now, I have obtained a travel pass before visiting other villages. I have to show my family list to get a travel pass. My name is in my family list. I have not received a white ID card yet. That is why I have to show my family list to get a travel pass. My 2 elder brothers already have a white ID card. I will have one soon. When I visit Kha Maung Zeik I don’t need travel permission because I don’t stay overnight.

I don’t travel often. This year I only visited Thet Kaing Nyar and now Bangladesh; for both visits I applied for a travel pass. My grandparents live in Then Kaing Nyar and I visited them for 2 days. But travelling is very special for us. We have to count every Kyat to live in Burma. So we cannot travel without a good reason.

If we did not need a travel pass, I would visit my relatives in other villages more often. I would also like to visit Maungdaw and Buthidaung town. But this costs too much – not only to get a travel pass, but we also need to pay bribes to the NaSaKa

and Army on the way and we need to pay more if we want to spend the night in the village that we visit.

## **Right to food**

### **Q – Have you ever been hungry?**

No. My father and my two elder brothers work every day; I also work when I have some free time. So we have never been hungry. But, during the monsoon, we have to reduce our food from 3 to 2 meals a day; sometimes even to 1 meal a day. During the monsoon, my father cannot earn much and my brothers can't go out because of the rain. My father then borrows rice from the local shop or from a rich farmer but he has to pay interest. The monsoon is always a bad time for us.

## **Access to health care**

### **Q – Have you ever been sick? What do you do?**

I sometimes fell sick but not this year. Last year I had a cold and I went to the village pharmacy to buy medicine. But my younger brother and sister suffered from fever this year. We took my sister to Maltezer [INGO] and she received some syrup. We had to pay 200 Kyat per visit. This is the registration fee for each visit and it is the same for all.

This year my younger brother was also sick. I think he had pneumonia. My father took him to the local pharmacy and he received medicine. My father paid 500 Kyat for the medicine and he got better. When my mother is sick she prefers to go to Maltezer but my father prefers to go to the village doctor. Maltezer mainly gives medicine for malaria but they are not good for other diseases. My mother often suffers from malaria so she goes there now and then.

My family is in good health compared to other villagers. We have never suffered from serious diseases. But some of our neighbours fell very sick and they had to go to Maungdaw. Other people also visit Bangladesh for treatment. When poor people are very sick, they have to borrow money to visit Bangladesh or Maungdaw Hospital. In my village it is less expensive to go to Bangladesh than to visit Maungdaw. Medical treatment in Bangladesh is also better because doctors are Muslims and our people can talk to the doctors. In Maungdaw I heard that the doctors are Buddhist and speak a different language. People in my village always prefer to go for treatment to Bangladesh when they are very sick.

## **Education**

### **Q – Do you go to school?**

Yes, I go to school. I just completed 4<sup>th</sup> Standard. But I cannot attend school every day. During market days I need to help my father and brothers selling *chana* and puffed rice, so I don't go to school on Sundays and Wednesdays. I take verbal permission from my teacher.

My school is a government school and there are about 1,000 students. Muslims are less than half. The school is a primary, middle and high school. Most students are in primary school but there are only two primary school teachers and both are

Maghs. In class we Muslim students are not allowed to sit together with students from other communities.

4<sup>th</sup> Standard classes are divided into two: one class with about 90 students and another with about 80. In both 4<sup>th</sup> Standard classes, there are Magh students but also Thet, Chak and Barua students. They can all sit together in the front rows but we Muslims students are forced to sit only in the back rows. Also, we can only sit on the back benches after the other students sit in the classroom.

Magh students hate us. If a bench breaks or is dirty, the Magh students move it to the back of the classroom so that they don't have to sit on it. Sometimes there are quarrels because of this. They usually start quarrelling with us. We keep quiet and don't answer back to them. Sometimes we can't bear this anymore and we complain to the teacher. The teacher sometimes punishes both groups.

In 4<sup>th</sup> Standard, there are two teachers: one is Magh and the other is Muslim. They teach every day unless they are sick. The Muslim teacher is very good but the Magh teacher is not that nice. When I don't understand something the Muslim teacher repeats it again and again, but if I ask the Magh teacher to explain something again, he never repeats it but rather scolds me and humiliates me.

