INDEPENDENT RAKHINE INITIATIVE

MARCH 2020

FREEDOM OF MOVEMENT IN RAKHINE STATE

IRI

CONTENTS

INDEPENDENT RAKHINE INITIATIVE

The Independent Rakhine Initiative (IRI) is an evidence-based advocacy project focused on increasing access to essential services for ethnic Rakhine, Rohingya and other communities across Rakhine State. It is based in Sittwe and Yangon.

ABOUT THE REPORT

The IRI's report was undertaken as an independent analysis to understand how movement restrictions affect different communities across Rakhine State, and to provide a platform for constructive engagement on the elimination of movement restrictions. The report does not purport to represent the views or opinions of the international non-governmental organisation (INGO) community or its partners.

ACKNOWLEDGMENTS

The IRI extends its gratitude towards the more than 200 individuals and organisations who contributed their time, knowledge, experience and expertise towards the production of this report. Special thanks goes to those individuals who reviewed and provided feedback on numerous versions of the analysis.

CONTACT

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MAP 1: Map of Rakhine State

TABLES AND BOXES

MAPS

INITIALISMS

AA : Arakan Army
ACSC : Associated Citizenship Scrutiny Card
ARSA : Arakan Rohingya Salvation Army
BGP : Border Guard Police
CSC : Citizenship Scrutiny Card
CSO : Civil Society Organisation
FGD : Focus Group Discussion
GAD : General Administration Department
GOM : Government of Myanmar
IDP : Internally Displaced Person
ICNV : Identity Card for National Verification
INGO : International Non-governmental Organisation
IRI : Independent Rakhine Initiative
KII : Key Informant Interview
NCSC : Naturalised Citizenship Scrutiny Card
NGO : Non-governmental Organisation
NLD : National League for Democracy
NRC : National Registration Card
NVC : National Verification Card
MMK : Myanmar Kyat (denomination)
RAC : Advisory Commission for Rakhine State, also known as Rakhine Advisory Commission
RSG : Rakhine State Government
SGH : Sittwe General Hospital
TLC : Temporary Learning Classroom
TRC : Temporary Registration Card
USDP : Union Solidarity and Development Party
USD : United States Dollar (denomination)

EXCHANGE RATE

The exchange rate used by this report is 1 USD = 1449.45 MMK (XE.com 7 February 2020)

PREFACE
IN LIGHT OF THE COVID-19 CRISIS

31 March 2020

As the world reels from the spread of COVID-19, it would seem like a strange time for IRI to share a report on ***Freedom of Movement in Rakhine State***. The release of this report, which has been more than one year in the making, has unhappily coincided with a global crisis in which governments around the world are imposing limits on movement for the sake of public welfare. As we note in our analysis, restrictions on freedom of movement can be justified if they are limited and proportionate; the COVID-19 crisis provides a case-in-point for why such restrictions can be considered legitimate. As a Yangon- and Sittwe-based project, we are supportive of the efforts of the Government of Myanmar to limit the spread of the virus and mitigate its impact on its population.

It is precisely for this reason that we have chosen to release this report now. While our data collection and analyis pre-date the peak of the COVID-19 crisis, our findings and recommendations remain more relevant than ever. In combatting the virus, it is necessary to ensure that individuals from all communities – especially those from extremely vulnerable communities, including undocumented individuals, IDPs, and conflict-affected people – have free and equitable access to healthcare. Those seeking care should not be burdened by discriminatory permission requirements or extortion at checkpoints. Curfews should not be used as rationale for denying healthcare access, township hospitals should not bar people from entry because of their religion, and Muslims should not have to pay for security escorts to accompany their ambulances to health care facilities. Humanitarian access should be permitted for non-governmental organizations seeking to provide critical necessities including healthcare, food, water and other life-saving assistance. Blanket bans on internet access that prevent community access to critical information about COVID-19 should be lifted. And the government should clearly communicate the risks of the virus and mitigation measures through public health and awareness-raising campaigns.

These recommendations and others are listed in the ***Roadmap for Lifting Restrictions on Freedom of Movement*** at the end of our report. While the COVID-19 crisis will clearly require a rebalancing of some of the measures we have proposed in the ***Roadmap*** with new public health realities, this does not mean the government is justified in keeping in place the existing set of restrictions, particularly those targeted at Rohingya communities and undocumented individuals. Instead, the Government of Myanmar should use the crisis as an opportunity to work more closely with national and international partners to lift unnecessary movement restrictions and ensure the healthcare needs of all communities are met.

With respect and goodwill,

THE IRI TEAM

EXECUTIVE SUMMARY

'When you come up to the checkpoint, if you don't have your papers, they will demand money. If you don't have money, they will tie you up with ropes or handcuffs and take you to jail. A month and a half ago I was working at a different village, I was coming back to my village at 4:00 p.m. I was stopped and they demanded that I buy them betel nut. I couldn't, so they put me in handcuffs, called my family and demanded 50,000 MMK (34.50 USD). My aunt collected the money and brought it to that gate so that I would be released.'

Rohingya, Maungdaw Township

Perhaps more than any other human right, the freedom of movement underpins the ability of individuals and communities to live free and dignified lives, and is instrumental for the enjoyment of other rights, including access to healthcare, education and livelihoods. In Rakhine State, restrictions on freedom of movement contribute to the marginalisation and exclusion of all communities but are central to the continued persecution of the Rohingya population. Despite significant international pressure to redress these problematic policies and implement the recommendations of the Advisory Commission on Rakhine State (RAC), in recent years the Government of Myanmar (GoM) has failed to take the steps necessary to significantly ease movement restrictions. While conflict between the Arakan Army (AA) and the Myanmar military (Tatmadaw) creates legitimate grounds for the imposition of new, albeit limited, restrictions, the reality is that individuals and communities across Rakhine State continue to face arbitrary and often discriminatory policies and practices that unduly infringe on their right to freedom of movement.

By sharing the experiences and voices of individuals from five of Rakhine State's diverse ethnic communities (Hindu, Kaman, Maramagyi, Rakhine and Rohingya), this report aims at providing an understanding of current movement dynamics across the state and a platform for the government, as well as its national and international partners, to collaborate on the lifting of all restrictions on movement.

Based on an analysis of its findings, this report finds that:

- Freedom of movement has historically been linked to access to documentation. In Rakhine State, this link has been problematic because of the deliberate confiscation of documentation and the systemic deprivation of citizenship of the Rohingya community, further enabling discriminatory policies and practices that prevent free movement and constrain access to services for undocumented people. Ensuring the rights of all communities will require the GoM to ensure freedom of movement, regardless of ethnicity, religion or citizenship status.
- Possession of citizenship does not guarantee free movement. All communities in Rakhine State experience movement restrictions to some degree, regardless of documentation status. The ability of people to move freely is influenced both by identity-related conditions that affect entire communities, as well as circumstantial variables specific to each individual.
- Barriers to movement can be formal and administrative, or informal in nature, resulting from broader socio-political factors. The interplay of formal and informal barriers creates an environment of fear in which some communities have no choice but to limit their own movement, while others are constrained by a lack of access to documentation and the high cost of movement. This environment of fear is enabled by government inaction, including the refusal to hold those who restrict others' movement to account.

- Movement restrictions against the Rohingya are targeted and discriminatory. The deliberate deprivation of citizenship documentation; long-standing nature of movement restrictions; continued internment of Rohingya in camps; persistent blocks on accessing services; failure to hold violators of human rights abuses accountable; and the targeted nature of movement costs, all understood within the broader context of human rights violations against the community, indicate that restrictions on movement are part of a larger effort to control the Rohingya population. Lifting movement restrictions for the Rohingya must be accompanied by a broader recognition and a redress of the norms and policies that have excluded the Rohingya from Myanmar society, including the laws that govern citizenship itself.
- The conflict between the AA and the Tatmadaw has transformed the landscape in Rakhine State, leading to increased movement restrictions for all communities living in conflict-affected areas. While Rakhine communities have been particularly affected by displacement and arbitrary abuses by security actors, other ethnic groups have also suffered from negative impacts.
- Ethnic communities including the Kaman, Hindu and Maramagyi also face restrictions on movement, but to differing extents. Kaman and Hindu are less likely to have citizenship documentation (despite Kaman being recognised as a national ethnicity) and thus face more formal barriers to movement. Because of their respective religion, language and/or physical appearance, Kaman and Maramagyi may face discrimination and more informal barriers to movement from government officials and other communities.

FREEDOM OF MOVEMENT AND CITIZENSHIP

Under international law, all people have the right to freedom of movement, regardless of citizenship status.[i] In Rakhine State, however, freedom of movement has historically been linked to citizenship; holding a citizenship card is the most significant factor in determining whether communities and individuals can move freely. This link is problematic because it is built on a history of identity card confiscation and is being used in the ongoing deprivation of citizenship of the Rohingya community. In effect, the government has systematically denied an entire community access to documentation and then barred them from moving freely because they lack documentation.

Recent government efforts to increase the movement abilities of Rohingya and other undocumented individuals have centred on providing a greater degree of access to documentation. While these efforts should be acknowledged, they remain problematic at best. The National Verification Card (NVC) remains exceedingly unpopular, offering limited benefits to the few who have (willingly or unwillingly) accepted it and increased restrictions for the vast majority who haven't. Marginal increases in the number of citizenship decisions granted through the citizenship scrutiny process have provided documentation and eased travel for a small number

of individuals, but those who have received new documents continue to be forced to identify as Bengali, and most have received Naturalised Citizenship Scrutiny Cards (NCSC), a sub-tier of citizenship. The government's limited efforts to improve movement abilities by providing greater access to documentation are further undermined by the IRI's findings in this report, which indicate that possessing citizenship does not guarantee freedom of movement.

Recognising the problematic nature of the link between free movement and citizenship status, and how efforts to provide greater access to documentation have manifested themselves, it is clear that ensuring the right to freedom of movement requires delinking it from citizenship. The RAC recognises this need, calling for the government to ensure freedom of movement for all communities regardless of religion, ethnicity and citizenship status (RAC Recommendation 18).

However, while this report calls for delinking freedom of movement from citizenship, it also recognises the voices of the dozens of Rohingya interviewees who view access to citizenship as the key to moving freely, and as a crucial element for their inclusion in Myanmar society. Upholding and protecting the rights of Rohingya communities will require more than just redressing movement restrictions; it will necessitate reforming the policies and norms that have led to their exclusion, including the laws that govern citizenship itself.

CONDITIONS AND VARIABLES THAT AFFECT MOVEMENT

Although there is an intrinsic link between movement and citizenship documentation, this report finds that possession of citizenship is not a guarantee of freedom of movement. The ability to move is strongly influenced by a set of independent but intersecting identity-related conditions. While these conditions are not weighted equally, they can each play a role in indicating the vulnerability of different communities to movement restrictions. They are:

- Being undocumented;
- Membership in an unrecognised ethnic group;
- Identification with minority religious beliefs;
- Speaking a minority language; and,
- Having a darker complexion.

The more of these conditions that are met, the more challenging it is for a particular community to travel. While Rohingya typically meet all five conditions and thus face the greatest degree of difficulty in moving, groups like the Maramagyi or Kaman may meet some, but not all, of the conditions, indicating that they are also likely to face some movement barriers. It also indicates that even if someone possesses

citizenship documentation, it does not guarantee their ability to move freely. For example, some Kaman and Rohingya who carry Citizenship Scrutiny Cards (CSCs) are still not allowed to travel freely to township centres. The five identity-related conditions can be exacerbated or mitigated by a set of circumstantial variables specific to each individual, including:

- Proximity to conflict or displacement;
- Location;
- Socioeconomic status;
- Social relationships; and,
- Gender.

Taken together, this set of conditions and variables provides a framework for understanding movement restrictions and points clearly to a pattern of discrimination that strongly affects the mobility of different ethnic groups and communities across Rakhine State. Although there is a critical need to lift the administrative barriers that prevent movement, the framework suggests that upholding the right to freedom of movement will require the government to address more fundamental questions about prejudice, discrimination, and national identity.

FORMAL AND INFORMAL RESTRICTIONS ON MOVEMENT

Restrictions on freedom of movement in Rakhine State are numerous and intersecting, falling broadly under two often mutually reinforcing categories:

Formal restrictions, encompassing administrative restrictions that are formally imposed by the state such as documentation requirements, movement permissions, curfews, checkpoints, restricted zones, and requirements for security escorts.

Informal restrictions, including non-administrative restrictions stemming from a lack of agency that results from broader socio-political factors, including intercommunal policing, a climate of impunity for those who prevent the movement of others, and the failure of the government to ensure an environment of security.

In addition, **cost serves as a cross-cutting barrier** that flows from the application of formal restrictions but is not an official policy.

Every individual decision to move is based on an intuitive understanding of the interplay of the formal and informal restrictions that each individual and community faces.

TABLE 1: Types of Formal Restrictions

Restriction Name	Description
INTRA-TOWNSHIP MOVEMENT PERMISSIONS: VILLAGE DEPARTURE CERTIFICATES[2]	Required to move between village tracts within a specific township, commonly referred to as *Tauk Kan Sas*.
INTER-TOWNSHIP MOVEMENT PERMISSIONS: FORM 4S	Required to move between townships or outside of Rakhine State. Requires a costly and lengthy process of approvals, including a police clearance form and Village Departure Certificate.
CURFEWS	Applies between 5:00 p.m. and 5–6:00 a.m.
CHECKPOINTS	Physical barrier at which the documents of travellers are checked. There are more than 160 checkpoints in northern and central Rakhine State.[3]
RESTRICTED ZONES	Areas where travel by Muslims is not permitted, including town centres in Kyauktaw, Mrauk U, Minbya, Myebon, Pauktaw, Ramree and Rathedaung. Muslims are completely banned from Toungup Township and cannot stay overnight in Gwa Township.
SECURITY ESCORTS	Official police escort required by state authorities for Muslims travelling between townships to downtown areas.

Issuing Authority and Legal Basis	Directed at
General Administration Department (GAD), issued by Village Administrators (*Ogathas*).	Historically only at Rohingya; recently extended to other communities in conflict-affected townships.
Ministry of Labour, Immigration and Population, Department of Immigration, based on a 1997 State Immigration Department Directive.	Historically targeted at 'foreigners' and 'Bengali races', also required by non-CSC holders.
Section 144 of the Myanmar Code of Criminal Procedure, enforced by security actors.	Historically only at Rohingya; recently extended to other communities in conflict-affected townships.
Checkpoints can be manned by a combination of officials from the Myanmar Police Force, Tatmadaw, Border Guard Police (BGP), and Immigration Department.	Communities in northern Rakhine State and conflict-affected areas.
Unclear.	All Muslims.
Unclear.	All Muslims in central Rakhine State.

COMMUNITY EXPERIENCES OF FORMAL (ADMINISTRATIVE) MOVEMENT RESTRICTIONS

Restrictions on movement affect the Rakhine, Kaman, Maramagyi, and Hindu communities that the IRI spoke with for this report. In some cases, these restrictions limit their access to healthcare, education and livelihood opportunities. The restrictions on the Rohingya community's freedom of movement are, however, distinguished by their scope and scale, and the duration of their imposition.

Rohingya

Discriminatory local orders and policies, requirements for movement permissions and security escorts, and the erection of physical barriers such as checkpoints, have served to impede the movement abilities of Rohingya communities and segregate them from broader society in Rakhine State, in many cases severely limiting their access to services as a result. Restrictions on movement can vary geographically and affect those living in villages in northern and central Rakhine State, internment camps in Sittwe, Kyauktaw, Kyaukphyu, Pauktaw and Myebon Townships, and in the Aung Mingalar quarter of Sittwe town. Those living in villages can generally travel to contiguous Rohingya or Muslim settlements within their village tracts but require a Village Departure Certificate (***Tauk Kan Sa***) to travel to other village tracts and Form 4s to travel beyond their township (depending on documentation status). Those living in isolated villages in central Rakhine State face perhaps the worst conditions, with extremely limited access to services or ability to travel. Most of the estimated 128,000 Rohingya displaced since 2012 remain confined to internment camps; they can generally move within their immediate camp areas but are proscribed from leaving the camps without permissions. Residents of camps that have officially been 'closed' by the government have in some cases been afforded greater freedom of movement within areas proximate to their camps, but still cannot travel to their respective township centres or to other townships without permissions.

Recent changes by the government have allowed for greater movement for holders of the NVC in the northern Rakhine State townships of Buthidaung and Maungdaw, with those Rohingya who hold NVCs reporting notable decreases in extortion at checkpoints and the number of permissions needed to travel within their own township or to their neighbouring township. However, NVC-holders in northern Rakhine State are still required to obtain Form 4s to travel to other townships or outside of Rakhine State, and NVC-holders in central Rakhine State (excluding Myebon Township) did not report improvements in their movement abilities.

More importantly, restrictions on movement have increased for the vast majority of Rohingya who do not possess an NVC or CSC. Movement abilities that were previously afforded to Rohingya, including the ability to apply for Form 4s or to go fishing, now require the card – which is deeply unpopular within the Rohingya community because it is perceived as a marker of foreignness. As the government has ramped up efforts to enrol – and coerce – Rohingya into the card scheme,

Rohingya face an impossible choice between societal stigma for accepting the card and heightened vulnerability if they reject it. While the government claims that the card is a legitimate response to the need to provide legal identity to hundreds of thousands of undocumented people, the imposition of the NVC ignores the deep mistrust of the government felt by the Rohingya following successive stages of disenfranchisement in which their previous identity cards have been revoked. That the government routinely forces people to take the NVC against their will reinforces suspicions among Rohingya that the card should not be trusted.

The cost of movement itself is a major determining factor in whether Rohingya are able to move at all. While other communities may also face expensive transport costs and occasional solicitation from officials, the extent to which Rohingya must pay unofficial fees to brokers, government and security officials for legal documentation, movement permissions, security clearances, mandatory police escorts, and checkpoint crossings is unique to that community. Although these costs are most often borne by those without proper documentation, the IRI found that even those with permissions, citizenship or NVCs can be asked to pay. Those who can't may be subject to physical and verbal abuse, as well as arrest and imprisonment. For an already vulnerable community facing limited livelihood opportunities and access to services, these costs serve to further impoverish those who do move and prevents movement altogether for those who cannot afford it, in some cases leading to otherwise preventable deaths.

The unofficial payments and bribes solicited from Rohingya attempting to travel, have fuelled the growth of an illicit economy benefiting government officials and state security forces. For many of these officials, these informal payments may act as supplemental income that further incentivises the perpetuation of restrictions. Movement restrictions have also distorted market economies, providing opportunities for members of other communities – and some Rohingya themselves – to exploit the Rohingya through lower-than-market prices for Rohingya goods and decreased wages for Rohingya workers. Dismantling the incentive structures that propel this illicit economy will be one of the greatest challenges facing the government in lifting movement restrictions.

Movement restrictions against the Rohingya are targeted and discriminatory. While all communities in Rakhine State suffer to some degree from limitations and even discriminatory restrictions on movement, the Rohingya face unique challenges that suggest that the movement restrictions imposed on them are not simply incidental, but part of a larger effort to control the population. Factors that point towards this determination include the historic confiscation of identity documents and the ongoing deprivation of citizenship documentation, the long-standing nature of movement restrictions targeted at Rohingya communities, the continued internment of Rohingya (as well as Kaman) in camps, persistent blocks on access to services, the failure to hold those abusing and violating human rights to account, and the targeted nature of movement costs. These factors must be understood within the broader

context of human rights violations faced by the community, including the violent 'clearance operations' of 2016 and 2017, controls on birth and marriage, and limits on the formation of civil society organisations (CSOs).

Conflict-affected Rakhine

The escalation of fighting between the AA and the Tatmadaw since late 2018 has upended historical movement dynamics in the state. While restrictions such as curfews and the use of Village Departure Certificates in central and northern Rakhine State had previously targeted Rohingya, and to a lesser degree Kaman, they have since been extended to affect all communities in conflict-affected parts of the state. While there are legitimate security concerns that may warrant the limited application of such measures, the way these restrictions have been enforced has raised concerns about human rights violations, arbitrary arrests and blocked access to services.