Teachers sometimes beat students when they are naughty. I was beaten once because I had a quarrel with a Magh student about a bench. He already had a bench and wanted mine. The teacher was Muslim and hit both of us. But I was in the right and had done nothing wrong. But the teacher had to hit me too because he had to beat the Magh student for his mistake. This is common. The verdict often goes in the favour of the Magh students even if they are in fault. We Muslims are generally victims in these situations.

In my class Magh and Chak students are the majority and they often use bad words against us. They always call us „Kala“. However, a few of them are good and friendly to us. But most of them are very bad and hate us.

So far there has been no big fight in our class. When I was in 1<sup>st</sup> Standard I saw senior Muslim and Magh students having a fight but I did not know the reason. In our class, some quarrels started about the benches and sitting places but the teachers stopped them. Teachers' verdicts are always in favour of the Magh students – whether the teacher is a Magh or a Muslim and whether the Maghs are guilty or not. I have never been physically attacked in school but I have often been insulted.

**Q – How much do you have to pay for the school? Do you receive food?**

Last year I had to pay 2,500 Kyat for text books and 500 Kyat for exam fees and, in 4<sup>th</sup> standard, there are 3 exams a year. But I don't need to pay monthly tuition fees because this is a government school. In government schools there is no rice distribution - only in paddy schools. WFP has a programme there called „food for education“. But the teaching in paddy schools is not as good as in government schools.

**Q – Are your brothers and sister going to school?**

My 2 elder brothers are also studying. The eldest one and also my sister go to a paddy school and the other brother studies in a madrasah. Two of my younger brothers are also in primary school but the last two are still too young to go to school.

**Child labour/forced labour**

**Q – Do you have to work for your family?**

Yes, I work during market days for my family. I help my father and often go to the hills to collect firewood. 4 days a week I go to collect firewood in the hills after school. I can sell a bundle for 500 Kyat. But my father often keeps my bundles of firewood for the family and sells those collected by my brothers. I also have to fetch water, chop wood and buy food for the family. I don't work for others, only for my family. My two elder brothers also work for the family but my younger brothers go to school. They don't work.

**Q – Do you have to do forced labour?**

One day I was moving around the market after selling *chana* and puffed rice. A NaSaKa man arrived and put a sack on my shoulder. Then he ordered me to follow him. I had to follow him carrying the sack up to the Nga Yant Chaung Army camp, about 3 miles away from the village market. He did not give me a glass of water to drink at the camp. When I am outside I may be caught to do this kind of forced labour. So I often stay at home after I finish school and all my duties. The NaSaKa or Army grabs anyone from markets or roads. Apart from this I have to work as a village sentry when my father and elder brother can't go. The village sentries are usually kind to me. They allow me to sleep and wake me up when the NaSaKa or Army come to check. I have not seen many children doing forced labour but many boys of my age work as a village sentry.

**Arrest/detention**

**Q – Have you ever been arrested?**

I have never been arrested but my elder brother was arrested by police. He had borrowed a bicycle from one of his friends and the police claimed that this bicycle was stolen. My brother did not know that but it was true. My brother had to pay 100,000 Kyat and also 5,000 Kyat to avoid beatings. My father borrowed this money from our neighbours and later paid them back in instalments.

**The child's future**

**Q – What do you want to do for your future?**

I want to become a teacher. I want to teach village children. Teachers are well respected in our area. Moreover, Muslims are not educated and are neglected. They often face harassment. I want to become a teacher so that I can teach many Muslim students. My dream is simple and I believe I can achieve this.

**Q – Have you ever thought about leaving the country?**

I never thought of going away.