For Rakhine communities, the escalation of conflict between the AA and the Tatmadaw since late 2018, and the increased deployment of state security forces has become a key determinant of their ability to move freely. As of February 2020, more than 50,000 people have been displaced as a result of intense fighting across northern and central Rakhine State townships, with many unable to return to their homes or access their livelihoods. Non-displaced Rakhine living in areas affected by conflict have been required by Tatmadaw personnel to provide recommendation letters from their Village Administrators to traverse checkpoints, and in order to access medical care. Failure to observe strict curfews imposed by state security forces under Section 144 of the Myanmar Code of Criminal Procedure can lead to arrest and even violence. The conflict has had a particularly gendered impact on young Rakhine men, with many fleeing their villages upon the approach of Tatmadaw soldiers and avoiding checkpoints for fear of arbitrary arrest.

Kaman, Hindu and Maramagyi Communities

Other ethnic minority communities in Rakhine State are also living with restrictions on their freedom of movement. The predominantly Muslim Kaman community – recognised as citizens of Myanmar under the 1982 Citizenship Law – continue to face restrictions on their movement within Rakhine State, even if they possess CSCs. While Kaman are generally more likely to have access to citizenship than Rohingya, there are many within the community who lack the necessary documentation to officially apply for CSCs and who have instead been forced to accept NVCs. Regardless of documentation status, Kaman can face discrimination at checkpoints staffed by state security forces as a result of their racial characteristics and religious identity. Kaman in central Rakhine State are also required to obtain security escorts to travel to township centres and hospitals. The treatment of Kaman can vary depending on their geographic locale, with those located in central Rakhine State townships of Myebon and Sittwe facing greater restrictions than those in the southern Rakhine State township of Thandwe.

Hindu communities living in Maungdaw Township who do not possess CSCs are required to provide Village Departure Certificates or to inform their Village Administrator if they plan to travel overnight or outside of Maungdaw Township. Those without citizenship documentation are also required to obtain NVCs. Like others in conflict-affected areas, Hindus are now subject to curfews and Village Departure Certificate requirements.

Although generally facing fewer restrictions on their movement, Maramagyi communities in Mrauk U Township have also been required to inform their Village Administrator and in some cases obtain permissions to travel. As with Hindu communities in Maungdaw and Buthidaung Townships, if Maramagyi are able to show documentation – most often CSCs – at checkpoints, they are able to move with relative ease.

COMMUNITY EXPERIENCES OF INFORMAL MOVEMENT RESTRICTIONS

Informal, non-administrative restrictions on movement resulting from wider socio-political factors also play a major role in determining the ability of individuals and communities to move. Three factors play a particularly large role in influencing movement 'decisions': the intercommunal policing of movement; a climate of impunity for perpetrators of human rights violations; and the failure of the government to ensure an environment of security. The interplay of these three factors, combined with the many formal restrictions on movement, create an environment of fear in which individuals and communities feel they have no choice except to limit their own movement.

Kaman, Maramagyi and Rohingya communities reported a fear of encountering Rakhine and the possible violence that might ensue as a major factor for restricting their own movement. Hard-line Rakhine and in some cases Hindu villagers often use violence or the threat of violence to intimidate other ethnic groups from travelling in their respective areas. These hardliners are enabled by a climate of impunity that has allowed perpetrators of human rights violations and civilians who block movement to escape accountability, furthering the perception among other ethnic groups that those who commit crimes against them will not be punished. Rather than ensuring their right to move freely, the government has instead further restricted the movement of ethnic minorities, claiming that it is unable to ensure their safety when travelling.

IMPACTS OF MOVEMENT RESTRICTIONS

Arguably the most severe impacts of restrictions on freedom of movement result from communities' consequent lack of access to healthcare. Although the location of communities is a significant variable, formal curfews and permissions requirements regularly preclude Rohingya, Kaman, Maramagyi, and Rakhine communities from accessing healthcare, in some cases resulting in avoidable deaths. Maramagyi and Rakhine communities living in Mrauk U, Buthidaung and Rathedaung Townships face obstacles in accessing healthcare at night as a result of curfews, even in emergency cases. For Rohingya, and some Kaman, accessing healthcare can require a combination of Village Departure Certificates, Form 4s, medical referrals, security escorts, and/or bribes to state security forces staffing checkpoints on their journey. In the central Rakhine State townships of Kyauktaw, Mrauk U, Minbya, Myebon and Pauktaw, access to township hospitals is blocked by blanket bans on Muslims entering township centres, forcing Rohingya and Kaman to seek care at more limited station hospitals or costly trips to Sittwe General Hospital. The extreme difficulty of obtaining permissions for, and the cost of, inter-township travel, especially in urgent cases, means that for Rohingya in northern Rakhine State, access to tertiary healthcare is virtually non-existent.

Although there is variation depending on the location of their communities, access to education for Rohingya, Kaman and Rakhine communities has likewise been limited by both administrative and non-administrative restrictions on movement. Conflict between the AA and the Tatmadaw has resulted in school closures, teacher shortages, and Rakhine communities being afraid to send their children to schools in areas affected by conflict. Kaman communities in Thandwe and Sittwe Townships told the IRI that an absence of documentation and/or state-imposed restrictions was limiting their access to secondary and tertiary education in the state. Restrictions on Rohingya communities' access to education vary; those in northern Rakhine reported ease of access to primary and secondary schools, while those living in camps had more limited access to government schools, forcing a greater dependence on limited humanitarian-run temporary learning classrooms (TLCs). Children in some isolated Rohingya villages in central Rakhine State have no access to government education and must instead attend community-run schools. Rakhine State's universities continue to uphold a blanket ban on Muslim students, severely limiting tertiary education options for Rakhine and Kaman communities.

Livelihood opportunities are limited across all communities in Rakhine State – Myanmar's second-most economically impoverished state – and are further constrained by government-imposed restrictions on movement, specifically in the farming and fisheries industries. For Rohingya fishermen, NVC requirements to obtain fishing licenses coupled with formal curfews, have been devastating. Similarly, for Kaman communities in Sittwe Township restrictions on movement have significantly diminished their access to livelihoods. For both Rakhine and Maramagyi communities, conflict between the AA and the Tatmadaw has prevented individuals from travelling for work or accessing their fields and livestock. The compound effect of these government-imposed

restrictions is to dramatically reduce household income, and further impoverish some of the most economically marginalised communities in Myanmar.

Instead of preserving 'security', restrictions on freedom of movement have in many cases precluded substantive improvements to intercommunal relations. Physical barriers such as fences and checkpoints that segregate populations, and perceptions of insecurity arising out of a climate of impunity, create an environment of fear of the other, reducing opportunities for intercommunal engagement and dimming prospects for social cohesion. Despite these challenges, interactions between communities continue throughout the state. The IRI's evidence suggests that areas with strong bonds between community leaders can facilitate freedom of movement at a local level and decrease the risk of conflict. It is necessary to note, however, that these interactions continue to take place in an environment of structural discrimination against the Rohingya.

MOVING FORWARD

This report finds that movement restrictions are pervasive and affect every community in Rakhine State. While a limited number of these restrictions may be justified given the increased security environment, most are arbitrary and necessitate revision and removal. The restrictions imposed on the Rohingya community are particularly problematic; resolving them requires not only lifting requirements for Village Departure Certificates and Form 4s, but broader reforms of the structural causes that have led to the disenfranchisement and ostracisation of the Rohingya community. But, while addressing the plight of the Rohingya is critical, the framework provided by this report's analysis indicates that structural discrimination affects multiple communities. To ensure that the right to freedom of movement is respected, protected and fulfilled, the GoM has a responsibility to ensure that all communities have freedom of movement regardless of religion, ethnicity or citizenship status, lift arbitrary restrictions on movement, ensure accountability for those who abuse human rights and prevent others from moving, and provide a secure environment where individuals from all communities feel free and safe to move.

Accompanying this report is the ***Roadmap for Lifting Movement Restrictions in Rakhine State***. This roadmap, based on the evidence provided by this study as well as relevant reports by other national and international organisations, is meant to serve as a platform for constructive engagement on an issue of critical importance. It sets out a comprehensive set of immediate-, short-, medium- and long-term recommendations needed to ensure freedom of movement for all communities. As the primary duty bearer, the burden for implementing these recommendations and reporting on their progress resides with the GoM. However, national and international organisations can and must play an instrumental role in supporting the government by lending technical support and assistance and working to improve movement conditions in their own areas of operation.

SECTION I
INTRODUCTION

This report aims at building on the wealth of evidence that already exists with regard to freedom of movement in Rakhine State. Its purpose is:

- To provide greater clarity on the types, nature and extent of movement restrictions in Rakhine State;
- To illustrate, through the voices of community members themselves, how movement restrictions have an impact on their day-to-day lives;
- To chart a way forward, through constructive analysis and detailed recommendations, on how to lift restrictions on freedom of movement.

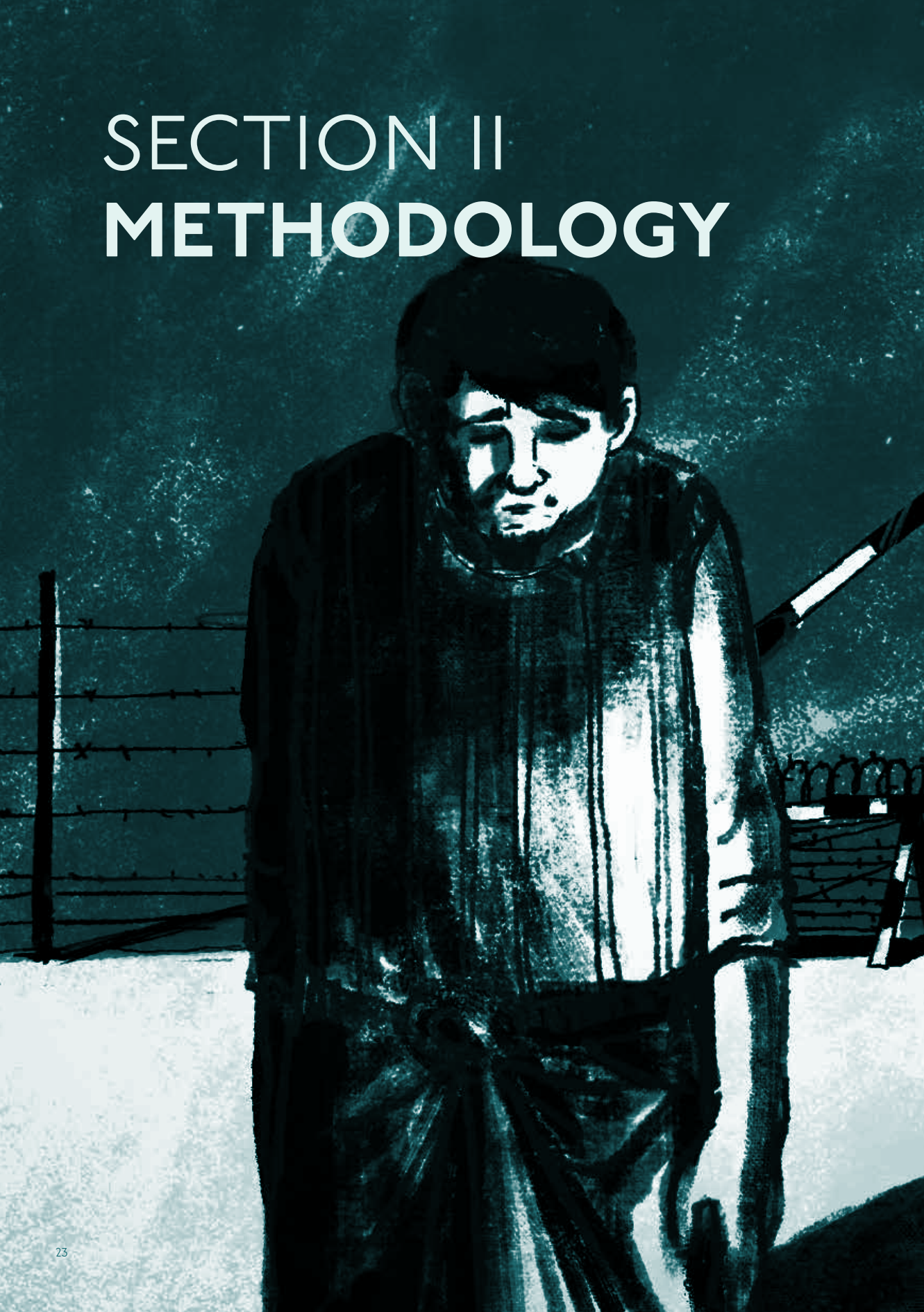
The intention of this report is not to provide an exhaustive and continuously updated mapping of restrictions faced by every village: the responsibility for that task falls on the GoM, which it affirmed in its endorsement of the RAC recommendations. Rather, this report seeks to provide government officials, national and international partners, and communities, with a platform for understanding and mitigating the restrictions on movement that have a negative impact so many lives across Rakhine State.

To that end, this report consists of:

- An overview of current administrative restrictions on freedom of movement;
- An exploration of how Rakhine, Rohingya, Kaman, Hindu and Maramagyi communities experience movement restrictions;
- A description of how movement restrictions have a negative impact on access to health, education, livelihoods, and intercommunal relations;
- An analysis of themes emerging from the data; and,
- A roadmap that draws on data from the IRI report as well as other sources to present clear and concise recommendations for the government, and national and international partners.

> ***'There are no more checkpoints in the village, but to go to the hospital in Myaung Bway, we have to cross the bridge. At the top of the bridge, we have to pay 1,000 MMK (0.69 USD) per person. If we can't pay, then they beat us, and we are not allowed to go.'***
>
> ***Rohingya, Mrauk U Township***

SECTION II
METHODOLOGY



'I am afraid to move or go to downtown myself as the police checkpoint blocked Muslims from being able to go downtown at all, although I can go there now as I look like Rakhine. When I'm going there, I'm not free in my mind.'

Kaman, Sittwe Township

This study was conducted between March 2019 and January 2020 and consisted of: an extensive literature review of both public and internal documents; interviews with relevant national and international organisations; in-person and remote data collection in Rakhine State, Yangon, Bangladesh, Thailand and Malaysia; internal analysis and feedback workshops conducted with INGO (International Non-governmental Organisation) representatives. The study team was composed of external consultants and the IRI team consisted of five foreign and six national researchers. Collectively, the national consultants and staff included individuals from Bamar, Hindu, Rakhine, and Rohingya ethnic groups.

METHODS

The study used a qualitative methodology consisting of a literature review and key informant interviews (KIIs) supplemented by focus group discussions (FGDs). In total, the IRI conducted KIIs and FGDs with 211 individuals. Interviews were conducted with individuals belonging to the ethnic Rohingya, Rakhine, Kaman, Khami, Maramagyi, Hindu, and Rakhine Muslim communities residing in 10 Rakhine State townships: Buthidaung, Kyauktaw, Maungdaw, Minbya, Mrauk U, Myebon, Pauktaw, Rathedaung, Sittwe, and Thandwe. The IRI also conducted interviews with Rakhine people living in Thailand and Malaysia; Rohingya in refugee camps in Cox's Bazar, Bangladesh; and United Nations officials, representatives of INGOs and national CSOs, and representatives of international governments for this report.

To ensure appropriate ethnic and gender representation, the report team used a combination of purposive and quota sampling. A total of 181 community members was consulted; in-depth KIIs were conducted with 113 individuals and FGDs with 68 individuals. Of these, 85 were female and 96 were male. In Rakhine, in-person interviews were conducted in Sittwe and remote interviews were conducted in Buthidaung, Kyauktaw, Maungdaw, Minbya, Mrauk U, Myebon, Pauktaw, Rathedaung, Sittwe and Thandwe; further field data collection in Cox's Bazar was conducted with a total of 62 participants. Data from Cox's Bazar was used to supplement historical knowledge and to understand how perceptions of movement restrictions inform considerations for repatriation.

To supplement and contextualise the information provided by communities, interviews were conducted with 30 individuals who represent United Nations agencies, CSOs, national and international NGOs, and representatives of international governments. This report builds on the evidence base compiled by the IRI through 1,056 interviews in its previous reports on access to health, education and livelihoods, and its analyses of language, gender and age barriers to accessing services.

To mitigate against the possibility of study participants facing reprisals for speaking with the IRI, as well as a result of a general lack of access for the study team, a remote methodology was employed in which interviews were undertaken by telephone. To protect the identity of interviewees, the report does not use their village name, instead

referring to their village tract or township, with the exception of Ni Din and Taungpaw camps where the specific location of the interviewee is relevant to the text at hand. Similarly, the IRI does not use the interviewees' specific ages. All interviewees were informed about the purpose and public nature of the study, what it will be used for, and the security risks involved with participation. All participated voluntarily and, before the commencement of each interview, gave their informed consent for the information provided to be used publicly.

THEMATIC, GEOGRAPHIC AND TEMPORAL SCOPE

This report aims at exploring the barriers that prevent people from moving in Rakhine State. As part of this, it examines the legal framework in which movement restrictions are anchored. However, it should not be considered a legal analysis.

This report focuses on restrictions on freedom of movement in Rakhine State. It does not examine current movement restrictions faced by refugees in Cox's Bazar, nor those of individuals from Rakhine State in other parts of the country or abroad. While the report's researchers did conduct interviews with individuals in one southern Rakhine State township, the geographic focus of the report centred on townships in northern and central Rakhine.

While restrictions on freedom of movement in Rakhine State are longstanding, this report focuses primarily on their development since August 2017, and is mindful that the dimensions of the restrictions evolved in the wake of the attacks by the Arakan Rohingya Salvation Army (ARSA) and subsequent 'clearance operations' by the Tatmadaw. References to conditions previous to August 2017 are noted in the text, particularly in the case of Rohingya refugees interviewed in Cox's Bazar. The report, also, does not examine restrictions on access for humanitarian workers.

LIMITATIONS

Government representatives were not consulted for this report. A draft of the report was sent to a Government ministry and inter-ministerial committee on Rakhine State in early March; however, as of April 6, no response had been received. To mitigate this limitation, particularly with regards to the legal framework underpinning movement restrictions, the study team consulted with legal experts and analyses of government actions, as well as primary government documents. Further research on this topic should seek to engage government and better understand the policies and practices that limit freedom of movement.

While the IRI has worked to provide a clear window into freedom of movement in Rakhine State, this report is not comprehensive. Movement restrictions are highly localised, can vary from township to township and village to village and may evolve over time. As such, it is important to note that the information presented in this report may be distinct from follow-up research in other villages or townships. Readers

should note this limitation; more research is needed to understand the nuances of the constantly evolving situation with regard to freedom of movement – research which the government should do everything in its power to assist.

Though great emphasis was placed on seeking interviews with individuals from many of Rakhine's diverse ethnic groups, it was not possible to secure interviews with large numbers of Kaman, Maramagyi and Hindu affected by movement restrictions. Similarly, interview numbers for some locations are limited; as has previously been stated, there may be significant variations found in the experiences of individuals in some locations not represented in this report.It was also not possible for the report team to collect data on the experiences of all communities. This should not be taken to mean that other communities in Rakhine State do not suffer from restrictions on the freedom of movement. Further study is needed to understand the movement abilities and experiences of communities not represented in this study, including Daignet, Mro and Thet.

Limitations on humanitarian access and independent research created a challenging environment that limited the study team's ability to conduct field data collection and use quantitative methods or implement representative sampling methods. This is particularly relevant for the costs noted in this report, which should be taken as indicative only.

Finally, data collection, analysis and drafting took place before COVID-19 had emerged as a major national and global public health crisis. The information in this report does not account for changes that may have resulted as a result of this crisis.

TERMINOLOGY

The IRI recognises that the GoM is not a monolithic entity. Governance responsibilities are split between the elected National League for Democracy (NLD) government and civilian ministries on one hand, and the Myanmar military, which controls security-related ministries and the armed forces, on the other. This division extends to the state level; while the Rakhine State Chief Minister and state line ministries report up to the corresponding ministries at Union level, the powerful Rakhine State Security Minister reports up through the state security apparatus in Nay Pyi Taw. The competing and complementing interests of these different governance actors at different levels interact to strongly shape state policy, administration, and practices on the ground. Where possible, this report identifies the relevant levels of government, individual departments or security actors pertinent to the text at hand. The report distinguishes between civilian 'government officials' and 'state security officials/forces' – members of the Myanmar Police Force, Tatmadaw or BGP.

However, it must be noted that despite the distinctions existing between governance actors, the cross-cutting nature of movement restrictions means that the enactment and implementation of such policies are the product of a coordinated effort by multiple government and security agencies at state and Union levels. Furthermore, it must be recognised that the state as a whole – including its discrete security

actors – bears responsibility for protecting and upholding the rights of all who live in Myanmar. Where the report makes reference to the single entity comprised of both the Tatmadaw and civilian government, the term 'GoM' or 'government' is used.

When referring to ethnicity or religion, this report uses the preferred term of self-identification used by interviewees. The term 'Rohingya' is used to refer to the members of the Muslim community in Rakhine State who have self-identified as such, in affirmation of the right of self-identification of all communities. A few interviewees identified as 'Rakhine Muslim'; any quotations made by these interviewees are identified as coming from Rakhine Muslims but are grouped in the text according to the geographic location in which they live. The report differentiates between the Rakhine community, referring to people who are ethnically Rakhine, and Rakhine State communities, meaning communities of different ethnicities living in the state. While interviewees are quoted verbatim throughout the report, the IRI has made an editorial decision to replace derogatory terminology used by participants, including the term ***kalar*** used by Rakhine people to describe Rohingya, Kaman, Maramagyi and Hindu people, and the term ***mogh*** used by Rohingya to refer to Rakhine people.

Myanmar's complicated history of citizenship and immigration laws means that there is significant confusion regarding the names of specific identity cards. For the purposes of this report, the IRI has used the legally correct term for identity documents; however, readers should carefully note other labels that are in popular use. A description of identity cards and their associated terms is located in ***Section IV: Overview of Current Restrictions on Movement.***

This report uses official place names as identified by the government and noted in the Myanmar Information Management Unit website. If interviewees use their own name for a location in a quotation, that place name is followed by the official location in brackets.

The IRI distinguishes between 'administrative' and 'non-administrative' restrictions on freedom of movement. 'Administrative' refers to those restrictions in place as a result of direct action by the government and its officials. This includes, but is not limited to, the existence of checkpoints, movement permissions, and curfews imposed in specific locations. 'Non-administrative' refers to those restrictions in place as a result of actions taken by individuals who do not represent the government and security forces, including examples of communities making calculated decisions not to travel. It should be noted that, for many, this 'choice' is informed by the real and perceived hostility that they face from officials and other communities within Rakhine State. In this sense, 'non-administrative' restrictions are reflective of a substantive absence of agency for individuals to exercise the right to freedom of movement.

Further, the overlapping and interactive nature of the policies and practices serving to restrict freedom of movement for communities throughout Rakhine State – including but not limited to local orders, curfews, and sections of Myanmar's Penal Code – underpins the IRI's use of the term 'restrictions on freedom of movement', whilst giving primacy to the violation of the right to freedom of movement itself.

SECTION III
CONTEXT AND BACKGROUND

'They used to take documents away from people, they took national ID cards. After a few years, people didn't have documents and they started asking us for Village Departure Certificate. We also needed Form 4 from around this time to cross into other towns. They increased the restrictions one by one. It became worse and worse year by year.'

Rohingya, Buthidaung Township

Reflecting on the history of restrictions on freedom of movement in Rakhine State is necessary for understanding both the context in which current restrictions exist and their dimensions. Following the implementation of Operation *Nagamin* (Dragon King) by the Tatmadaw and the Immigration Department in 1978, which aimed at registering all citizens and aliens prior to a national census, more than 200,000 Rohingya fled to Bangladesh amidst allegations of widespread human rights violations. The GoM's claim that the exodus reflected the illegal status of those displaced, informed a review of the country's citizenship laws, which led to the passage of the 1982 Citizenship Law. The arbitrary enactment of the Law excluded most Rohingya – as well as other unrecognised groups – from any of the three categories of citizenship. The beginning of the government's citizenship scrutiny efforts in 1989 led many Rohingya who possessed NRCs to surrender them; however, they did not receive CSCs in exchange.[4] Further episodes of violence by state security forces drove an estimated 250,000 Rohingya across the border to Bangladesh in 1991 and 1992.

In June 1997, the Rakhine State Immigration and National Registration Department issued an instruction restricting the movement of Rohingya on the basis of their ethnicity and citizenship status. The instruction required 'foreigners' and 'Bengali races' to obtain a 'temporary travel permit' known as 'Form 4' to travel between and within townships in Rakhine State.[5] Despite their entitlement to automatic citizenship as recognised national races under the 1982 Citizenship Law, at that time Kaman Muslims were also required to travel with a Form 4.[6] Penalties for non-compliance with the instruction under Section 188 of the Penal Code and Section 6(2)(3) of the 1949 Residents of Myanmar Registration Act are punishable by up to six months' and up to two years' imprisonment respectively.[7] This instruction remains in place today.

In June 2012, violence between Rakhine, Rakhine Muslims, Rohingya and Kaman erupted in Rakhine State following the rape and murder of a Rakhine Buddhist woman, allegedly by Muslim men in Ramree Township, and the subsequent killing of 10 Muslim men in Toungup Township.[8] This violence escalated dramatically in October 2012, with reports of coordinated attacks by Rakhine extremists and state security forces targeting the Rohingya population specifically, resulting in 200 people being killed and tens of thousands of mostly Rohingya, but also Kaman, Rakhine and Maramagyi, being displaced.[9] Seven years later, an estimated 128,000, mostly Rohingya, remain in internally displaced person (IDP) camps and sites in Rakhine State.[10] The severity of restrictions on freedom of movement in these sites have led humanitarian and human rights groups to describe them as 'internment camps'.

The establishment of internment camps in Sittwe and Pauktaw Townships by the government in 2012 paralleled the expansion of a system of checkpoints designed to curtail the movement of Rohingya and Kaman communities there and elsewhere in Rakhine State. Since June 2012, Myanmar authorities have confined an estimated

4,000 Rohingya and some Kaman remaining in Sittwe town to the Aung Mingalar quarter, which has been described as a 'closed ghetto'.[11] In northern Rakhine State, continuous curfews in the predominantly Rohingya townships of Maungdaw and Buthidaung that had prohibited movement from 11:00 p.m. to 4:00 a.m. prior to October 2016, were extended to between 6:00 p.m. and 6:00 a.m. from 25 August 2017.[12] State security forces staffing these checkpoints have repeatedly faced accusations of extortion, physical and verbal abuse, arbitrary arrest and the torture of people attempting to cross through them.[13] The result has been the forced segregation of Rohingya, Kaman and other Rakhine State communities.

In 2014, a USDP-led government began implementing a pilot 'citizenship verification process', inviting Rohingya to apply for an Identity Card for National Verification (commonly referred to as the NVC) while authorities determined whether they were eligible for citizenship using the 1982 Citizenship Law to assess applications, promising greater freedom of movement for those in possession of the NVC.[14] The process was largely met with mistrust among the Rohingya community, with numerous individuals being forced to apply as 'Bengali' in order to obtain the NVC (the government later removed this requirement, although some Rohingya still report being labelled Bengali in application forms). Rohingya have also faced pressure from within their community to reject the NVC, as accepting the card is widely seen as a government-imposed admission of foreignness.[15]

Attacks on security posts in northern Rakhine State by the ARSA in October 2016 and August 2017 prompted Myanmar state security forces to not only undertake 'clearance operations', which displaced more than 725,000 Rohingya, but also to dramatically tighten restrictions on freedom of movement, with the number of checkpoints in northern Rakhine State alone increasing from 126 in October 2016 to 161 by August 2017.[16] If they wish to move from one township to another, Rohingya in northern Rakhine State were required to obtain a Village Departure Certificate to move from one village tract to another within the same township, in addition to acquiring a Form 4. In the months leading up to the August 2017 attacks, local authorities in northern Rakhine State threatened greater restrictions on the freedom of movement of Rohingya communities who refused to accept the NVC.[17]

Most recently, conflict between the AA and the Tatmadaw has not only resulted in the displacement of 49,734 people in Rakhine State[18] (primarily from Rakhine communities), but has also driven the expansion of restrictions on freedom of movement for all communities in Rakhine State, specifically in Mrauk U, Kyauktaw, Minbya, Ponnagyun, Rathedaung, Maungdaw and Buthidaung Townships, where a curfew was imposed on 2 April 2019.[19]

In November 2019, United Nations agencies noted that the imposition of significant movement restrictions on humanitarian organisations by government and security officials since January 2019 meant 100,000 people who were previously benefiting

from humanitarian or development assistance in central Rakhine were now receiving very limited support. The restrictions had a severe and direct impact on the lives of all communities in Rakhine State.[20]

The government has repeatedly claimed that it is working to implement the recommendations the RAC presented in its final report in August 2017, including those relating to freedom of movement (see ***Box 1: RAC Recommendations on***

BOX 1: RAC Recommendations on Freedom of Movement

The RAC was formed in 2016 by the GoM to identify recommendations for addressing the state's crises of violence, displacement and underdevelopment. On 24 August 2017 the government endorsed the 88 recommendations produced by the RAC in its final report. The report included six recommendations on freedom of movement and two touching on movement issues within access to education and healthcare.

Recommendations on Freedom of Movement

18. In general, the Government should ensure freedom of movement for all people in Rakhine State, irrespective of religion, ethnicity, or citizenship status. The freedom of movement and access to services are deeply interlinked, and therefore should be addressed in parallel. All communities should have access to education, health, livelihood opportunities and basic services.

19. The Commission reiterates that the Government should conduct a mapping exercise to identify all existing restrictions on movement in Rakhine, as recommended in the interim report. The mapping should include all formal, informal and social restrictions affecting all communities, and be conducted at the village and township level. Following the mapping, the Government should establish a road map for the lifting of restrictions – with clear timelines and milestones. The various steps of this process should be accompanied by well-developed and conflict-sensitive communications strategies to prepare all communities prior to initiation.

20. The Government should introduce measures to prohibit informal restrictions that include, among others, unofficial payments, arbitrary roadblocks, and requirements for the Muslim community to pay for security escorts. Perpetrators should be prosecuted in accordance with the law.

Freedom of Movement).[21] In October 2019, Myanmar's Permanent Representative to the United Nations noted that refugees returning from Cox's Bazar would be allowed freedom of movement in Rakhine State 'in conformity with the existing laws and regulations'.[22] However, the government has continued arresting Rohingya, who they say have travelled illegally.

21. Pending the eventual lifting of all above-mentioned movement restrictions, the Government should immediately simplify the travel authorization system to allow movement across townships and outside the state

22. The police should uphold the rule-of-law and ensure that anyone who obstructs movement – for instance by using violence or threats of violence as a means of preventing movement – is held accountable in accordance with the law.

23. To ensure equality before the law, the Government should undertake a mapping and legal review of all local regulations and orders in Rakhine State which restrict the rights and freedoms of minorities.

Recommendation on Access to Education

33. The Union Government and the Rakhine State Government should ensure – and publicly state – that all communities in Rakhine have equal access to education, irrespective of religion, ethnicity, race, gender, or citizenship status. The Government should remove movement restrictions that reduce access to education, and reverse discriminatory practices that inhibit students without citizenship from higher education.

Recommendation on Access to Healthcare

38. The Commission reiterates that the Union Government and the Rakhine State Government should ensure – and publicly state – that all communities have equal access to health treatment, irrespective of religion, ethnicity, race, gender, or citizenship status. The authorities should commence the removal of administrative obstacles that impede access to health care. Health facilities should be labelled as 'protected zones', providing a safe environment for those seeking care.

SECTION IV
OVERVIEW OF CURRENT RESTRICTIONS ON MOVEMENT

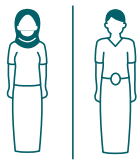
'Sometimes we hear these regulations from the radio, and the immigration departments also tells us about them. These messages are delivered through the administration department. We are discriminated against by the General Administration Department staff, the immigration staff, and the local authorities. There are no sign boards communicating restrictions to us.'

Hindu, Maungdaw Township

The ecosystem of restrictions on freedom of movement in Rakhine State is variegated and differentially enforced. While numerous restrictions can intersect with and reinforce others, the extra-legal nature of some of these restrictions and the means by which they are applied means that impediments to movement are specific to both community and geography. Despite this absence of uniformity, there are some clear and often-cited restrictions on movement.

FORMAL RESTRICTIONS ON MOVEMENT

TYPES OF ADMINISTRATIVE RESTRICTIONS



Intra-township restrictions: Village Departure Certificate / Tauk Kan Sa

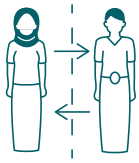
Among the restrictions on freedom of movement that communities are forced to navigate, the requirement to obtain a Village or Ward Departure Certificate – known as ***Tauk Kan Sa*** or ***Tauk Kan Kyet*** (meaning 'permission' or 'authorisation') in Myanmar language – is one of the most prohibitive.[23]

The Village Departure Certificate requirements exist in various parts of Myanmar, particularly in conflict-affected areas, and may have a range of uses. However, in Rakhine State they are a long-standing requirement that has most commonly been used to restrict nearly all Rohingya living in villages in northern Rakhine.[24] Kaman and Hindu communities in some areas of the state have also been required to obtain permission letters to travel outside of their township.[25] Since 2019, some Rakhine people living in areas affected by the AA–Tatmadaw conflict have also been required to obtain them to travel.[26]

In Rakhine State, the Village Departure Certificate is an official government form that requires the signatures of the 100-Household Head and the Village Administrator (often referred to as ***Ogatah*** in Myanmar language). In order to obtain it, individuals are required to provide their name, their parents' names, the name of their village of origin, and their reason for travelling.[27] In many cases, obtaining the Village Departure Certificate requires individuals – most commonly Rohingya – to make unofficial payments to their Village Administrator – with a typical cost of 1,000 MMK (0.69 USD), although some Rohingya have reported paying up to 5,000 MMK (3.45 USD).

23 For the purposes of this report, the IRI uses 'Village Departure Certificate' to refer to this specific, formalised permission. However, the IRI uses the Myanmar-language ***Tauk Kan Sa*** version used by interviewees in quotations.

24 The GoM has used local orders and policies to restrict the movement of Rohingya since at least 1997, including Regional Order No. 1/2009 which requires that Rohingya inform authorities within seven days of all movements from one place to another. See Fortify Rights, P*olicies of Persecution: Ending Abusive State Policies Against Rohingya Muslims in Myanmar*, p. 33.



Inter-township and inter-state restrictions: Form 4

Throughout Rakhine State, 'foreigners' and 'Bengali races' – including anyone not holding a CSC – wishing to travel between townships or outside Rakhine State are required to obtain a temporary travel permit known as a Form 4, as set out in a Rakhine State Immigration and National Registration Department instruction from June 1997.[28] Failure to comply with this instruction is punishable by up to two years' imprisonment under the Residents of Burma Registration Act of 1949. Rohingya have previously reported to IRI that the length in validity of a Form 4 had reduced from 28 days to 7–14 days,[25] although others have reported a validity of up to 45 days. Some Kaman without CSCs have also been required to obtain Form 4s in order to travel within Rakhine State and to Yangon, despite being recognised by the government as one of the 135 recognised ethnic minority groups of Myanmar.[29]

To obtain a Form 4, applicants must first acquire a Village Departure Certificate in order to travel to their respective Township Immigration Department, where they are required to present their Village Departure Certificate, several identification documents, a police clearance form, and a payment to Immigration Department officials for their assistance.[30] Although there is an official cost associated with acquiring a Form 4, a significant unofficial cost is typically added onto every application. The total cost of the Form 4 can thus vary widely, with interviewees reporting paying between 10,000 and 150,000 MMK (6.90 – 103.49 USD) for inter-township travel; Rohingya travelling to Yangon reported paying between 250,000 and 1,000,000 MMK (172.48 – 689.92 USD).

Curfews

The existence of curfews limiting the movement of communities in Rakhine State is longstanding. Between 2012 and 2019, Myanmar authorities have imposed curfews[31] on Rohingya communities in Maungdaw and Buthidaung Townships. On 2 April 2019, the curfew was formally extended to all communities in Mrauk U, Kyauktaw, Minbya, Ponnagyun, Rathedaung, Maungdaw and Buthidaung Townships as the conflict between the AA and the Tatmadaw escalated.[32] The most often cited legal basis for these curfews is Section 144 of Myanmar's Code of Criminal Procedure, which affords authorities discretionary powers to restrict access to certain areas if they consider that it will prevent 'disturbance of the public tranquillity, a riot, or an affray' among other things.[33]

Checkpoints

The most ubiquitous formal restriction on freedom of movement in Rakhine State is the checkpoint. Checkpoints are physical barriers along transportation routes manned by state security forces with the intention of interrogating those traversing them, and are commonly located on major roadways, jetties, airports, in conflict-affected areas, and at the entrances of Rohingya villages and camps.

While it is extremely difficult to ascertain the exact number of checkpoints throughout Rakhine State, it is clear that their presence serves as both a real and perceived impediment to freedom of movement for all communities.[34]

Checkpoints are staffed by representatives of the Myanmar Police Force, the Tatmadaw, the BGP in northern Rakhine State, and Myanmar's Immigration Department, among others. In both northern and central Rakhine State, checkpoints are commonly manned by the Tatmadaw and the BGP in rural areas and by the Myanmar Police Force in urban areas. Though the ubiquity of checkpoints creates fear among all communities travelling within Rakhine State, communities experience them differently, as is explored in ***Section V: Community Experiences of Formal Movement Restrictions.***

State security forces at checkpoints routinely extort Rohingya attempting to move without the requisite permissions and/or documentation, and often subject them to physical or verbal abuse. The amount of money demanded by these actors is between 500 MMK (0.34 USD) and 6,000 MMK (4.14 USD) and can vary greatly according to the location of the checkpoint, the language spoken by the individual attempting to travel, the officials manning the checkpoint, and the documentation and/or permissions the traveller possesses. Other ethnic groups also face interrogation, questioning, and sometimes arrest by state security forces at checkpoints, often as a result of their perceived connection to the AA, although they are not subject to solicitation.

Security escorts

Local regulations or practices sometimes require Rohingya and Kaman to travel with a security escort in Rakhine areas, ostensibly to provide protection to travellers from possible attack from Rakhine communities. This most commonly occurs in central Rakhine State where Muslims are required to pay for an escort to access Sittwe General Hospital or market areas, and to travel from the Aung Mingalar quarter to the Sittwe camps. Elsewhere in Rakhine State, Rohingya and Kaman communities employ expensive security escorts to help travel to Sittwe or other Rakhine State townships. While some Muslims are willing to pay for a security escort as a form of protection[35], for most the price of a security escort amounts to extortion. The associated costs – which can range from 500 to 20,000 MMK (0.34–13.80 USD) per security guard depending on an individual's location and circumstances – can add an additional barrier to movement. In addition, the lack of available security escorts can lead to critical delays for patients seeking health care.