#### **Interview #4: The story of Rafique, 12, working to feed his younger siblings**

|                               |  |
|-------------------------------|--|
| <b>Name:</b>                  | <b>Rafique (not his real name)</b>                         |
| <b>Age:</b>                   | <b>12 years old</b>  |
| <b>From:</b>                  | <b>xxx Village Tract, Maungdaw North (NaSaKa Sector 4)</b> |
| <b>Occupation:</b>            | <b>Fisherman</b>   |
| <b>Arrival in Bangladesh:</b> | <b>3 October 2011 (with his father to find work)</b>       |
| <b>Date of interview:</b>     | <b>2 November 2011</b>                                     |
| <b>Interview Ref.:</b>        | <b>#11/45</b>  |

I am fifth among 7 brothers and sisters and the second boy. My mother had 10 children but 3 of them died a few days after they were born. About 3 years ago, my mother collapsed and died. She was again pregnant and became very sick. She could hardly work but she was still taking care of all the children. One evening, she was eating in the kitchen after she had given us our meal. I was sitting near her and suddenly I saw her falling on the floor and she started shaking. My father tried to take her to the village doctor but she died before he could reach the doctor. The doctor told us that she died because of complications with her pregnancy.

My father has no fixed job. He is a day labourer; sometimes he works as a farm labourer, sometimes as a fisherman in the Naf River and other times he pulls a trishaw. But I can say that he does not work very hard. We have no paddy land. We only have a small house yard on the slope of a small hill. To survive, our family does whatever work is available in our area.

This is my first visit to Bangladesh but my father often goes to Bangladesh to find work. Whenever he goes to work in Bangladesh, I have to take care of my younger siblings at home. My father is careless about his children. But, this time, he asked me to accompany him so that we can work together.

My elder brother fled to Bangladesh a couple of years ago and he works in a fish farm here. He earns 3,500 Taka a month but he does not support our family.

#### ***Q – How is life in Burma?***

Life in Burma is not easy for Muslims. We, the poor, are the worst victims of the NaSaKa and the Army. In Burma, we don't have freedom. We cannot go to visit people outside the village without a travel pass. We cannot go to other villages to look for work. We are prisoners in our own village. In Burma, we always fear the Maghs (Rakhine Buddhists), the NaSaKa and the Army. Here, in Bangladesh, life looks quite different. It is amazing that we can travel from Kutupalong to Cox's Bazar and no one asks any questions. For the first time, I realize that life can be different from what we have in Burma.

#### **Documentation/citizenship**

#### ***Q – Do you have an ID card? Are you registered in your family list?***

I don't have any ID card because I am not old enough yet to have one. I heard that I will need one when I am 15. However, my father has a white ID card and my elder

sisters too. My elder brother does not have one because he left the village before he was 15.

My 3 elder sisters are married; the eldest one lives in the village with her husband as she married with marriage authorisation. My father spent about 100,000 Kyat and she had to wait a long time before receiving it. But the other two sisters fled to Bangladesh because of marriage permission. They applied and waited for about a year and then tried again and again but in vain. Finally, they fled with their husbands.

My name and the names of my younger brother and sisters are all in our family list. Each time the NaSaKa and Immigration visits our house my father has to pay some money to renew it or to take photos. This happens at least once a year.

**Q – Do you know any children who are not registered in their family list?**

All my friends are registered in their family list. It is difficult to stay in Burma if your name is not in the family list. If a child is not in his family list, he must hide every time there is an immigration check.

**Q – What is your nationality/ethnicity? What is your country? Are you a Rohingya?**

I believe that I am a Burmese Muslim; I don't believe that I am a Rohingya. People living here in the camps in Bangladesh are Rohingyas. We are not Rohingyas but Muslims. In fact, in Burma, we are not allowed to pronounce the word „Rohingya“. If we do, we will be beaten by the NaSaKa or the Army. The word Rohingya is a forbidden word. We can only say that we are Muslims and I also believe that I am a Burmese Muslim. I am „Burmese“ because I am born and brought up there. Despite many difficulties I love Burma. I only dislike Burma when I am hungry there and because life is not free. Otherwise Burma is a good country and this is my country!

I don't like my village chairman; he is a Muslim but he is a very bad man. He often puts our people in danger and informs on us about everything to the NaSaKa. Our villagers suffer a lot because of this chairman.

I also dislike the NaSaKa because the NaSaKa always consider the Maghs [Rakhine Buddhists] as their own people and tell us that we are different. They say that we are from Bangladesh and they do not trust us. But I was born there and brought up there so that is my country. But the NaSaKa do not want to understand us.

**Restriction on movement**

**Q – How did you travel to Bangladesh?**

I arrived in Bangladesh without any travel document. My father said, “You are very young and you don't need a travel pass. I will send you back to the village before it comes to the notice of the village authorities.” However, my father applied for a travel pass for himself. He told the village authorities that he wanted to visit nearby villages to find work. They gave him a travel authorisation for one month and with this he came here. My father had to pay 1,000 Kyat to the village chairman and another 1,000 Kyat to the village *sehgaung* [leader of 10 houses collecting taxes and forced labour] so that he does not put my father's name in the list for forced labour

and sentry duties for one week. I will return within a week and I will then do the sentry duty and forced labour on behalf of my family.

We crossed the Naf River to Bangladesh in a small ferry boat. The ferryman has good relations with the NaSaKa and he always takes people from the Burma side to Bangladesh and from Bangladesh to Burma. He asked 3,000 Kyat for my father and 2,000 Kyat for me. This is my first trip to Bangladesh and my father brought me here to show me the way but I will go back alone.

**Q – Have you ever faced any trouble travelling without authorisation?**

Once I visited my maternal grandfather in a neighbouring village without a travel pass. I had planned to return home in the evening. But suddenly it was night time and I could not return alone at night so I slept at my grandfather's house. But that night a group of NaSaKa men arrived and checked the family members. They did not find me on my grandfather's family list and I was not registered as a guest. The NaSaKa beat me with a cane and they also beat my uncle. They fined him 2,000 Kyat for keeping me at his house without informing the local village administration. That was the only time I had travelled outside my village and I faced troubles. After that I have never tried to go out of my village again. If I want to visit another village I must obtain a travel pass but a travel pass is expensive for poor people like us. Many people of my village do travel without documents but I became too afraid to do this again after I was caught in my grandparents' house. This trip to Bangladesh is only my second visit outside my village.

### **Right to food**

**Q – Have you ever been hungry?**

I don't like my father because he is a careless father. He does not take care of his family. My elder sister who is still unmarried looks after my younger brother and my younger sisters. She is like a mother for us. But my father spends all the money he earns to buy *ganja* [cannabis] and he smokes this with his friends. Due to my father's bad habits I could not study and my mother died. I have to earn money to feed my brothers and sisters. Every day I must buy 1.5 kg of rice for 2 meals, morning and evening. We don't have breakfast but we eat at noon and just after sunset. So we can go without breakfast.

But when I go for sentry duty at night or when I need to work for the NaSaKa, my family goes hungry, unless I can borrow rice from our neighbours. But if sentry duty or forced labour continues our neighbours can't help us with rice anymore and we are all hungry. Hunger is not a new thing in our life. All poor in Burma know about hunger.

### **Access to health care**

**Q – Have you ever been sick? What do you do then?**

I am sick sometimes. When I feel sick I go to the village doctor [*traditional healer*] and he gives me some medicine. Once I went to the government clinic in Balibazar because the village doctor could not reduce my fever. Consultation is free there but not medicine.

When my younger brother and sisters are sick we also go to the village doctor. We depend on him. He gives medicine on credit. This is very helpful for the villagers, because we often run out of money.

## Education

### **Q – Have you ever been to school?**

Yes, I was admitted to primary school. It was a paddy school run by WFP [*a community school where local Rohingya teachers are paid in paddy distributed by the World Food Programme*]. But I only studied there for 1 ½ years. I was 7 years old and I received 10 kg of rice every month [*WFP Food for Education programme*]. Then my father told me, “School and study is not for people like us. You must stop going to school from now on because I have arranged a job for you in a rich family. You will work there as of tomorrow. I can’t support a big family alone. I cannot buy food for all of you every day. You must also take some responsibilities.”

I obeyed my father and went to the farmer’s house together with him the next morning. My master’s house was in the same village, not far from my house. I used to work there just after Fazar prayer [*prayer before dawn*] and return to my house after Esha prayer [*late evening prayer*]. My work was to look after the cattle and clear weeds from the paddy fields. I worked there for 6 months; my master [*the farmer*] paid my father 50 baskets of paddy as my wages, in addition to a longyi and a T-shirt. The farmer was happy with my work. My father was also happy because the paddy I received for my work was much more than the paddy we used to receive at school.