Restricted Zones

While Muslims face restricted movement in all parts of Rakhine State, certain parts of the state are completely off-limits to Muslims (unless under exceptional circumstances). While the legal basis for these restricted zones is not clear, they are evident particularly in township centres in central Rakhine State, including Kyauktaw, Mrauk U, Minbya, Myebon, Pauktaw, Ramree and Rathedaung townships. The banning of access to township centres has severe repercussions for access to healthcare, forcing Muslims to travel to more remote health facilities. In addition, most areas of Sittwe Township are inaccessible. Muslims are also completely banned from entering Toungup Township (including travel through the township) and are not permitted to stay overnight in Gwa Township.[36]

RELATIONSHIP BETWEEN DOCUMENTATION AND MOVEMENT

Access to documentation – including National Registration Cards (NRCs), CSCs, and NVCs – is a key determinant of communities' ability to move in Rakhine State, related as it is to the question of citizenship. Since the promulgation of the 1982 Citizenship Law, the government has developed and implemented a system of legal and extra-legal restrictions on freedom of movement, which are differentially enforced depending on the documentation in the possession of an individual while they are travelling. While access to documentation is necessary to move, however, it is not sufficient to ensure freedom of movement.

For Rohingya specifically, the government's historic and systematic denial of citizenship and access to documentation – as well as episodes of state-led violence against Rohingya communities in 1978, 1991, 2012, 2016 and 2017 during which the existing documentation of many was lost – has both limited their freedom of movement and increased the chances that those travelling without documentation will face extortion by state security forces.[39] For both Rohingya and Kaman communities, obtaining CSCs and in some cases NVCs is an expensive, time-consuming process, which does not guarantee freedom of movement and which can require registering as 'Bengali'.[40] Opaque and frequently evolving policy making with regard to documentation since the 1980s has resulted in the circulation of numerous different types of documents – with each new document further restricting the basic human rights of the Rohingya population specifically.

TABLE 2: Types of Formal Restrictions

Restriction Name	Description
INTRA-TOWNSHIP MOVEMENT PERMISSIONS: VILLAGE DEPARTURE CERTIFICATES[37]	Required to move between village tracts within a specific township, commonly referred to as *Tauk Kan Sas*.
INTER-TOWNSHIP MOVEMENT PERMISSIONS: FORM 4S	Required to move between townships or outside of Rakhine State. Requires a costly and lengthy process of approvals, including a police clearance form and Village Departure Certificate.
CURFEWS	Applies between 5:00 p.m. and 5–6:00 a.m.
CHECKPOINTS	Physical barrier at which the documents of travellers are checked. There are more than 160 checkpoints in northern and central Rakhine State.[38]
RESTRICTED ZONES	Areas where travel by Muslims is not permitted, including town centres in Kyauktaw, Mrauk U, Minbya, Myebon, Pauktaw, Ramree and Rathedaung. Muslims are completely banned from Toungup Township and cannot stay overnight in Gwa Township.
SECURITY ESCORTS	Official police escort required by state authorities for Muslims travelling between townships to downtown areas.

37 In this report, Village Departure Certificate refers specifically to a formal GAD requirement, which is physically represented by an official form. In Myanmar language, the common term for this form is *Tauk Kan Sa* which translates to 'permission form' or 'recommendation letter' and can have other manifestations beyond the Village Departure Certificate described in this report.

Issuing Authority and Legal Basis	Directed at
General Administration Department (GAD), issued by Village Administrators (*Ogathas*).	Historically only at Rohingya; recently extended to other communities in conflict-affected townships.
Ministry of Labour, Immigration and Population, Department of Immigration, based on a 1997 State Immigration Department Directive.	Historically targeted at 'foreigners' and 'Bengali races', also required by non-CSC holders.
Section 144 of the Myanmar Code of Criminal Procedure, enforced by security actors.	Historically only at Rohingya; recently extended to other communities in conflict-affected townships.
Checkpoints can be manned by a combination of officials from the Myanmar Police Force, Tatmadaw, Border Guard Police (BGP), and Immigration Department.	Communities in northern Rakhine State and conflict-affected areas.
Unclear.	All Muslims.
Unclear.	All Muslims in central Rakhine State.

TABLE 3: Types of identity cards

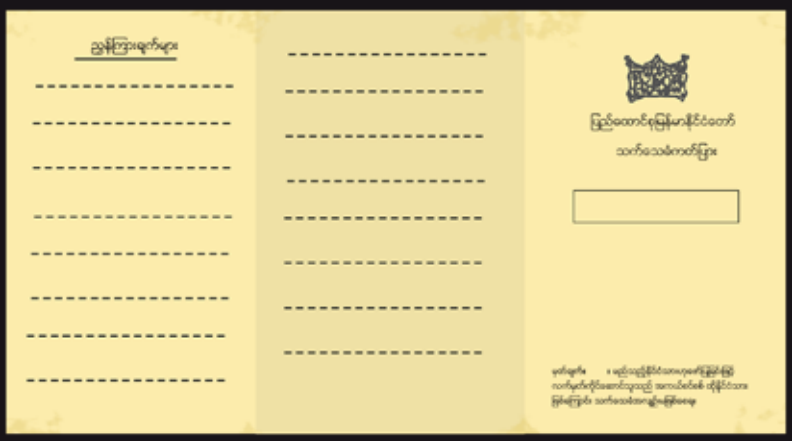
Identity Card	Alternate Name
NRC	Three-fold Card
TRC	Temporary Identification Certificate or White Card
TEMPORARY APPROVAL CARDS	White Card Receipt
CSC	Pink/Red Card also colloquially referred to as NRCs
NCSC	Green Card
ACSC	Blue Card
ICNV	NVC

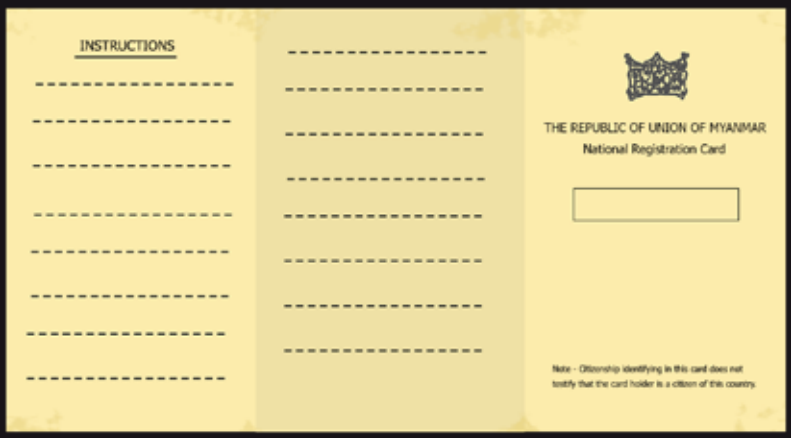
Legal Basis	Description
Issued under 1949 Registration of Residents Act and 1951 Resident Registration Rules. Voided in 1989, still carried by some individuals.	Issued by GoM between 1949 and 1989. Offers access to full citizenship rights and does not indicate race/religion. Later replaced by CSC. Rohingya and Rakhine Muslims who surrendered their NRCs as part of the citizenship scrutiny process in the early 1990s did not receive CSCs in return, in violation of the law.
Issued under 1949 Registration of Residents Act and 1951 Resident Registration Rules. Revoked in 2015, still carried by some individuals.	Issued to individuals who have lost or damaged their NRC. Rohingya and Rakhine Muslims without NRCs or CSCs were issued TRCs in 1995 as a temporary form of identification. Revoked in March 2015.
Legal basis unclear, still carried by some individuals.	Issued to Rohingya and Rakhine Muslims as a receipt for TRCs, which were revoked in 2015. Does not confer any rights.
Issued under 1982 Citizenship Law. Distributed since 1989.	Issued to individuals who qualify as 'full' citizens, including members of *Taingyintha*, or 135 recognised 'national ethnic groups' including Rakhine, Kaman and Maramagyi. Replaces NRC.
Issued under 1982 Citizenship Law. Distributed since 1989.	Issued to individuals who qualify as 'naturalised' citizens. Replaces NRC.
Issued under 1982 Citizenship Law. Distributed since 1989.	Issued to individuals who qualify as 'associate' citizens. Replaces NRC.
Introduced in 2014 under 1949 Registration of Residents Act and 1951 Rules.	Issued to individuals who wish to apply for citizenship and do not hold other forms of legal documentation. Provides temporary residency while the card holder undergoes the citizenship scrutiny process.

NRC

ALSO KNOWN AS THE 'THREE-FOLD CARD'

The Myanmar government issued the NRC, also known as the ‘three-fold card’, to citizens under the 1949 Residents of Burma Registration Act and its 1951 Rules. The NRC provides access to full citizenship rights and does not indicate a person’s race or religion. This card was later replaced by the CSC and is no longer officially issued. Beginning in 1989, many Rohingya participating in citizenship scrutiny efforts surrendered their NRCs but did not received CSCs in spite of the law, leaving them without any form of documentation. Some older Rohingya still carry the card as their only form of documentation.





* Disclaimer: This card or document is for illustration purposes only.

TEMPORARY REGISTRATION CARD (TRC)

ALSO KNOWN AS THE 'WHITE CARD'

The Myanmar government issued the TRC, also known as the 'white card', under the 1949 Residents of Burma Registration Act to replace lost or damaged NRCs. In 1995, the government began issuing the TRC to Rohingya – including those whose NRCs had been confiscated in citizenship scrutiny processes – which allowed them to vote in the 2010 national election, but which cannot be used to claim citizenship. The government revoked the TRC in March 2015 ahead of the national elections and issued Temporary Approval Cards (commonly known as 'white card receipts') to Rohingya who surrendered their TRCs. Neither the TRC nor these receipts conferred any rights on the Rohingya.


TEMPORARY REGISTRATION CARD

ID Serial no.

Name

Nationality/Religion

Date of birth

Eyes color

Hair color

Father's name

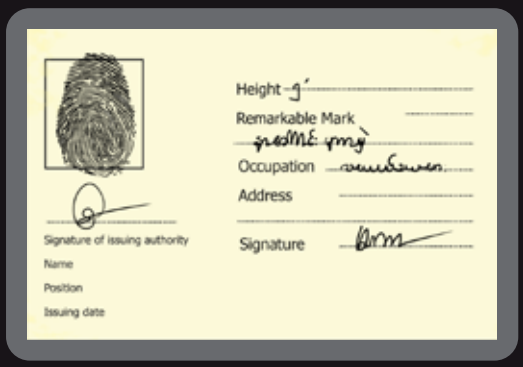
Nationality/Religion

Signature of issuing authority

Name

Position

Issuing date


Height -

Remarkable Mark

Occupation

Address

Signature

Signature of issuing authority

Name

Position

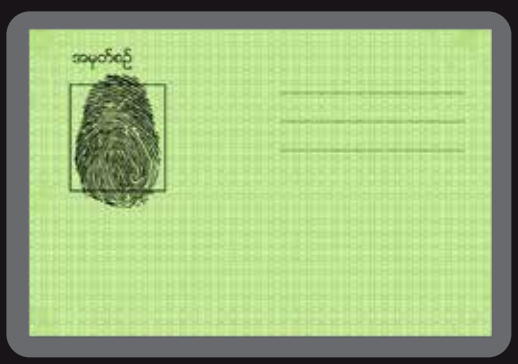
Issuing date

* Disclaimer: This card or document is for illustration purposes only.

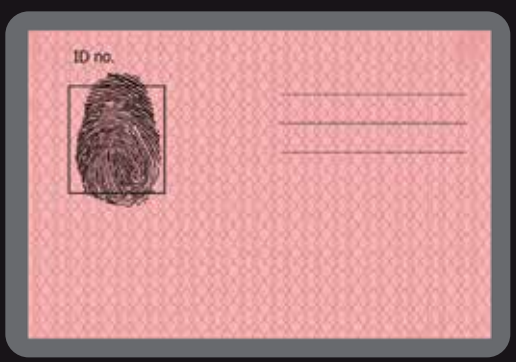
CSC

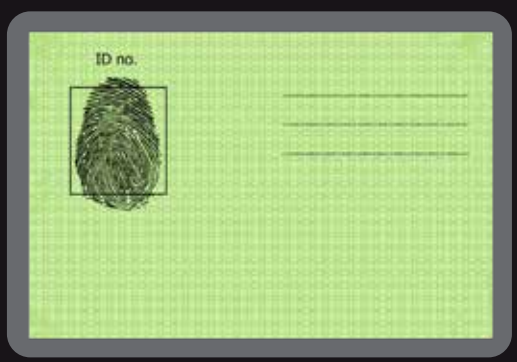
ALSO KNOWN AS THE 'PINK', 'GREEN' AND 'BLUE CARD' AND COMMONLY REFERRED TO AS AN 'NRC'

The government began issuing the CSC to citizens after 1989, following the promulgation of the 1982 Citizenship Law and its 1983 procedures. Myanmar's citizenship laws are complex and provide for three tiers of citizenship: 'citizen', 'associate citizen', or 'naturalised citizen'. Qualifying for a particular citizenship tier is dependent on whether an individual is a member of the *Taingyintha*, or 135 recognised 'national races', the documented citizenship status of an individual's parents, or the individual's citizenship status at the time of independence in 1948. CSCs are colloquially referred to as NRCs, though they are distinct from the now-obsolete NRCs issued in the 1940s and 1950s.



The CSCs are colour-coded based on citizenship status: citizens receive pink cards, or CSCs; associate citizens receive blue cards, or Associated Citizenship Scrutiny Cards (ACSCs); and naturalised citizens receive green cards, or NCSCs. The majority of Rohingya do not have CSCs, although recent efforts by the government to increase enrolment in a citizenship verification process has led to an incremental increase in NCSCs issued (a smaller number of CSCs have also been issued). Rohingya commonly report receiving NCSCs even if they have submitted the documents necessary to qualify them for CSCs. Under current provisions of the process, Rohingya must register as 'Bengali' to obtain either CSCs or NCSCs.



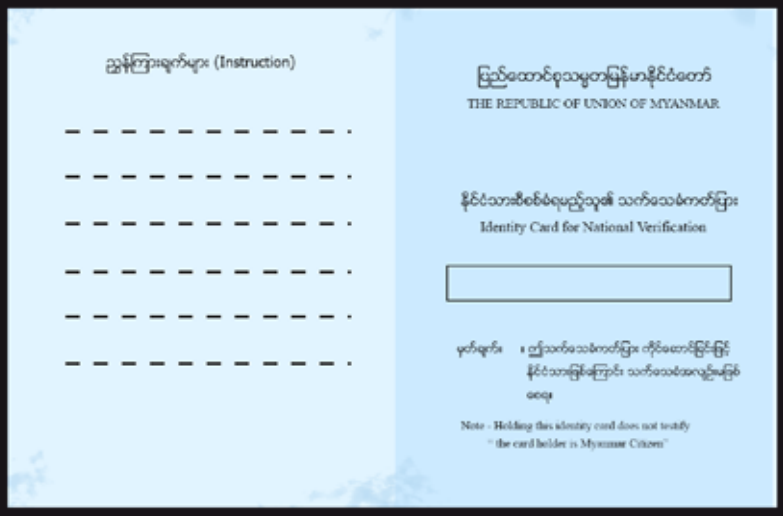


* Disclaimer: This card or document is for illustration purposes only.

NVC, OFFICIALLY THE IDENTITY CARD FOR NATIONAL VERIFICATION (ICNV)

The NVC (officially the ICNV) is an identification document used since 2014 to indicate temporary residency for undocumented people undergoing the citizenship scrutiny process. It has primarily been issued to Rohingya, as well as some Kaman and Hindu, communities in Rakhine State, although it has been given to other undocumented individuals across Myanmar. While the NVC is often linked to the citizenship verification process, it is a separate document that does not guarantee citizenship (*see Box 2: National Verification Cards*). The card states that, 'Holding this identity card does not testify that the card holder is (sic) Myanmar citizen.'

Although the card itself does not list the holder's ethnicity, the application form still contains space for individuals to list their ethnicity and religion. While this requirement was technically eliminated by the NLD government, Rohingya have commonly reported being forced to list 'Bengali' on the application form for the NVC (but not on the NVC itself); some Rohingya have also described being forced to describe when and how they immigrated to Rakhine State from Bangladesh, even if they were born in Myanmar. These issues have generated significant opposition to the card among Rohingya communities (***see Box 2: National Verification Cards***). It is important to note that despite recent efforts to increase NVC enrolment, the vast majority of Rohingya still do not possess NVCs.



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TAUK KAN SA

ALSO KNOWN AS TAUK KAN KYET

A VILLAGE OR WARD DEPARTURE CERTIFICATE

The Village Departure Certificate requirements exist in various parts of Myanmar, particularly in conflict-affected areas, and may have a range of uses. However, in Rakhine State they are a long-standing requirement that has most commonly been used to restrict nearly all Rohingya living in villages in northern Rakhine. Kaman and Hindu communities in some areas of the state have also been required to obtain permission letters to travel outside of their township. Since 2019, some Rakhine people living in areas affected by the AA–Tatmadaw conflict have also been required to obtain them to travel.

In Rakhine State, the Village Departure Certificate is an official government form that requires the signatures of the 100-Household Head and the Village Administrator (often referred to as Ogatah in Myanmar language). In order to obtain it, individuals are required to provide their name, their parents' names, the name of their village of origin, and their reason for travelling. In many cases, obtaining the Village Departure Certificate requires individuals – most commonly Rohingya – to make unofficial payments to their Village Administrator – with a typical cost of 1,000 MMK (0.69 USD), although some Rohingya have reported paying up to 5,000 MMK (3.45 USD).

Recommendation Letter

Date:

Name

Father's name

NRC no

Previous address

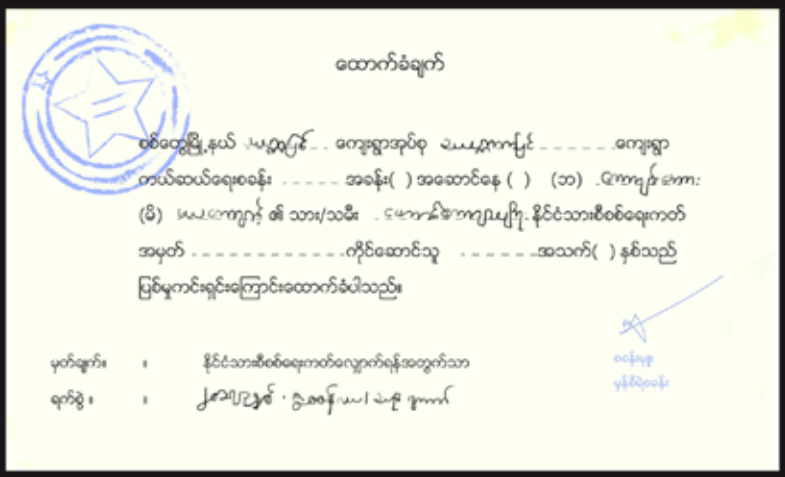
This person is certified to be living in a refugee camp.

On behalf of Administrator

* Disclaimer: This card or document is for illustration purposes only.

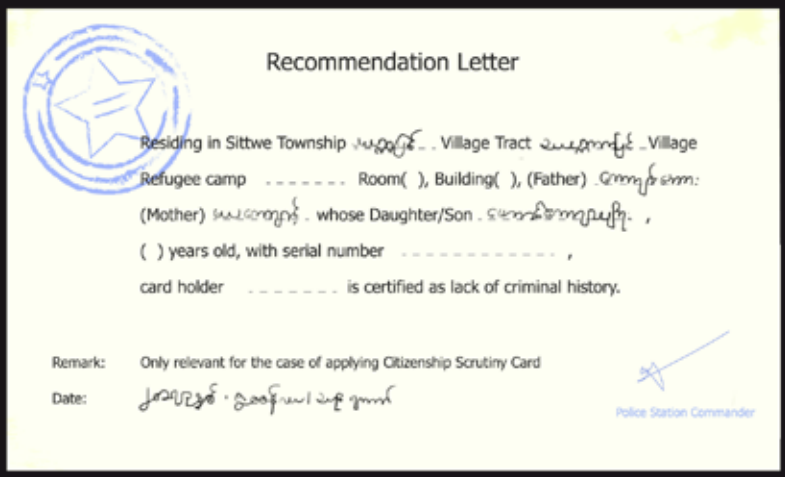
POLICE CLEARANCE FORM

For undocumented individuals seeking to travel outside their township of residence, a police clearance form is required in order to apply for a Form 4, signed off by the local chief police officer. These forms are also required when applying for citizenship, as indicated in the example below. The form certifies that the holder does not have a criminal history.