But I was still thinking about returning to school. I tried to get re-admitted. But my father had become greedier and did not agree. He told me: “You had better go and catch shrimps in the shrimp farm and the owner will give you some fish at the end of the day. You can sell this fish in the local market to support your family. And when there is no work in the shrimp farm, you can go and fish with a small net in the river. That is a regular income, higher than what you earned at the farm.” I could not refuse my father’s order and I became a fisherman. Now I catch shrimps at the shrimp farm or go to the river with my net to catch fish. I earn about 1,000 to 1,200 Kyat a day. I have never tried to return to school.

But I really wanted to go to school. I could not because of my father. Now I have asked my father to send my younger brothers and sisters to school, but in vain. I cannot go against him. None of my elder brothers and sisters has ever been to school.

### **Q – When you were a primary school student, did you face discrimination at school?**

No, I did not face any discrimination in my class because it was a paddy school and all teachers and pupils were Muslims. But I heard that there is discrimination in government schools where Muslims and Buddhists study together. Buddhists are always privileged.

## **Child labour/forced labour**

### **Q – How much time do you spend working? How much do you earn?**

I must work to support my family. I first worked for a farmer and then I started working for myself as a fisherman in a shrimp farm and catching fish in the river. Sometimes I also collect firewood. I earn between 1,000 and 1,200 Kyat a day, sometimes more. I spent all that I earned for my brothers and sisters. For the farmer I used to work 12 to 14 hours a day. Now I work on average 8 to 10 hours a day fishing or collecting firewood.

### **Q – Do you have to do forced labour?**

I started doing sentry duty more than 2 years ago together with other villagers. My father often stays out of the village and that is why the *sehgaung* called me for sentry duty to replace him. I was caught many times by the NaSaKa because I fell asleep in the sentry post. Sometimes the NaSaKa beat me as well as the other sentries; sometimes they punished me and demanded money or chicken. I do not have money but my elder sister has some chickens and she paid a chicken to the NaSaKa.

I also have to work at least once a week in the NaSaKa camp of Zee Bin Chaung [*a camp under NaSaKa Sector 4 of Lake Ya*], sometimes twice a week. This NaSaKa camp is about 1.5 mile from my house. Usually they order me to fetch water from the tube-well and to fill their bathroom tank. Sometimes I have to cut grass in their courtyard and garden or clean their houses and wash their dishes.

### **Q – Do you see many children doing forced labour in the NaSaKa camp?**

Yes. There are many young children working every day in their camp. They replace their father. Fathers are always busy earning money to support their family and children have to do forced labour.

Sometimes the NaSaKa is nasty and they compel children to carry the same loads as adults. Early this year I had to carry bricks from the NaSaKa inside their camp. One day the NaSaKa officer was in a bad mood. We were 7 children working that day. The officer compelled us to carry the same amount of bricks as the adult labourers. We were beaten because we could not manage to carry the same quantity of bricks. Then the NaSaKa ordered us to go home and come back with our fathers and elder brothers. We all knew that they were not at home and we promised the officer that we would carry as many bricks as we could.

Another time an Army patrol grabbed me and other passers-by. They forced us to carry the load that a soldier had on his back to the top of a hill.

## **Arrest/detention**

### **Q – Have you ever been arrested and detained? What about your father?**

I have never been arrested but I was beaten twice: once at the sentry post and another time in the NaSaKa camp because I was replacing my father. I cannot do heavy work like my father. The NaSaKa was not happy to see me and they beat me.

But my father was detained for 5 days by the NaSaKa. After my mother died, he tried to marry another woman and the NaSaKa learnt about it. One night the NaSaKa came and took him to their camp. Later, our village chairman released him against some bribes. Since then my father has not made the same mistake again. But I wonder now – maybe my father has married another woman here in Bangladesh. I can see that he visits Bangladesh so often...

### **The child's future**

**Q – What is your dream for your future? What would you like to do?**

I have no future; I am afraid to think about the future. I only want to feed my brother and sisters. I want to live together with them; I cannot think of anything else. Every day I want to see a smile on their faces. When my elder sister is happy, they are smiling and playing. Then I am also happy. That is my sacred duty now. I also think about sending my younger brother and sisters to the paddy school. There they will receive rice and at the same time they will learn how to read and write.



## **Interview #5: The story of Karim Ali, 11, student & forced child labourer**

|                               |   |
|-------------------------------|---|
| <b>Name:</b>                  | <b>Karim Ali (not his real name)</b>                        |
| <b>Age:</b>                   | <b>11 years old</b>   |
| <b>From:</b>                  | <b>xxx village, Buthidaung Township</b>                     |
| <b>Occupation:</b>            | <b>Student, collects firewood and fish for his family</b>   |
| <b>Arrival in Bangladesh:</b> | <b>2 April (to accompany his sick mother for treatment)</b> |
| <b>Date of interview:</b>     | <b>10 April 2011</b>  |
| <b>Interview Ref.</b>         | <b>#11/04</b>   |

I am the youngest among 4 brothers and sisters. I am a primary school student in my village. I am in 4<sup>th</sup> Standard. My school is not a government school. It is a „paddy school“ and it was created by WFP. We study the same subjects as in the government school. There are 6 teachers and they are all Rohingya „paddy teachers“. Pupils are only Rohingya boys and girls. Rakhine students and Burmese students who are children of soldiers from the Army all go to the government primary school in Buthidaung. Four army vans take them every morning from the military camp to Buthidaung town and bring them back in the afternoon.

To the west of our village there is a big army camp. The battalion number is 234. It is situated between the hills and all the land around it belong to them, also all the paddy fields.

A long time ago our village used to be there and all these paddy fields used to belong to our people. But, one day, the Army forced our villagers to move out. They confiscated all the paddy fields and grazing land at the foot of these hills. They also took our houses and orchards and they built an army camp.

My mother used to tell me many stories about her life in that village, how happy she was with her paddy, cattle, chickens and orchard. She often recalls this and she likes to tell me about her past memories. She told me that my father had 12 *kanis* [about 5 acres] of paddy land and a big wooden house with a large house-yard with fruit trees. She had her own vegetable garden. They were not poor at that time. But now our village is one of the poorest of the entire area of Buthidaung because we lost all the properties we had. We are now surviving day by day in this new village.

### **About my parents, brothers and sisters**

My mother has a heart problem. She first visited Bangladesh for treatment two years ago but the doctor here said that she should come to see him every 6 months. But she could not come back because my father was also sick and we could not afford the travel and treatment costs. But, this time, her chest pains became so bad that she sold our two goats so that she could visit the doctor in Bangladesh again.

I am accompanying my mother to visit the doctor but we have no travel permission. We only applied for a travel pass to Maungdaw town to visit my mother's relative and then we crossed the border secretly. We must return to our village quickly before the authorities find out.

In Buthidaung Rohingya patients go to Dr. Bashir. We seldom go to the government hospital because there is no proper treatment. Dr. Bashir is helpful. He will treat patients and allow them to pay him later. But, at the government hospital, they do not allow paying later and we must even pay in advance. So, we do not like to go there. There was once a clinic in our village but it is closed now.

This year, my elder brother passed the final high school exams at the Buthidaung town High School. He has been living in Buthidaung for the last 5 or 6 years because he studies there. He lives in a rich businessman's house and he teaches the businessman's children in exchange of free food and lodging. He visits us every month.

I also have 2 elder sisters. One of them is married to a man of our village and the other is still single and helps my mother with domestic chores at home.

My father used to be a farmer but, during the eviction of our village, he lost his land and could not find any other job than working in a blacksmith's workshop in a nearby village. My father has worked hard, day after day, as a blacksmith and also as a day labourer when there was no work in the workshop. Now, he has become old. Every day he is getting older and older. Despite this, my father never asked my elder brother to give up his studies and take over responsibility for the family.

Over the last 2 years, my father has become so weak that he can only work to support our family but he has no more strength to do forced labour for the Army camp or as a village sentry, in addition to his own work. Due to my father's ill health, my mother and I pleaded with the Village Chairman and our *sehgaung* (local hamlet leader) to remove our family from the list for forced labour. But they replied that it was the Army, not they, who kept the list of all families in the village and that it was the Army who regularly demanded labourers to work in their camp, to look after their plantations, to build houses and to repair roads. They told us that we had to request the Army commander and, only if they agreed, the Chairman could remove our names from the list.