ထောက်ခံချက်

နိုင်ငံသားစီစစ်ရေးကတ်လျှောက်ရန်အတွက်သာ



Recommendation Letter

Residing in Sittwe Township ..... Village Tract ..... Village
Refugee camp ..... Room( ), Building( ), (Father) .....
(Mother) ..... whose Daughter/Son .....
( ) years old, with serial number .....,
card holder ..... is certified as lack of criminal history.

Remark: Only relevant for the case of applying Citizenship Scrutiny Card

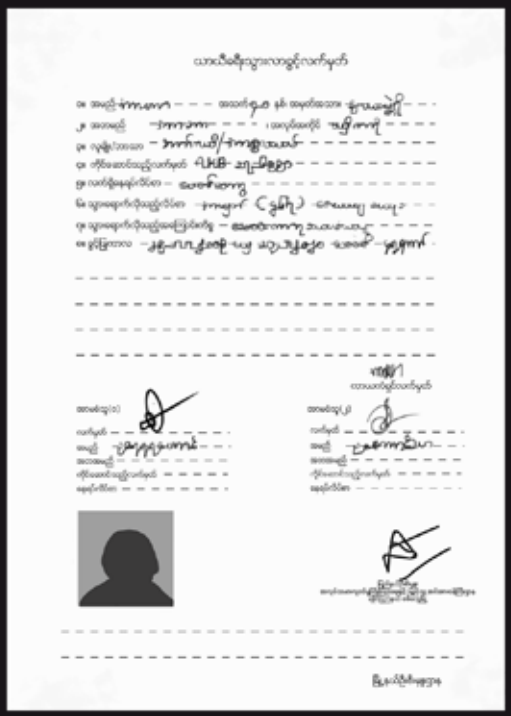
Date: .....

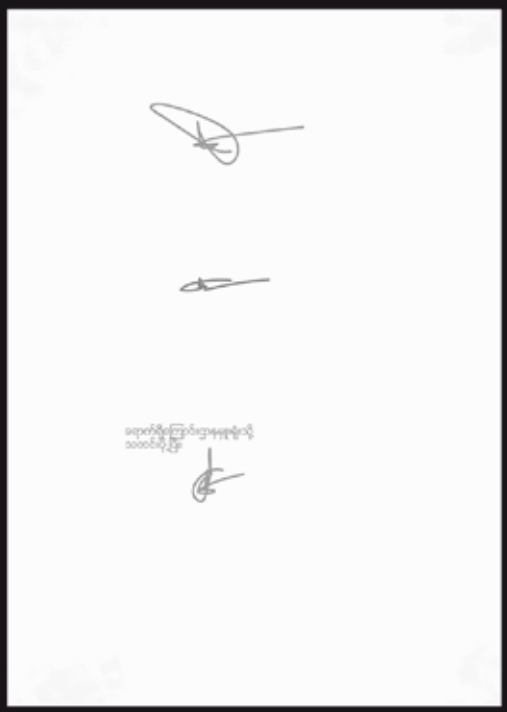
Police Station Commander

* Disclaimer: This card or document is for illustration purposes only.

FORM 4

A temporary travel permit which 'foreigners' and 'Bengali races' – including anyone not holding a CSC – must obtain to travel between townships and outside of Rakhine. To obtain a Form 4, applicants must first acquire a Village Departure Certificate in order to travel to their respective Township Immigration Department, where they are required to present their Village Departure Certificate, several identification documents, a police clearance form, and a payment to Immigration Department officials for their assistance. Although there is an official cost associated with acquiring a Form 4, a significant unofficial cost is typically added onto every application.





Temporary Travel Pass

1.Name – – – Age – remarkable mark –
2.Father's name – Occupation –
3.Nationality/Religion –
4.Identification Card Number –
5.Current address –
6.Address of the destination –
7.Reason of traveling –
8.Permission period –

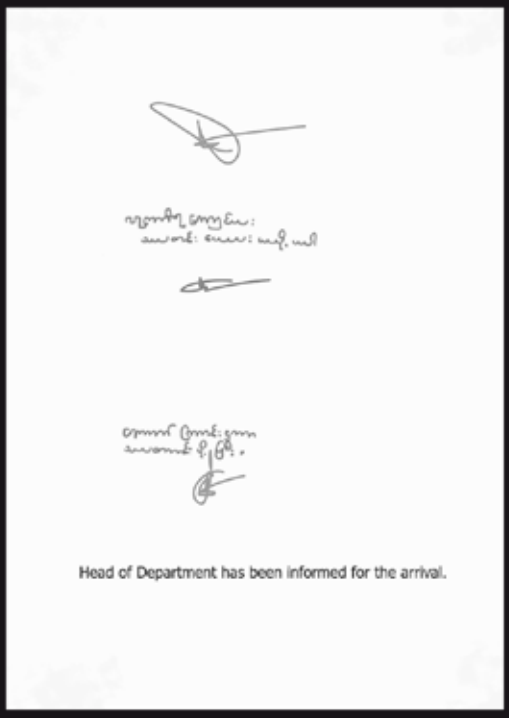
Signature

Guarantor (1)
Signature
Name
Father's name
Type of identity card
Address

Guarantor (2)
Signature
Name
Father's name
Type of identity card
Address

Chief Staff Officer
Ministry of Labour, Immigration and Population
Rakhine, Sittwe

Township Administration Department



Head of Department has been informed for the arrival.

* Disclaimer: This card or document is for illustration purposes only.

BOX 2: National Verification Cards

In July 2014, a 'citizenship verification process' was piloted by Thein Sein's USDP-led government in an effort to register undocumented individuals – primarily Rohingya – who were holding TRCs in Rakhine State. Individuals were invited to apply for an ICNV, a temporary identification card valid for two years, while authorities determined whether individuals were entitled to citizenship through a separate citizenship verification process. Rohingya applicants were forced to register as 'Bengali' or 'Bengali/Islam'.[42] By August 2017, the RAC noted that the government had issued an estimated 10,000 NVCs to Muslims in Rakhine State. Although the government has stepped up processes to compel Rohingya to register for the scheme in recent years, the vast majority of Rohingya still do not possess NVCs or other forms of documentation. The NVC has also been applied to Hindu communities and some Kaman individuals in Rakhine,[44] and has been used in other parts of the country as well.

The NVC does not guarantee citizenship to the holder, but instead allows them to apply for citizenship under the 1982 Citizenship Law.[45] As noted, Myanmar authorities have repeatedly claimed that NVC holders will enjoy freedom of movement, and that acquiring the NVC is the first step in obtaining full citizenship, naturalised citizenship, or associate citizenship. However, the government has sent conflicting messages regarding its claims of increased freedom of movement, with the Ministry of Social Welfare, Relief and Resettlement's Dr Win Myat Aye stating that NVC-holders would be able to travel throughout Myanmar, a statement that was later refuted by the Ministry of Labour, Immigration and Population, which stated that card-holders would only be allowed to use the card to travel within their own townships.[46] Rohingya interviewed by the IRI in northern Rakhine widely reported that possession of the card allowed for movement between Maungdaw and Buthidaung Townships without obtaining a Form 4 and had reduced the likelihood of extortion and informal payments at checkpoints; however, travel for NVC-holders outside of northern Rakhine remained extremely restricted.

Since the pilot of NVCs began in 2014, Myanmar authorities have repeatedly attempted to coerce Rohingya communities to accept the NVC,[47] among other things by limiting the ability of those without the card to move. In May 2018, an internal humanitarian advocacy brief noted that IDPs in Sittwe and Pauktaw Townships had been coerced to apply for NVCs in order to obtain fishing licenses:

> *'Many fishermen do not apply voluntarily, but are required by their employers to apply so as not to disrupt labour for the fishing industry.... The requirement to hold an ICNV to engage in certain livelihood activities has had a severe socio-economic impact on the affected communities, and in some cases generated new protection risks, including dangerous travels and high household debt.'*[48]

In recent months government authorities have also forced recently released prisoners and Rohingya going through the official repatriation process to obtain the card.[49] Some Rohingya have also reported paying for the card, despite government assurances that the NVC is free of charge.

The application process for obtaining the NVC is problematic in and of itself. Rohingya interviewed by the IRI commonly reported that the application form asked for race/ethnicity and that Immigration Department officials filling the form on behalf of Rohingya applicants commonly wrote 'Bengali'. One

Rohingya man from Maungdaw, who remarked that his experience was commonplace among his friends who had applied for NVCs, said that Immigration Department officials had forced him to sign off on a pre-filled application form stating that he had immigrated to Myanmar from Bangladesh, even though he had presented his birth certificate from Maungdaw Hospital. He said that the experience had caused him trauma:

> *'Everything is bad about the card.... The situation forced me to accept it. I feel like I didn't do a good job about this in my mind.'*[50]

Deep mistrust of the government, following waves of confiscation of identity documents, combined with reports of forced enrolment in the NVC scheme, have led to the creation of a deep societal stigma against the card, even as some Rohingya have reported some localised increases in movement abilities in northern Rakhine. The resulting societal pressure to reject the card has put many Rohingya in a precarious position, particularly those required to obtain the NVC for their livelihoods. In its 2018 report on livelihoods, the IRI found that fisherfolk faced a choice between social ostracisation for accepting the card and continuing to fish, and the loss of their livelihoods and the ensuing concerns about how to provide for their families.[51]

Even those who do obtain NVCs continue to face the possibility of violence and extortion. One man from Dar Paing Camp in the Sittwe camp area explained that despite his possession of an NVC, as recently as June 2019, Tatmadaw personnel beat him and solicited bribes on several occasions while he was travelling for work, forcing him to change his job:

> *'We went to Pyar Lay Chaung village, and there were three checkpoints on the way. There is Thet Kay Pyin Checkpoint, one checkpoint near Mahabandoola checkpoint; the last one is Yae Chan Pyin Checkpoint. We went there to work. We have to pay 5,000 MMK (3.45 USD) if we want to take the urban road by motorbike, or else we will be beaten. [The military] asked, "Who told you to come here?" It does not matter whether we show NVC or not. The military said, "We have nothing to do with the NVC card, it is only concerned with the immigration." We had to pay 5,000 MMK (3.45 USD) even if we had NVC cards. It has only been six or seven days since we came back. We do not go there to work anymore.... For now, it is hard to travel to earn a living. We used to go to Lanmachay (Hla May Shwe) Village to work. When we said we did not have money, they beat us. After I was beaten two or three times, I could not stand it anymore. Finally, I decided to go work at the teashop.'*[52]

While some Rohingya have accepted NVCs willingly, numerous interviewees for this report in both Rakhine State and Cox's Bazar, Bangladesh, told the IRI that they feared that accepting the NVC would pave the way for further erosion of their citizenship status in the future:[53]

> *'I think it's a document that will make our generation stateless, that's why we're denying it. Even if they restrict us for many things, blocking access to many things we deny it. We believe it will make all of us stateless.'*[54]

IMPLEMENTATION OF ADMINISTRATIVE MOVEMENT RESTRICTIONS

Restrictions on movement are made possible by numerous different state actors working in concert, from the Union to the local level. While the origin of policies to restrict movement is rarely made clear, it is most often village and township level officials – specifically Village and Township Administrators – operating under the GAD who are cited as responsible for disseminating information about restrictions to local populations. These officials work in conjunction with state security forces at checkpoints to ensure restrictions are implemented.

Although various different ministries within the GoM – including the Ministry for Security and Border Affairs, the Ministry of Home Affairs, and the Ministry of Labour, Immigration and Population – have been cited as responsible for issuing orders that restrict movement, the state apparatus relies almost entirely on local civil servants to implement these orders. In many ways, civil servants at the township and village level, along with state security forces, are the gatekeepers for freedom of movement in Rakhine State.

For local residents belonging to various communities at the village tract level, Village Administrators are the key node of interaction with the state when negotiating restrictions on movement. They, and their staff, are responsible for disseminating information about restrictions, providing documentation to facilitate movement in the form of Village Departure Certificates, and negotiating with state security forces on behalf of individuals trying to move. In central Rakhine State's internment camps, Rohingya serving on Camp Management Committees (which report to the GAD) serve as focal points for those seeking permission to travel outside the camps to other townships.

For Rohingya communities outside camps, township-level Immigration Department staff are often responsible for providing or denying individuals the Form 4 in order to travel between townships in Rakhine State. Alongside this, Immigration Department officials are responsible for the provision of NVCs to Rohingya – documentation central to their freedom of movement as well as their access to services. In some areas, Township Medical Officers and other local health officials are also involved in approving the medical referrals necessary for Rohingya and Kaman to travel to local hospitals.

ENFORCEMENT OF ADMINISTRATIVE MOVEMENT RESTRICTIONS

Restrictions on freedom of movement in Rakhine State are a loose grouping of policies and practices enforced in an ad hoc manner by various organs of the state security apparatus and government officials. The government cites a number of official laws and regulations with which it enforces movement restrictions in Rakhine State. These include, but are not limited to:

1982 Citizenship Law, combined with its associated procedures and arbitrary

enforcement, it has led to the statelessness of the Rohingya community and to the undocumented status of individuals across Myanmar;

1947 Burma Immigration (Emergency Provisions) Act, which regulates entry into the country by 'foreigners';[55]

1949 Residents of Burma Registration Act, which regulates the registrations of all residents of Burma under the NRC system;[56]

Rakhine State Immigration and National Registration Department order from June 1997, which requires 'foreigners' and those of the 'Bengali race' to use Form 4s to travel between townships;

Section 144 of Myanmar's Code of Criminal Procedure, which allows authorities discretionary powers to restrict access in areas where there may be a 'disturbance of the public tranquillity, a riot, or an affray' among other things.[57]

Orders based on these laws and regulations serve as the basis for the use of checkpoints to check documentation, the use of Village Departure Certificates and Form 4s, and curfews. They are administered to communities through various government bodies, most commonly the GAD and the Immigration Department. They are not available to the public.

While Village Administrators and Immigration Department officials are charged with administering the permissions required to move, checkpoints – which can be located on roadways, jetties, and airports – serve as the primary point for the inspection and enforcement of restrictions. All travellers are asked to present documents. Those who do not have proper permissions or documentation are typically solicited for bribes, which can range between 500 MMK (0.34 USD) and 6,000 MMK (4.14 USD). Those who cannot pay may be verbally or physically abused, detained until a relative or Village Administrator can pay for their release, or charged with violating the law and imprisoned.

In the event that an individual is able to obtain the requisite permissions and documentation to move, in many cases their interactions with state security forces at checkpoints may still involve interrogation, abuse and, in the case of Rohingya and Kaman communities, extortion. Historic and ongoing human rights violations by state security forces at checkpoints have resulted in individuals being forced to limit their own movement. More recently, the escalation of the conflict between the AA and the Tatmadaw has driven some Rakhine men to avoid travelling for fear of arbitrary arrest by state security forces.

For many, the consequences of travelling without the requisite documentation can extend beyond extortion and bribery to imprisonment. Since September 2019, 417 individuals have been arrested fleeing from either Rakhine State or Cox's Bazar, Bangladesh, with most being tried under the 1949 Residents of Burma Registration Act. The typical penalty for illegal travel is up to two years imprisonment.[58]

TABLE 4: Recent Arrests of Rohingya Traveling Out-of-State[59]

2019

27 SEPTEMBER

30 individuals, including 9 children, arrested

at Nga Yoke Kaung, Pathein Region after travelling by boat.

OUTCOME: Tried under 1949 Residents of Burma Registration Act. 21 adults received two years imprisonment; eight children must serve two years at vocational school for girls or boys' youth rehabilitation centre.

20 NOVEMBER

22 individuals, including 8 children arrested,

at Shwe Thaung Yan, Pathein Region after travelling by boat.

OUTCOME: Tried under 1949 Residents of Burma Registration Act. 14 adults received two years in prison; eight children must serve two years at vocational school for girls or boys' youth rehabilitation centre. An appeal is ongoing.

7 Rohingya including 2 children arrested

in Hpa Yar Gyi, Bago Region, after travelling by car.

OUTCOME: Undergoing trial under 1947 Immigration (Emergency Provisions) Act. Case is ongoing.

8 NOVEMBER

21 FEBRUARY

Approximately 70 Rohingya arrested

in Hlegu Township, Yangon Region.

OUTCOME: All are on trial for travelling without documentation.

15 DECEMBER

173 Rohingya arrested

at sea near Tanintharyi Region.

OUTCOME: All were sent to Nga Khu Ya Reception Centre in Maungdaw.

2020

96 Rohingya, including 25 children, arrested

at Chaung Thar, Ayeyarwady Region after travelling by boat.

OUTCOME: Undergoing trial under 1949 Residents of Burma Registration Act. Case is ongoing.

29 NOVEMBER

19 Rohingya, including 4 children, arrested

in Minhla township, Magway Region.

OUTCOME: Children sent to youth training centre in Mandalay; adults on trial.

14 FEBRUARY

INFORMAL RESTRICTIONS ON MOVEMENT

While formal restrictions are the most visible and tangible barriers to freedom of movement, informal restrictions on movement resulting from the wider socio-political context also play a major role in determining the movement abilities of individuals and communities. While some observers have termed these 'self-imposed' restrictions, it is important to note the degree to which broader contextual conditions limit the agency with which individuals can make the 'choice' to move.

The three most significant socio-political factors enabling informal movement restrictions are:

Intercommunal policing of movement. Hard-line elements within the Rakhine (and some Hindu) populations in some parts of Rakhine State play an important role in inhibiting the movement of other ethnic groups, including Rohingya, Maramagyi and Kaman. Hard-liners use violence or the threat of violence to intimidate minority communities from moving freely and punish those who choose to do so. Rakhine extremists also call on local security officials to police other communities and are enabled by the climate of impunity described below.

Climate of impunity for perpetrators of human rights violations. The lack of accountability for perpetrators of human rights violations, both for historical atrocities as well as contemporaneous crimes, enables both state security officials as well as hard-liners to use extortion, violence and force to block or limit movement without fear of repercussion. While the Rohingya community is most acutely aware of this factor, Rakhine communities are increasingly aware – and fearful – of human rights violations by the Tatmadaw and the ensuing lack of accountability.

Failure to ensure a secure environment. While threats of intercommunal violence are a reality in Rakhine State, the government's response to these threats has not been to ensure the protection of vulnerable communities and their ability to move freely, but instead to further constrict their rights by constructing movement barriers and blocking off access to township centres.

The interplay of these three factors, combined with the many formal restrictions on movement, create an environment of fear in which individuals and communities feel they have no choice but to limit their own movement (this point is explored in *Section VIII: Analysis*). However, it is necessary to note that these factors are not necessarily generalisable to the entire state. Positive intercommunal relations between communities can also increase local movement abilities (although they may continue to be limited by administrative restrictions).

COST OF MOVEMENT

The costs associated with formal and informal restrictions on movement add up to a significant cross-cutting barrier to travel and accessing services. Costs are incurred with every step of the process linked to obtaining movement permissions, including applying for Village Departure Certificates, applying for Form 4s, passing checkpoints, and transportation itself. Significant costs are also incurred for procuring documentation through brokers, including Form 4s and CSCs, and for obtaining permissions to undertake livelihood activities such as fishing. While some of these costs are official, most are unofficial in nature.

In collecting data for this report, the IRI found that only Rohingya were forced to make payments in order to be able to travel. While separate anecdotal evidence exists to suggest that other communities also encounter solicitation while travelling, it appears from the evidence that as a community, the Rohingya are systematically targeted for extortion. Unofficial payments are most often demanded of Rohingya travelling without documentation, although some Rohingya reported paying bribes even with the proper permissions in hand. For many Rohingya, the costs associated with obtaining movement permissions are so high that they prohibit travel altogether. It is important to keep in mind the relative income of those who are subject to these types of payment. While there is little data available on household income for Rohingya, it is likely that even payments of 3,000–5,000 MMK (2.07–3.45 USD) can represent a significant weight.

Cost of identification documents

Rohingya who have applied for citizenship are often required to spend exorbitant amounts of money to ensure that government officials process their applications. One Rohingya man who applied for CSCs for his family of six (he only received five NCSCs) reported paying 18,000,000 MMK (approximately 12,500 USD) to facilitate the process.

Cost of travel permissions

Rohingya face a range of costs associated with obtaining permissions to travel. Requesting a Village Departure Certificate from a Village Administrator can range from 1,000–5,000 MMK, (0.69–3.45 USD), while acquiring a Form 4 from a township Immigration Department office valid for between 7 and 45 days can cost anywhere from 100,000 (68.99 USD) to 800,000 MMK (551.93 USD). However, if the permission is being requested for a journey to Yangon, the application for a Form 4 must be finalised by the Yangon-level Immigration Department, which can incur costs as high as 250,000 MMK (172.48 USD). It is unclear to what degree these charges are official or unofficial in nature. The cost of obtaining a Form 4 is compounded by the additional need to pay for a Village Departure Certificate to reach township Immigration Department offices and the price of passing the checkpoints along the way. Most Rohingya with NVCs in northern Rakhine reported that they no longer required a Village Departure Certificate for travel within their own township.

Cost of travel

Often, Rohingya travelling throughout Rakhine face extortion at every checkpoint they cross. Unofficial payments can range between 500 and 6,000 MMK (0.34–4.14 USD) at each checkpoint, which are most commonly located on roadways but are also present at jetties and airports. Rohingya with NVCs travelling in Buthidaung and Maungdaw Townships have reported that they no longer need to pay bribes at checkpoints.

The cost of transportation itself can be prohibitive for Rohingya. Public transportation is generally not available for Rohingya in central Rakhine State, requiring most to hire private vehicles to be able to move. The cost of payments to boat, bus and car drivers can be astronomical for an impoverished community. While the cost can vary depending on distance and method of transport, some examples include a Rohingya who paid 600,000 MMK (413.95 USD) to travel by speedboat from Buthidaung to Sittwe Jetty and 60,000 MMK (41.40 USD) from the jetty to Sittwe Airport, and a Rohingya who paid 60,000 MMK (41.40 USD) to travel by motorbike from Minbya Township to Sittwe. Rohingya are also frequently required to pay for security escorts, particularly when travelling to city-centre areas. Costs for security escorts can range from 10,000 to 120,000 MMK (6.90–82.79 USD) depending on the distance and number of police involved.

Cost of brokers

Brokers are instrumental for facilitating any travel for Rohingya, even if those travelling have legal documentation, and particularly for those seeking to travel outside Rakhine State. While brokers serve a purpose – allowing those who can afford to pay them to travel – they play a damaging role as the facilitators of a discriminatory system of extortion that profits from the exploitation of the Rohingya community. Rohingya who reported using brokers were charged large lump sums of cash, which often included payments for travel costs as well as movement permissions. Given the illicit nature of these transactions, travel through brokered arrangements can often lead to the arrest of those travelling (as detailed in ***Table 4: Recent Arrests of Rohingya Travelling Out of State***).

TABLE 5: Costs of Various Permissions Reported by Rohingya Interviewees (Indicative Costs Only*)

Permission	Minimum (MMK // USD)	Median (MMK // USD)	Maximum (MMK // USD)
VILLAGE DEPARTURE CERTIFICATE	1,000 // 0.69	3,000 // 2.07	5,000 // 3.45
SECURITY ESCORTS WITHIN SITTWE TOWNSHIP	500 // 0.34	5,000 // 3.45	20,000 // 13.80
CHECKPOINT FEES WITHIN SITTWE TOWNSHIP	500 // 0.34	5,000 // 3.45	10,000 // 6.90
CHECKPOINT FEES OUTSIDE SITTWE TOWNSHIP	500 // 0.34	3,500 // 2.41	15,000 // 10.34
FORM 4 (FOR TRAVEL WITHIN RAKHINE STATE)	10,000 // 6.90	35,000 // 24.15	150,000 // 103.49

* While the IRI attempted to systematically collect information from research participants, it was exceedingly difficult to gather a large sample size to report on specific costs. Most Rohingya who spoke to the IRI said they did not have first-hand experience of travel costs because they simply could not afford to travel. Other Rohingya reported paying lumps sums for brokers to facilitate travel but did not know specific costs. Others reported the aggregated costs of permissions for multiple people but did not break them up into individual costs. The costs listed in this table come from 80 discrete observations about costs and are reported in ranges to give readers a sense of what permissions could cost. Costs for which there was insufficient data to report a range are not recorded. The IRI stresses that these should not be considered as representative.

BOX 3. Cost of Travel between Buthidaung and Yangon

While most Rohingya cannot afford to travel outside of their village tracts or townships, those who do face charges at every part of the process. To estimate the cost of travel between northern Rakhine State and Yangon, the IRI spoke with individuals who had recently arrived in Yangon about the costs they paid along the way (illustrated in ***Table 6***). Note that these data were obtained from a small sample size of Rohingya travellers who could report first-hand the costs they had paid, and who did not possess CSCs.

Obtaining the necessary permissions to travel from northern Rakhine State to Yangon is an arduous, time consuming, and costly process. Even if the traveller is in possession of an NVC, costs are incurred at every step of the way. A typical journey from northern Rakhine to Yangon can cost between 942,000 MMK (649.90 USD) and 1,833,000 MMK (1,264.60 USD) for a single individual, although some costs, such as transportation, can decrease if more than one person is travelling. The steps associated with obtaining permission to travel include:

1. Obtaining a Village Departure Certificate from a Village Administrator – typically costs 1,000 MMK (0.69 USD). Alongside the Village Departure Certificate, individuals are often required to obtain a police clearance letter, which costs 2,000 MMK (1.38 USD).
2. Applying for a Form 4 to travel to Yangon – the application must be approved by district- and state-level Immigration Departments. It is also cross-verified with township Immigration Department offices in Yangon. The cumulative cost of these steps can be between 250,000 MMK (172.48 USD) and 1,000,000 MMK (689.92 USD).
3. Most Rohingya (and Kaman) cannot travel by road to Sittwe and are not allowed to take public transport, and must instead hire a speedboat to take them to Sittwe Jetty. The cost associated with this can be between 500,000 MMK (344.96 USD) and 600,000 MMK (413.95 USD). It can be split by the total number of travellers.
4. Further travel costs incurred include the car to get from Sittwe Jetty to Sittwe Airport, which is reported to be around 60,000–80,000 MMK (41.40–55.19 USD) and includes charges for a security escort, and the airfare itself, which is the standard fare of around 87,000 MMK (60.02 USD).
5. Rohingya reported having to pay 'tea money' of up to 5,000 MMK (3.45 USD) to each of the relevant departments at the airport, such as police, immigration, customs, etc.

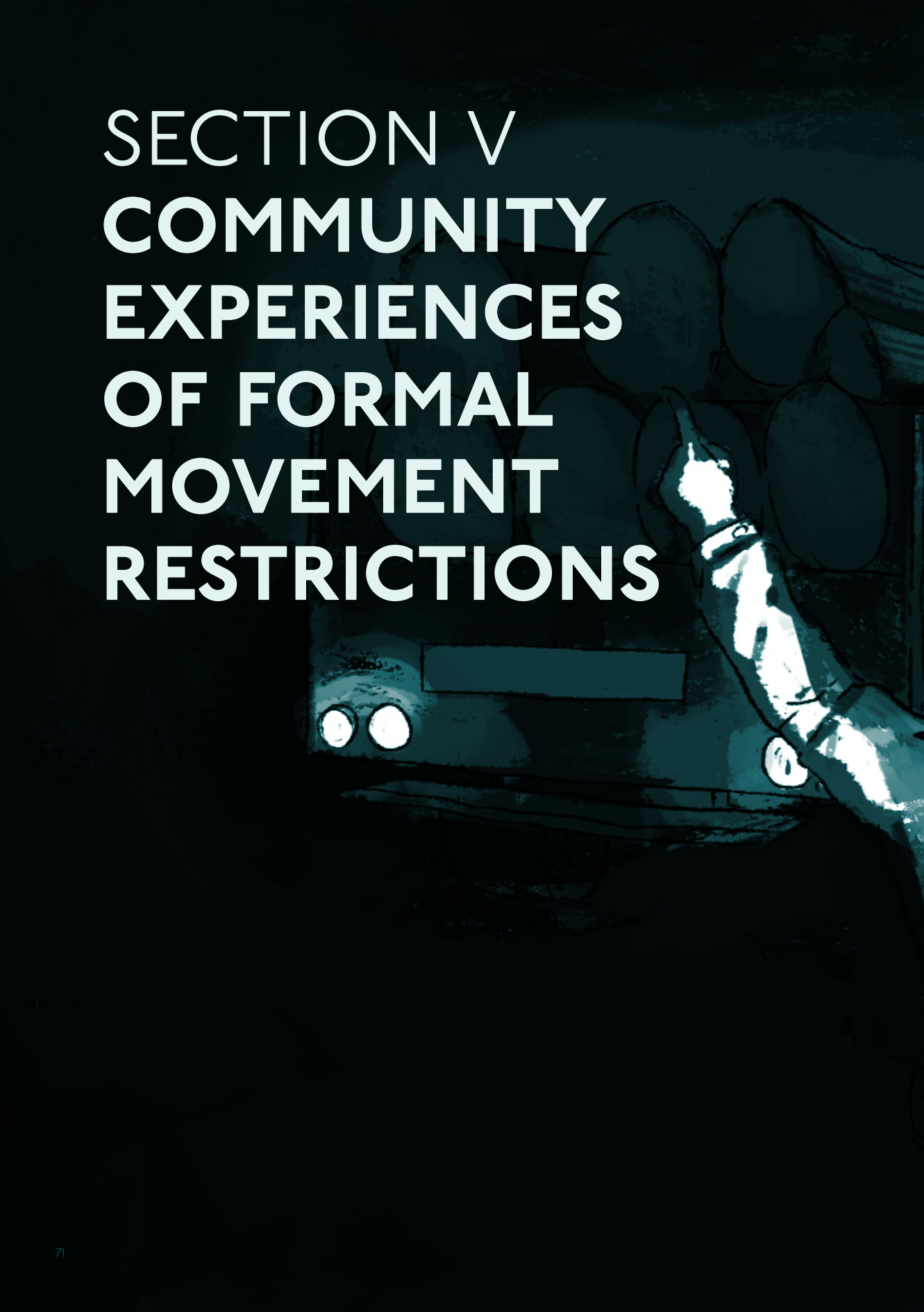
TABLE 6: Costs Associated with an Individual's Journey from Maungdaw/Buthidaung to Yangon

Permission	Minimum (MMK // USD) USD Cost Lower Bound	Maximum (MMK // USD)
VILLAGE DEPARTURE CERTIFICATE	1,000 // 0.69	5,000 // 3.45
POLICE CLEARANCE LETTER	2,000 // 1.38	5,000 // 3.45
FORM 4 (VARYING AMOUNTS ARE PAID TO TOWNSHIP, DISTRICT AND STATE-LEVEL IMMIGRATION DEPARTMENT OFFICES)	250,000 // 172.48	1,000,000 // 689.92
SPEEDBOAT CHARGES FROM BUTHIDAUNG/MAUNGDAW JETTY TO SITTWE JETTY*	500,000 // 68.99	600,000 // 82.79
CAR HIRE CHARGES FROM SITTWE JETTY TO SITTWE AIRPORT*, INCLUDING SECURITY ESCORTS	60,000 // 41.40	80,000 // 55.19
AIR TICKET (ONE-WAY)**	69,000 // 47.60	83,000 // 57.26
PAYMENTS TO OFFICIALS AT YANGON AIRPORT	60,000 // 41.40	60,000 // 41.40
TOTAL COST	942,000 // 373.93	1,833,000 // 933.46

* Assumes the charge is placed on a single individual travelling. If more individuals are travelling, the cost is split between the travellers.

** Standard airfare cost. Charges for Rohingya travellers may be higher.

SECTION V
COMMUNITY EXPERIENCES OF FORMAL MOVEMENT RESTRICTIONS



'I need the Tauk Kan Sa if I travel between villages. Even if you travel during the day you need it because the police will ask at a checkpoint to check if you have it. To get it you have to pay 1,000, 2,000, or 3,000 MMK, (0.69, 1.38, or 2.07 USD), and if you don't have it the police will demand money at the checkpoint.'

Rohingya, Maungdaw Township

ROHINGYA

The Rohingya are a minority ethnic group in Rakhine State who identify with Islam and speak the Rohingya language. There continues to be a significant lack of data about the size and distribution of the Rohingya population, in large part because the government excluded the community from previous censuses.[60] In addition, the overall demographic makeup of the state was severely affected by the forced displacement of more than 750,000 Rohingya from northern Rakhine State, which depopulated large parts of Maungdaw and Buthidaung Townships in 2016 and 2017. Estimates by a humanitarian agency in 2018 put the population of Rohingya in central Rakhine State between 332,000 and 360,000, and between 200,000 and 320,000 in northern Rakhine State, for a total range of 532,000 to 600,000.[61]

The government has developed an ecosystem of restrictions on the Rohingya community's freedom of movement over decades. In its current form, the Rohingya are required to navigate a web of checkpoints, curfews, security escorts, and requirements for numerous permissions and documentation in order to travel in Rakhine State. However, the informal implementation of restrictions on movement by state security forces and government representatives means that Rohingya who meet the criteria set out by the government on paper are not guaranteed movement in reality. The informality around the implementation of these restrictions also enables a system of extortion, one based on bribes that Rohingya must pay. These costs are not formal in nature but are reported in this section as a cross-cutting barrier that affects the Rohingya community's ability to move.

The restrictions imposed on the Rohingya community's movement are not monolithic. Where Rohingya in Buthidaung are required to obtain Village Departure Certificates and provide white card receipts at checkpoints to move any other village tract, Rohingya in Mrauk U Township are not required to provide a Village Departure Certificate as long as the village or village tract they are travelling to is primarily Muslim. While Rohingya in Minbya have limited interactions with state security forces at checkpoints, Rohingya residing in the Sittwe camps often face extortion from state security forces at numerous checkpoints. The experience of restrictions related to movement is highly localised.

While it is important to draw commonalities to illuminate the wider government project to restrict the movement of an entire ethnic group, it is vital to acknowledge the variations in practices among state actors and the confusion surrounding the government's policies more generally. The government fails to communicate restrictions in a way that allows Rohingya to make informed judgements about moving, contributing to the perception that moving can be dangerous.

RESTRICTIONS ON ROHINGYA COMMUNITIES IN NORTHERN RAKHINE STATE: MAUNGDAW AND BUTHIDAUNG TOWNSHIPS

To travel beyond their respective village tracts, Rohingya in both Buthidaung and Maungdaw Townships have to pay Village Administrators to acquire Village Departure Certificates.[70] To travel beyond their townships, Rohingya are required to obtain Form 4 documents and NVCs.[71] These restrictions are regularly communicated by Village Administrators and their staff, although they are not codified.[72] While possession of an NVC can facilitate movement within townships and between Maungdaw and Buthidaung Townships, if Rohingya travel during curfews they are often subject to extortion and bribery at checkpoints staffed by the police, BGP and Tatmadaw.[73] This is also true for Rohingya who attempt to travel without the requisite permissions and documentation.[74]

Rohingya in Buthidaung and Maungdaw Townships told the IRI that to travel beyond their village tracts, they are required to obtain Village Departure Certificates by paying Village Administrators:

> *'If we go to a far place we need the receipt card and Tauk Kan Sa, and I need to inform the Ogatah (Village Administrator) for overnight stay. Previously the Ogatah took 1,000 MMK (0.69 USD) for the Tauk Kan Sa, now sometimes he takes 2,000 MMK (1.38 USD) or 3,000 MMK (2.07 USD) as he wants.'*[75]

One Rohingya woman in her 20s living in a village in Maungdaw Township told the IRI:

> *'I need the Tauk Kan Sa if I travel between villages. Even if you travel during the day you need it because the police will ask at a checkpoint to check if you have it. To get it you have to pay 1,000, 2,000, or 3,000 MMK, (0.69, 1.38, or 2.07 USD), and if you don't have it the police will demand money at the checkpoint.'*[76]

Speaking of the challenges of obtaining a Village Departure Certificate every time Rohingya want to move beyond their village, and the crucial role played by Village Administrators in both providing permissions and mediating with authorities, one Rohingya man explained:

> *'I have to get permission Tauk Kan Sa from the Ogatah, and his house is 30 minutes away from me. Everyone must get the Tauk Kan Sa from the Ogatah, which is difficult if you don't live near him. If you travel without the Tauk Kan Sa, they will call your Ogatah, who will have to come to the gate where you are, and he will vouch for you, but you'll have to pay fines in that situation. If you were to go to a different village, and slept there without the Tauk Kan Sa, they would demand money. If you don't have any money, they would take you to jail.'*[77]

A recent push by local authorities to increase enrolment in the NVC process has come with promises of increased freedom of movement in northern Rakhine State.

BOX 4: Long Arc of Restrictions for Rohingya in Northern Rakhine State

Although the restrictions on freedom of movement for Rohingya in northern Rakhine State tightened following episodes of violence in 2012, 2016 and 2017, their origins date back much further. Rohingya living in Maungdaw, Buthidaung and Rathedaung Townships told IRI researchers that they have seen the government slowly erode their freedom of movement over several decades, increasing the costs associated with moving and incrementally reducing their access to services.