### **My life changed about 1½ years ago when my father became sick**

I have to go to school 5 days a week, from 9 a.m. to 4 p.m. from Monday to Friday. After school I used to play with the other children from late afternoon till dusk and the weekend was free time when I had fun with my friends.

But this changed completely about 1½ years ago. My father was getting weaker day by day. He often fell sick and could not go to work. These days we ran out of food because his main income was from his work in the blacksmith's workshop. My mother then took me to the village Chairman and asked him if I could replace my father to do sentry duty and labour in the Army camp. The Chairman agreed and said that it did not matter who performed the labour duties as long as someone from our family did their quota. He also said that he would try to schedule our labour duties for Saturday and Sunday and sentry duties for Friday night and Saturday night so that I could continue to attend school from Monday to Friday.

My father was against my mother's decision to let me do the forced labour for the family. He hoped to get better quickly so he could continue to work for the family and also perform the forced labour for the Army. But my mother knew that he would soon collapse if he continued like this.

So, I started taking over the forced labour duties to help my family just before I turned 10. For the last 1 ½ years I have been doing sentry duty one night a week and work for the Army camp one day a week. I soon took on more responsibilities such as gathering firewood for my house and sometimes catching fish for my family in the late afternoon after school.

### **Missing school because of forced labour**

I started missing classes. I could not go to school when there were emergency labour duties such as urgent road repairs or the visit of high army officials. On these occasions, I had to work as many as 3 days a week. Just before an Army official visited the camp, we had to cut the grass from the courtyards of the officers' houses and the barracks, put up flags on both sides of the road, clean the whole camp area and its surroundings, repair the road and paths inside the camp, clear the bushes and trim trees along the road and in the camp, etc.

Sometimes I have to do sentry duty during weekdays. In that case, I cannot attend school the following day because I have to stay awake all night with the other sentries and I feel too sleepy the next day. I miss my classes but my teachers are kind and understanding.

At the sentry post, however, there is no sympathy among the 6 sentries. I often fell asleep but the others immediately woke me up. They forced me to stay awake along with them and would not allow me to drowse. At first, they let me sleep after 9 p.m. but now they don't let me do that anymore.

My usual work at the Army is watering their gardens and vegetable plants, collecting firewood for their cooking needs, trimming the grass in their recreation ground, cleaning their pig shed and collecting pebbles from the stream. This kind of work is not very difficult for me and I can do it easily. But I also have to carry rocks and this is extremely tough.

Once I had to carry sand, bricks and gravel downhill and then again uphill, because the Army was building a house on top of that hill. Many people had to work for many months for this new building on the hill. The hill was very high and climbing it carrying a load was too difficult for me. I will never forget this all my life. I could hardly carry 5 bricks at a time to the top of that hill. I fell sick and got fever because this work was too hard and my whole body was painful.

Last month [*March 2011*], I had to work for 4 days in a large rubber plant nursery near Buthidaung town. I heard that the authorities were going to create rubber plantations in the hills during the monsoon and saplings would be supplied from the nursery. These 4 days I had to bring lunch from my house, because the Army does not give any food or wages to the labourers.

**Q – Are there other children of your age doing forced labour for the Army?**

The last time I worked for the Army was on 30 March, just before I left with my mother. There were 15 of us in one group and 3 of them were children of my age. We had to clear grass in the football field inside the Army camp. Yes, other boys like me also work for the Army, but the difference between me and them is that they do not go to school at all but I do.

**I want to become a teacher**

**Q – Is it difficult to do all this forced labour and continue your schooling?**

Yes, it is very hard for me but I have no choice. If I don't do it then my father will have to do it and that would kill him. Despite all this forced labour I am continuing my studies and I attend school as much as possible because I want to become a teacher.

I hope that my elder brother will soon get a job after he finishes high school. Then, life will be easier for my family. My father will get some rest and my mother will be able to buy her medicine regularly. I hope that I will get more time to study and also time to play with my friends.

**Q – Do you like your village?**

Yes, I do. I like my village very much, except for forced labour and sentry duties!