Numerous Rohingya interviewed by the IRI stated that the 1982 Citizenship Law is the cornerstone of the discrimination they face, and the basis for denying their freedom of movement. Although the 1982 Citizenship Law makes no provision for authorities to demand permissions from Rohingya, one Rohingya man in his 60s, from Taung Bazar (Yin Ma Zay) in Buthidaung Township who served in the Tatmadaw for 14 years explained that, following the law's promulgation, Village Administrators began demanding that Rohingya obtain Village Departure Certificates before travelling:

'They used to take documents away from people, they took national ID cards. After a few years, people didn't have documents and they started asking us for Village Departure Certificate. We also needed Form 4 from around this time to cross into other towns. They increased the restrictions one by one. It became worse and worse year by year.'[62]

He also explained that it became mandatory to pay for Village Departure Certificates after 2010, although in 1992 the establishment of ***NaSaKa***– an inter-agency security force comprised of police, immigration, intelligence and customs officials, later replaced by the BGP in July 2013 – exacerbated the problems faced by Rohingya:

'For approximately 30 years Tauk Kan Sa was free, until around 2010, but then it started to cost money. When the Village Administrator position was introduced, they started taking money for it. That happened in 1992 and they started taking money for Tauk Kan Sa, but it was mandatory after 2010. NaSaKa (BGP) started keeping lists of everything in 1992 – that's when it got difficult.'[63]

One Rohingya man in his 50s from Mee Chaung Zay in Buthidaung Township told the IRI that in 1984 township-level authorities came to his village to explain that Rohingya were required to obtain documents to travel, justifying the restriction on the basis of their ethnic identity.[64] He also explained that the Village Administrators dictated the date and time allowed for Rohingya to travel:

> *'If we wanted to travel from one place to another even if it is close [by] we have to go to the Village Administrator's office to explain why we want to visit. If we need to spend one week, we can't choose when we go. They fix the date, if they want to allow us only for three days we have to follow them, we have to accept it.'*[65]

By denying the Rohingya citizenship rights, the government opened the door for local officials to extort money from individuals needing to travel to access basic services, including healthcare and

education. One man in his 30s now living in Cox's Bazar refugee camp after fleeing his home in Kyaung Taung in Buthidaung Township in September 2017 explained the process of payments required to help his father access medical treatment:

> *'In 2006 or 2007 my father was sick, and I travelled to Maungdaw for treatment. To make a Form 4 I needed to take Tauk Kan Sa from the Village Administrator. On it there was a remark that said this person should take extra permission from the township immigration office if he needs to travel out of this town. To take this Tauk Kan Sa, I needed to give 1,000 MMK (0.69 USD). Then I needed to make a file with three copies of a passport photo, a copy of family list, and my original white card. I needed to submit this file to the immigration officer in Rathedaung Township office, then I needed to give 3,000 MMK (2.07 USD) to make a Form 4. After taking a Form 4 from immigration, it needs to go to NaSaKa post to take their seal – they use a seal to give exit permission. And there I needed to pay to 1,000 MMK (0.69 USD) to NaSaKa.'*[66]

Similarly, one Rohingya man from Ward 5 in Maungdaw Town now living in a Cox's Bazar refugee camp explained how as a student he was required to obtain a Village Departure Certificate and renew it monthly in order to travel to school. Even with the Village Departure Certificate and his white card receipt, authorities at several different checkpoints bribed him during his journey:

> *'I was studying in Nga Khu Ya village back in 2006, 2007 and 2008 for three years. I needed to take Tauk Kan Sa from my Village Administrator by giving 1,000 MMK (0.69 USD). I had to cross four or five check points, at every check point I needed to pay 500 MMK (0.34 USD). Similarly, I also needed to pay 500 MMK (0.34 USD) while coming back to home. At that time Village Administrator approved the Tauk Kan Sa for one month.... At that time when I was studying in 2006, I had to bring my family list, passport photo and white card to make a Tauk Kan Sa. But at every check point, I needed to have both white card and Tauk Kan Sa together. If not both, the fine was 1,000 MMK (0.69 USD). And if no photo on Tauk Kan Sa, fine was also 1,000 MMK (0.69 USD).'*[67]

Attacks by the ARSA in October 2016 not only prompted mass human rights violations by state security forces, but also a tightening of the restrictions on Rohingya communities' movement in northern Rakhine State:

> *'Before 2016 we only had to go to Village Administrators to take Tauk Kan Sa. After October 2016, we needed to go to other departments like BGP posts. They increased the money we had to pay a lot. We were also with Mro, Rohingya and Rakhine – every restriction was only for Rohingya.'*[68]

Speaking to the challenges created by restrictions on freedom of movement, one Rohingya refugee who has been residing in Cox's Bazar since August 2017 told the IRI simply, *'One of the reasons we fled was all these restrictions...'*[69]

MAP 2: Buthidaung and Maungdaw Townships

While the vast majority of Rohingya do not possess NVCs and are reluctant to apply for them (see ***Box 2: National Verification Cards***), those who do no longer require Village Departure Certificates to travel within their own township or between Maungdaw and Buthidaung Townships. Possessing an NVC also helps Rohingya avoid extortion and bribery by state security forces at checkpoints.[78] One Rohingya woman in Maungdaw Township said that taking the card helped her avoid problems with authorities:

> *'My husband passed away and I don't have anyone to help me take care of my family, so I decided to get it ... I'm happy with my decision. The most important thing for me is to try to fix the situation I'm currently in. I need to take care of my family right now. I am afraid that when I go out and if they check me that they will demand things, so I took it so that I won't have any of those problems.... The immigration and officers respect me and speak with honour to me. I haven't had any demands for bribes since I've taken the NVC.'*[79]

However, while NVCs can facilitate travel within northern Rakhine State, authorities have made it increasingly difficult for Rohingya in Buthidaung and Maungdaw to travel outside those two townships, requiring an NVC in addition to a Form 4:[80]

> *'In the past, to go to Maungdaw, we could go with Form 4, but now we can't. We need NVC to travel to Maungdaw or Sittwe. Form 4 recently stopped. To go to Sittwe, we need Form 4 and NVC.'*[81]

Similarly, a Rohingya woman in her 30s living in rural Maungdaw Township told the IRI that,

> *'To go to Buthidaung you need to get the Tauk Kan Sa from your Ogatah and then go to Maungdaw immigration to get an NVC in order to go to Buthidaung, and we can't go anywhere past Buthidaung.'*[82]

Regardless of the documentation and permissions that Rohingya in Maungdaw and Buthidaung Townships possess, the imposition of curfew orders by the government means that if people are found travelling during proscribed hours, they can face extortion and violence:[83]

> *'Even if we have a good reason, and are just a tiny bit late, [the police] don't care. They take this money outside of the law. If someone does get arrested or stopped, sometimes the Ogatahs in the area will say, "If you give me a certain amount of money, I will get your family member out of prison." So they demand bribes to get our family members out of prison.'*[84]

Many of the restrictions imposed by the government in Buthidaung and Maungdaw Townships are communicated to residents through Village Administrators and their staff, although the absence of clearly codified regulations leaves authorities space to change restrictions at their will.[85] A Rohingya man in his 20s living in rural Maungdaw Township detailed how local authorities communicate these restrictions:

'The travel restrictions will come from the township level, which will be passed to the Ogatah, and then the 100-household and 10-household leaders. Six or seven times a month they will come with a loud speaker and say things like, "If you have guests they can't stay here"; "if you do let guests stay with you we will arrest you"; "you are not citizens from here"; "we will kick you out." When I hear this, I become very distressed and scared and don't want to stay here anymore.'[86]

Although the location of checkpoints – particularly those in place temporarily – is constantly evolving, Rohingya in both Buthidaung and Maungdaw Townships told the IRI that they routinely face extortion and in some cases violence and arrest when travelling.[87] Failure to answer state security forces' questions or satisfy their demands for permissions and documentation can lead to extortion of anywhere between 1,000 MMK (0.69 USD) and 60,000 MMK (41.40 USD):[88]

'Before reaching Buthidaung we have to cross a bridge. On both sides of the bridge are checkpoints. On one side, there are police from the township police office and these police ask questions to the travellers. If someone cannot answer properly, they have to pay 3,000 or 4,000 MMK. (2.07 or 2.76 USD). The questions they ask are the name, village tract, village, birth date, and parent's name. If someone cannot explain well, they take money. We also need the receipt card or NVC.'[89]

One Rohingya man living in Aye Thar Li Yar Village in Maungdaw Township told the IRI that he was detained and his family subjected to extortion because he was unable to satisfy the demands of state security forces at a checkpoint:

'When you come up to the checkpoint, if you don't have your papers, they will demand money. If you don't have money, they will tie you up with ropes or handcuffs and take you to jail. A month and a half ago I was working at a different village, I was coming back to my village at 4:00 p.m. I was stopped and they demanded that I buy them betel nut. I couldn't, so they put me in handcuffs, called my family and demanded 50,000 MMK (34.50 USD). My aunt collected the money and brought it to that gate so that I would be released.'[90]

A Rohingya woman from the same village explained that while not all state security forces behave in the same way at checkpoints, the regularity with which Rohingya are subjected to extortion means that travel to Sittwe or Yangon is not possible unless those travelling have the means to pay their way through checkpoints:

'If I want to go to Maungdaw, they will usually ask for 1,000 MMK (0.69 USD) and to go to Buthidaung is about 15,000 MMK (10.35 USD). We can't go to Sittwe or anywhere else like that. At some of the checkpoints, some of the military are nice, but at others they will demand payment, or hold us there. Most of the checkpoints are military checkpoints, and they will request about 1,000 MMK (0.69 USD) if we are going from village to village. To go to Yangon is only for people that are very rich. We would need to take the NVC card and pay a lot of money to travel to places like that.'[91]

Speaking to the worsening situation in northern Rakhine State since the attacks of August 2017, one Rohingya woman living in rural Maungdaw Township said:

> *'Before 2017 it was really peaceful to move around. Before 2017 there wasn't much persecution, but now there is a lot. Before 2017 we didn't need Tauk Kan Sa. Before 2017 we only needed the Tauk Kan Sa when we wanted to stay in a different location, but not always, and now there are many more police gates that weren't there before 2017.'*[92]

RESTRICTIONS ON ROHINGYA COMMUNITIES IN VILLAGES IN CENTRAL RAKHINE STATE: KYAUKTAW, MINBYA, MRAUK U TOWNSHIPS

Rohingya living in villages in central Rakhine State – specifically Kyauktaw, Minbya and Mrauk U Townships – are often not required to obtain Village Departure Certificates to move to other majority Muslim villages and village tracts, but are required to obtain these letters, Form 4s and in some case NVCs in order to travel to other townships. Formal curfews are in place and enforced by state security forces, although this enforcement is not uniform, in part as a result of the conflict between the AA and the Tatmadaw. Residents rely on Village Administrators and other representatives of local government to provide information about restrictions on freedom of movement, although this information is often provided in an ad hoc manner. While some Rohingya continue to face extortion at checkpoints, residents in Kyauktaw, Minbya and Mrauk U Townships reported that checkpoints produce fewer problems now than they have done historically.

A resident of Ni Din Camp in Kyauktaw Township – one of the camps the Government declared officially 'closed' in 2018, despite not allowing camp residents to return to their original homes[93] (the relocation site for this camp is called Nay Pu Khan Upper) – explained that while it is possible for Rohingya to travel to a nearby market run by Muslims in their village tract, to travel to other townships residents have to pay up to 50,000 MMK (34.50 USD):

> *'To go to Houngdol Market (Kaung Toke), we don't need a Tauk Kan Sa, because the market is in our village tract and it is a Muslim market. To go to another township like Minbya and Sittwe, we need the [Form 4]; we have to take it from immigration. We have to pay 50,000 MMK (34.50 USD) for Form 4. The 50,000 MMK (34.50 USD) is only for the Form 4 to travel to other townships.'*[94]

For residents of the Ni Din closed camp, Rohingya are still required to pay to obtain the necessary permissions to travel even for medical treatment:

> *'We have to take Tauk Kan Sa, Form 4, for 14 days only. We have to pay 50,000 MMK (34.50 USD) to immigration and 30,000 MMK (20.70 USD) for transport to go to Sittwe. On the way back we have to pay 25,000 MMK (17.25 USD) for transport.'*[95]

Rohingya in Myaung Bway, Mrauk U Township stated that to travel outside of their township it is necessary to obtain a Form 4 and, in some cases, an NVC.[96] However, residents of Na Gah Yar Village Tract in Minbya Township told the IRI that they face more severe restrictions, requiring a Village Departure Certificate to travel even to another village:[97]

> *'To go to another village or another place, the village elder (Ogatah) told us to take Tauk Kan Sa, also the police officer and the Rakhine people more often told us to take Tauk Kan Sa to go to anywhere. To take Tauk Kan Sa we have also to pay money, 3,000 to 5,000 MMK (2.07 to 3.45 USD). I think all the law is in the hand of police and Rakhine. They make us difficult to move.'*[98]

The absence of documentation is also a key limitation on Rohingya communities' movement. Despite assurances from the government to the contrary, possession of an NVC is by no means a guarantor of free movement:[99]

> *'It is the same for NVC holder and non-holder. At NVC issuing time they said that with this NVC you can travel anywhere, but after taking NVC we cannot travel anywhere. I do not see any benefit for taking the NVC. It is not lawful – we are born and brought up here, we don't need to take NVC. If we take NVC, we will be same as the foreigners.'*[100]

A Rohingya man in his 40s in Myaung Bway Village Tract, Mrauk U Township told the IRI that after authorities arrested several Rohingya as they attempted to travel to Yangon, they were imprisoned and forced to take NVCs:

> *'Some young people were arrested on the way to Yangon, and they were put into jail. And at the release time, they were forced to take the NVC. We have three people who were arrested in Ann who were released and came back again with the NVC.'*[101]

In Ni Din, several Rohingya explained that authorities had restricted their movements because they lacked the necessary documentation, and that even with NRCs Rohingya were still subjected to extortion if they attempted to travel to Yangon:[102]

> *'We cannot travel to Yangon. The people that have money and three-fold (NRC) card can go to Yangon with the negotiation of local authorities. At that time, they also have to pay 1,000,000 to 2,000,000 MMK (689.92–1,379.83 USD).'*[103]

In Kyauktaw, Minbya and Mrauk U Townships, Rohingya confirmed that a formal curfew order based on Section 144 of the Myanmar Code of Criminal Procedure was in place, restricting their movement at night.[104] However, the strictness with which the curfew is enforced varies between locations, meaning that in some areas Rohingya risk extortion and even death as a result of breaking the curfew, while in others the curfew is more loosely enforced.[105] A Rohingya woman in her 40s living in the Ni Din closed camp told the IRI that travel to neighbouring Muslim villages was possible during the day but not at night:

> *'In the day, we can travel freely. But at night from 9:00 p.m. to 6:00 a.m., we cannot go out. We have an order from the government, not to go out. If we are found outside after 9:00 p.m., we have to pay money to the police.'*[106]

Restrictions relating to permissions, documentation and curfews are most often communicated by Village Administrators and their staff, although there are no clearly codified restrictions to which residents can refer.[107] In some emergency cases, Rohingya will coordinate with Rakhine communities to acquire travel permissions for them.[108]

Rohingya in Kyauktaw, Minbya and Mrauk U Townships explained to the IRI that in recent months and years their problems at checkpoints had decreased, either because the location of checkpoints changed or because state security forces do not make any problems for them.[109] However, a man in his 40s in Myaung Bway Village Tract, Mrauk U Township explained that access to a nearby hospital can be restricted by state security forces, and that failure to pay their bribes can result in violence:

> *'There are no more checkpoints in the village, but to go to the hospital in Myaung Bway, we have to cross the bridge. At the top of the bridge, we have to pay 1,000 MMK (0.69 USD) per person. If we can't pay, then they beat us, and we are not allowed to go.'*[110]

A Rohingya woman living in Myaung Bway also explained that previous experiences of extortion at checkpoints means that she has not travelled to the centre of Mrauk U since the violence of 2012:

> *'To go to Mrauk U, there are many checkpoints, if someone goes to Mrauk U, they have to pay money at the checkpoint if they ask.... Because we had to pay at the checkpoints in the past, now no one goes to Mrauk U. These payments are not official, they are out of regulation.'*[111]

RESTRICTIONS ON ROHINGYA IN INTERNMENT CAMPS IN CENTRAL RAKHINE STATE: CAMPS IN SITTWE, PAUKTAW AND MYEBON TOWNSHIPS[112]

Across central Rakhine State, more than 128,000 Muslims have continued to live in internment camps or camp-like villages since 2012, primarily in camps in Kyaukphyu, Myebon, Pauktaw, and Sittwe Townships (information from the Ni Din closed camp in Kyauktaw is provided in the preceding section). The extent to which community members can move can vary greatly depending on location and camp circumstances; however, certain movement restrictions remain in place for all camp residents.

Sittwe Camp Area

Approximately 102,000 Muslims – primarily Rohingya – live in 15 camps within a concentrated area stretching from the outskirts of Sittwe Town to the north-western edge of the Sittwe peninsula (for the purposes of this report, this concentration of internment camps and villages is referred to as the 'camp area'). An additional

number of Rohingya, Kaman and Rakhine also live in villages within this camp area, including the settlements of Bumay, Thae Chaung and Thet Kay Pyin. Rakhine living in villages in the camp area can generally move freely and exit the camps, while Rohingya and Kaman cannot. The movement situation for Rakhine and Kaman is described later in this section.

While Muslims in Sittwe are able to move within the camp area without a Village Departure Certificate, they are only able to leave the camps to travel to the Aung Mingalar quarter in the centre of Sittwe or, with a medical referral, to Sittwe General Hospital. As one Rohingya woman living in Dar Paing Camp in Sittwe explained, travel to other townships requires additional permissions from the Immigration Department and that the consequences for attempting to travel without these permissions can be severe:[113]

> *'We do not need permission if we want to go from one village to another in this area. To go to other townships, we need to get permission from the government. If we have no recommendation letter (Village Departure Certificate), we will be arrested by the police at once at the checkpoint if we are found to be travelling without the permission letter. We will also be kicked by the police if we travel without permission. Then we will be sent to jail with the crime of illegal territorial crossing."*[114]

Similarly, a Rohingya man living in Bumay Village explained that various permissions were needed to travel to other townships, but that even with these permissions, movement was not guaranteed:

> *'To travel to Pauktaw, Karagyi (Kyet Yae Gyi), Mrauk U and Minbya from Sittwe, we need to take recommendation (Village Departure Certificate) from Village Administrator, from police and then from immigration. Although all these recommendations were received, if the government does not want to permit us to move, they stop us."*[115]

Although some Rohingya explained that a Form 4 was not necessary to go to Pauktaw camps, a Rohingya man residing in Ohn Taw Gyi Village in the Sittwe camp area told the IRI that the requisite permissions to travel to Pauktaw Township included a Form 4, and could cost up to 20,000 MMK (13.80 USD) – an amount that precludes many Rohingya from attempting the journey – and that these permissions are acquired by providing money to the Village Administrator, 100-Household Head, or Camp Management Committee officials who subsequently request the Form 4 from the Immigration Department:[116]

> *'For example, we cannot go and travel to Meyur Kol (Set Kei Pyin), Ah Nauk Ye and Sin Tet Maw Villages in Pauktaw Town. If we need to go there indeed, we need to take recommendation letter (Village Departure Certificate) from Village Administrator and the Form 4 from immigration office. To get these recommendation letter and Form 4, about 20,000 MMK (13.80 USD) is cost. A Form 4 was received with 10,000 to 15,000 MMK (6.90–10.35 USD) from immigration to*

> *travel to Pauktaw and Myebon. At least 20,000 MMK (13.80 USD) is also cost to travel to Myebon for back and forth right now.'*[117]

Rohingya residing in Dar Paing Camp in the Sittwe camp area explained that, as well as permissions, they were required to have a CSC in order to move.[118] This sentiment was echoed by residents of Ohn Taw Gyi Village in the Sittwe camp area, who explained:

> *'We do not need to hold any document to move from [one] village to another and [from one] village tract to another in Sittwe. We do need to hold a document to travel from [one] township to another – for that we need to show the [CSC] card. We cannot travel to another State and Division without [CSC] card. How can we apply for [CSC] now if the government does not issue it to us?'*[119]

One woman from Ohn Taw Gyi village explained the importance of acquiring a CSC, and its relationship to freedom of movement:

> *'If we have no [CSC], can we move or travel to other places? If the Myanmar government doesn't issue us the citizenship cards, where can we get them? If we don't have [CSC] cards, with what can we move? Our government stops us from travelling freely. Without having [CSC], we can't move freely and can't travel anywhere.'*[120]

Despite assurances that NVCs would ensure freedom of movement for those who possess them, a Rohingya man living in Dar Paing Camp explained that when he attempted to visit the Aung Mingalar quarter using his NVC in May 2019, state security forces beat him:

> *'Last Sunday, we went to Aung Mingalar. While we were on the way to Aung Mingalar, there is a checkpoint near the fire station. When we were at the checkpoint, Lon Htein (police) asked us where we were going because they knew we are Muslims because we have beards. We said we wanted to go to Aung Mingalar because we have relatives there whom we have not seen for six or seven years. We wanted to see them today. Then they asked if we had citizenship. We said we do not, but we have NVC cards. Once we showed the NVC cards, we were beaten with a baton three times.'*[121]

In Bumay village in the Sittwe camp area and in Pauktaw Township, however, Rohingya told the IRI that the NVC had facilitated access to livelihoods, particularly for those who fish for a living:[122]

> *'There are two checkpoints of police and immigration, one at Thae Chaung Jetty and another one is at the side of Bawgadip (Bay Dar) Village. They (police and immigration) check the fishermen at both points. They do not make any trouble to those fishermen who can show NVCs, but they regularly abuse to those who do not have NVCs. People not holding NVC can work on the land. But for fishing, people need to keep this NVC.'*[123]

For residents of Sittwe Township, while there is no codified, formal curfew in place, Rohingya said that they are forced to limit their own movement to avoid problems with other villagers rather than state security forces.[124] Information about restrictions on freedom of movement often comes from Village Administrators and their staff or Camp Management Committee members, although Rohingya in Sittwe and Pauktaw Townships told the IRI that authorities provide no information about restrictions whatsoever.[125]

While Village Departure Certificates are not necessary for travel within the Sittwe camp area, Rohingya reported that security officials on occasion solicited payments or arrested people crossing through checkpoints dotted throughout the camp area.[126] However, the behaviour of state security forces is not uniform. While some Rohingya reported no issues when going through checkpoints, others reported abuse:

> *'When someone carries someone on the motorbike, they (police) stop them, check for motorbike license and ask whether they have money. If the people answer no money, they have to leave the bike. Otherwise, they will get slapped in the face, or they have to pay 5,000 MMK (3.45 USD) and will be let go. First, they ask to stop verbally. If people do not hear them, they use a whistle to stop people. If people do not stop, they get out of their checkpoints and stop people physically. Then they will beat people. They will do these things when they need money. It is different for every checkpoint. If the security forces at some checkpoints are kind, they do not do this. They will let us go freely.'*[127]

Giving a sense of the extent of the checkpoints present in the Sittwe camp area, one Rohingya man in his 40s explained:

'Lon Htein, police, and Immigration [Department] restricted that access now. Only these three departments limit us at checkpoints at Thae Chaung, Hmanzi, Baw Du Pha, Say Tha Mar Gyi, Sittwe University, and Ma Gyi Myaing.'[128]

Numerous Rohingya living in Ohn Taw Gyi Village in the Sittwe camp area reported that extortion by state security forces at checkpoints was particularly common for drivers of trishaws and tuk-tuks carrying goods.[129] One Rohingya man noted that making repairs to houses using materials accumulated from outside the camp area was an opportunity for state security forces to extort Rohingya for up to 200,000 MMK (137.98 USD):

> *'When we carry the timbers and woods by car to repair the house and/or to build new one, we need to pay to military people at Hmanzi Junction and at Ohn Taw Gyi Camp and to police station in the Ohn Taw Gyi village. To build one house, about 50,000 MMK (34.50 USD) at least to 200,000 MMK (137.98 USD) at most is paid to police post at Hmanzi.'*[130]

MAP 3: Sittwe urban area and camp area

Pauktaw camps and villages

Because of their location on isolated islands or peninsulas, the camps and villages located in Pauktaw Township – Ah Nauk Ye, Kyein Ni Pyin, Nget Chaung, and Sin Tet Maw – are geographically inaccessible from each other and from other communities. This remoteness adds a significant additional physical constraint to free movement, requiring most to travel by boat, and has led to heightened vulnerability for the camp communities and their respective host villages.

Rohingya living in Pauktaw said that to visit Sittwe Township they were required to obtain Village Departure Certificates and pay authorities either to manage their travel or provide security for them:[131]

> *'To go to Gulalar Dael (Thae Chaung) Village near Sittwe, we have to pay money and take the Tauk Kan Sa. To take Tauk Kan Sa, we have to pay 1,000 MMK (0.69 USD) for Tauk Kan Sa and 10,000 MMK (6.90 USD) for security.'*[132]

Checkpoints in Pauktaw are also prevalent, and serve as a monitoring mechanism for every movement made by the Rohingya living there:

> *'We have many checkpoints around us. For travelling, when we inform the police, at that time, it's not a problem. If we travel without giving information to them, and they find us on the way, then we will have problem. I have to explain at every checkpoint and inform where I am going.'*[133]

Myebon – Taung Paw Camp

In Myebon Township, approximately 3,000 Rohingya and Kaman who were displaced by conflict in 2012 live in Taung Paw camp, which was recently 'closed' as part of the government's camp closure process. Rohingya living in the camp – most of whom now possess citizenship, associate citizenship, or NVCs – reported that checkpoints at the camp entrance had been removed and restrictions on their movement had eased, particularly for fisherfolk and traders who require access to the jetty and neighbouring markets, making it easier for individuals to access livelihoods.[134]

However, interviewees reported that even NVC-holders still could not access Myebon town centre, the township hospital, or Rakhine villages. Similarly, one Muslim woman explained that regardless of the documentation they possess it is not possible to move within the town – although it is possible to travel elsewhere in Rakhine State by boat:

> *'The people who have received [CSC] or [NCSC] or NVC cannot move and go to other places in Myebon town but can go to Sittwe, Kyet Yae Gyi, Sin Tet Maw, Ah Nauk Ye, and Pauktaw by boat on water.'*[135]

MAP 4: Pauktaw and Myebon areas

RESTRICTIONS ON ROHINGYA IN AUNG MINGALAR

Since 2012, the Aung Mingalar quarter – comprised of the Aung Mingalar, Kone Than, Ka Thae, Kaung Gyi, and Maw Leik wards – in the centre of Sittwe has served as a 'closed ghetto', interning an estimated 4,000 Rohingya.[136] Movement restrictions for those seeking to leave Aung Mingalar depend on whether individuals are travelling to other parts of central Sittwe, to the Sittwe internment camp area, or outside Sittwe Township. Information about the nature of these restrictions on movement is limited and is communicated by community leaders.[137]
For Rohingya residing in Aung Mingalar, police stationed at the entrances to the quarter are the gatekeepers of their movement, demanding information when Rohingya leave and return, and in some cases denying their ability to access central Sittwe or elsewhere.[138] In some cases, Rohingya reported being required to provide money at security checkpoints and travel with a security escort.[139]

In other cases, Rohingya – especially women – were able to leave unaccompanied to go to clinics in the city centre, particularly if they can 'pass' as Rakhine. Although some Rohingya noted that they have been able to travel marginally more freely within Sittwe since 2018,[140] the experience of Rohingya residing in Aung Mingalar is overwhelmingly typified by police at checkpoints precluding their freedom of movement.[141] In some cases, police use security concerns to justify refusing Rohingya access to city-centre markets:

> *'We cannot go to Myoma Market freely as the police people do not allow us to go there every time. They restrict us from movement saying the condition is not good in downtown. Can we go anywhere we want? The police do not allow us to go.'*[142]

Residents of Aung Mingalar can travel to the Sittwe camp area by private transport (typically small trucks carrying multiple passengers) and are required to provide personal details to police.[143] A man in his 20s living in Aung Mingalar explained the process of travelling within Sittwe Township:

> *'To go to other village tracts, we have to give our name, age, father's name, and 5,000 MMK (3.45 USD) for each person. We also have to hire a car, and then we can go. It takes about 10 minutes by car. We have to give this list to the car driver. The driver makes a list of the passengers, and he makes seven copies. Then he gives one copy each to the checkpoint. At the checkpoint, the concerned person checks the list. If someone is in the car, that is not on the list, he will have to pay money.'*[144]

Individuals travelling to the camps are not required to pay police at checkpoints directly. However, passengers pay fees to drivers in order to travel, and drivers make unofficial payments at checkpoints to facilitate movement:

> *'We do not need to pay and not need to give favours to police people when we go out of village and the police also do not ask money. We meet three checkpoints of police while are going to camp site village by car during both way, the passengers do not need to pay anything at these points but I see that the driver gives the list of*

> *passengers at these points and I saw two three times he paid 500 or 1,000 MMK (0.34 or 0.69 USD) to police with it but I do not know details whether he needs to pay every day and how much. This is not official payment, but it may be paid for good understanding.'*[145]

However, Rohingya may still face extortion by both state security forces and Rakhine civilians when travelling outside of Aung Mingalar, in some cases even when travelling with security escorts:

> *'They rob our goods and money still on the road. Both the police forces and Rakhine do this. There's not any specific reason for this. If they find us alone, they do it. Sometimes if police or Rakhine are drunk, they also do it.'*[147]

Rohingya living in Aung Mingalar said that travel outside of Sittwe Township is only possible if they possess a CSC or NCSC. In the absence of these documents, they are required to obtain an NVC and a Village Departure Certificate before applying for a Form 4.[148] Failure to do so can result in arrest and detention:

> *'If anyone tries to travel to other townships without [CSC or NCSC] or Form 4, he will be caught when any department's people (police or military or immigration) meet him and he will be kept in the jail with territorial crime like some people who were caught in Ann and Thandwe while going to Yangon without documents illegally....'*[149]

While the government reports that the process of obtaining an NVC is officially free and quick, the process can be exploited to extort Rohingya and can require additional costly steps. A Rohingya woman in her 40s explained that, in order to obtain an NVC, she had to go through an immigration broker who charged 10,000 MMK (6.90 USD) for the NVC itself, 50,000 MMK (34.50 USD) for a Form 1 document (registration as a foreign permanent resident), and 100,000 MMK (68.99 USD) for a new household list. Alongside this, she was forced to provide a Village Departure Certificate from the Village Administrator.[150]

For Rohingya living in Aung Mingalar attempting to acquire a CSC, the official and unofficial costs are prohibitive.[151] Detailing the process of obtaining an NCSC and travel permissions to go to Yangon, one woman told the IRI:

> *'To apply for citizenship, we need to give recommendation letter (Village Departure Certificate) of Village Administrator, the NVC, the household registration, parents' ID numbers and grandparents' ID numbers from the mother's side and father's side too. First, we need to submit the file of these documents to immigration, then the immigration sends it to Nay Pyi Taw. Two to three years later, if the file is approved and sent back from Nay Pyi Taw, we receive the citizenship card. According to government direction, immigration only accept the file when all these documents can be shown, or they do not accept the file. The immigration brokers take two million [MMK] (approximately 13,798 USD) from some people, three million [MMK]*

> *(approximately 20,697 USD) from some people to apply for one citizenship card. I talked and compromised an immigration broker with the payment 4,500,000 MMK (3,1046.26 USD) for two [CSCs]. One year and eight months later, I received only one [NCSC] but it is not a [full citizenship card – CSC] and another card has not been received yet.'*[152]

Although residents told the IRI that in some cases community elders can negotiate with police to facilitate movement at night, fear of security forces means that Rohingya in Aung Mingalar are forced to limit their own movement despite the absence of a formal curfew:[153]

> *'During the day we can go around the village, not outside. But at night after 10:00 p.m. we have to stay in the house. We can't go outside of the house. It's not because of martial law, we are afraid of the security forces. If they find us on the road or somewhere else, they will beat us and ask for money.'*[154]

CONFLICT-AFFECTED RAKHINE

The Rakhine community, which identifies with Buddhism and speaks the Rakhine language, is the largest ethnic group in Rakhine State, consisting of approximately 1,860,000 people.[155] While the Rakhine have historically not been subject to movement restrictions, the escalation of the conflict between the AA and the Tatmadaw since late 2018 has increasingly affected Rakhine villages in conflict-affected areas of the state, leading to the displacement of more than 50,000 people.[156] Displaced Rakhine face precarious conditions and increased vulnerability, particularly those unable to access their farms and property and suffering from the loss of their livelihoods. Non-displaced Rakhine also face significant vulnerabilities and increased restrictions on their movement. For these communities, the presence of Tatmadaw troops has become a key determinant of Rakhine communities' ability to move freely.[157]

A young Rakhine woman who was displaced from her village in Buthidaung Township described how Tatmadaw personnel had prevented her community from returning home:

> *'It has been four months that people left our village. We are not allowed by Tatmadaw to go to our village. Our village was burned by Tatmadaw soldiers. Over 10 houses in our village were burned down. Our village is located beside the main highway road linking Buthidaung and Rathedaung, so people can go near our village but Tatmadaw soldiers don't allow people to enter our village.'*[158]

A young man displaced from the same village said that the increased number of checkpoints in their area had significantly complicated travel:

> *'People can go near our village, but people are banned entering to our village. Along the way to our village area from Buthidaung Town, we face many difficulties to go*

to our village because of increasing set up of checkpoints and people are checked by Tatmadaw soldiers and police too much.'[159]

Rakhine living in Rathedaung and Buthidaung Townships explained that to pass the checkpoints, it is necessary to bring both their CSCs and letters of recommendation from their respective Village Administrators to show Tatmadaw personnel at checkpoints:[160]

'Basically, it depends on military deployment and movement near our village and areas. Now, we just need [CSC] and recommendation letter from the Village Administrator for the health emergency during at night (also need at day) to go to hospital when the Tatmadaw troops are deployed near our area, and we show these documents to military troops when we meet them during travelling.'[161]

A Rakhine man displaced by conflict and now living in the Pyay Thar Du displacement site told the IRI that in order to travel to access healthcare, it was necessary to hire a boat to travel to Rathedaung General Hospital and provide Tatmadaw personnel with permissions from Village Administrators:

'For serious health problems, we have to go to Rathedaung General Hospital which takes two hours with motorboat from our camp. We pay 30,000 MMK (20.70 USD) for hiring motorboat to travel to Rathedaung town. We have to bring the recommendation letter of Village Administrator and [CSC] when travelling to Rathedaung Town to show the Tatmadaw troops on the way.'[162]

A Rakhine man in his 20s who recently migrated to Thailand, partly owing to the conflict between the AA and the Tatmadaw, told the IRI that on occasion Tatmadaw personnel would not allow people to travel to access healthcare.[163]

Alongside these restrictions, Section 144 of the Myanmar Code of Criminal Procedure is in place in both Rathedaung and Buthidaung Townships at the time of writing. Information about formal curfews is communicated by a variety of actors including Village Administrators, Camp Management Committees, and in some cases Tatmadaw personnel.[164] A Rakhine woman living in Ray Soe Chaung (Yae Soe Chaung) Village in Rathedaung Township told the IRI that Tatmadaw personnel threatened to shoot people who violated the curfew:

'We know the information of the Section 144 issued by the government. The Tatmadaw soldiers from station told us that no one cannot go outside of the village after 6:00 p.m. and before 5:00 a.m. If a person goes out after 6:00 p.m., the Tatmadaw troop said that he or she would be shot by soldiers from the station.'[165]

One man who recently fled Kan Pyin Village in Buthidaung Township for Malaysia said that, as well as hearing about restrictions on freedom of movement through their Village Administrator and different media, Tatmadaw personnel also imposed other restrictions on residents:

'The Village Administrator told us the restriction of the Section 144 issued by government and also I received this information from social media (Facebook) and the radio. There was another restriction which did not allow people to travel to nearby villages and around our village area by Tatmadaw troops which were deployed near our village.'[166]

None of the Rakhine interviewed for this study reported facing extortion or bribery at checkpoints. The most common experience among Rakhine people travelling in Rathedaung and Buthidaung Townships was being questioned by Tatmadaw and BGP personnel.[167] One Rakhine woman living in Ray Boat (Yae Poke) Village in Rathedaung Township explained:

'There are only Tatmadaw Navy checkpoints on the Mayu River near Rathedaung Town. All motorboats have to stop and inform them for the travelling purposes. They check the bags and ask questions such as, "How many people are in the boat? Where do you go? When do you come back? How long will you be in town?'[168]

Alongside questioning at checkpoints, a man displaced by conflict from Buthidaung Township told the IRI that Tatmadaw personnel are actively restricting access to specific locations:

'There is a Tatmadaw checkpoint at Oo Yin Thar Village near the Thoe Sate Tar Pone pagoda along the main highway road connecting between Rathedaung and Buthidaung Townships. They do not allow people to cross this checkpoint to travel to Buthidaung.'[169]

Several Rakhine men interviewed for this report told the IRI that their biggest fear was being arrested at checkpoints due to state security forces' suspicion of their affiliation with the AA (See ***Section VI: Community Experiences of Informal Movement Restrictions*** for more detail).

KAMAN

The Kaman are a small ethnic group that identify with Islam as a religion but speak Rakhine as their native language. The community is relatively small, with an estimated national population of 45,000,[177] of whom approximately 30,000 live in towns and villages in southern and central Rakhine State. Despite their status as one of the 135 recognised ethnic groups of Myanmar who are entitled to citizenship, the freedom of movement afforded to ethnic Kaman varies depending on different factors, including documentation status, location and complexion.

Kaman in Thandwe Township told the IRI that following the violence of 2012, CSC-holders were required to obtain Form 4s in order to travel, although this restriction was later eased.[178] However, in order to travel to other townships in Rakhine State, it is currently necessary to acquire a Village Departure Certificate or risk arrest:

BOX 5: Restrictions on Movement by the Arakan Army

One of the many impacts of the conflict between the AA and the Tatmadaw has been growing restrictions on individuals' movement. Movement limitations stemming from fear of the Tatmadaw was widely documented among the Rakhine, Rohingya, Hindu and Maramagyi communities interviewed and is detailed throughout this report. This text box focuses on restrictions imposed by the AA.

Rakhine CSO leaders who spoke with the IRI said that there is little fear of the AA among Rakhine people, and that the presence of the group itself had not limited movement within that community. However, independent reports have alleged that the AA has abducted and arbitrarily deprived civilians and representatives of political parties of their liberty and failed to take feasible precautions to protect civilians in areas affected by the conflict.[170]

In particular, the AA has recently taken actions that raised concerns among government staff and political representatives travelling in Rakhine. In December 2019, the AA abducted Mr Ye Thein, the NLD branch chair of Buthidaung Township. Mr Ye Thein died on 23 December, while still in the AA's custody.[171] Similarly, in January 2019 the AA released Amyotha Hluttaw MP Mr Hawi Tin, whom they had abducted and detained for two months for allegedly informing the Tatmadaw of their troop movements.[172] In late 2019, the AA announced it would establish a 'Rakhine People's Authority' to collect taxes from businesses in areas now under its control to fund its operations, although it did not specify how this would be carried out.[173] In January 2020, the Union government issued an order requiring government staff to request permission before travelling in Rakhine State; the AA also called on government workers to provide advance notice of travel to 'avoid unnecessary casualties'.[174]

While no one interviewed for this report told the IRI that the AA was responsible for specific restrictions on their movement, the escalation of the conflict between the AA and the Tatmadaw has exacerbated fears of interacting with armed actors, forcing some Rohingya to limit their own movement. One man in his 50s living in Buthidaung Township told the IRI:

> *'The government didn't do any restriction, but we are afraid of travelling around because of the danger and the fighting. I never go out at night because of the AA. At night they are going around; if they find me, they will give trouble.'*[175]

In Minbya Township, Rohingya told the IRI that they felt caught between two majority groups – government representatives and the Rakhine – and that they felt afraid to travel as a result:

> *'We are afraid to travel. In the past we have only one kind of travel constraint – now we have two kinds of travel constraint. We are also too afraid of the AA and government. In the beginning the government together with the Rakhine people gave trouble to us. Now the conflict between them has started so now we are squeezed by both majority. Now Rakhine people come and we cannot recognise them – if they ask for money we don't know if they are Rakhine, AA or government. There is no rule of law anymore.'*[176]

'We cannot go to Sittwe. If we want to go, we have to take Tauk Kan Sa. It's the same also for Sittwe Muslims, if they want to come to Thandwe they need Tauk Kan Sa. If someone travels without Tauk Kan Sa, they will be arrested. We also need the Tauk Kan Sa for Minbya and Mrauk U, and any other township in Rakhine.'[179]

In Sittwe Township, Kaman told the IRI that like Rohingya, they are able to move to Aung Mingalar and surrounding Muslim villages within the township.[180] Several Kaman explained, however, that to travel beyond Sittwe Township it was necessary for those without CSCs to obtain NVCs and Form 4s with the help of brokers working illicitly with the Immigration Department:[181]

'To travel other townships, we need to show [CSC] or need to apply for the NVC in terms of Bengali ethnic (sic). People with NVC also need to hold Form 4 issued by immigration for travelling other townships such as Kyauktaw, Minbya and Ponnagyun. These kinds of documents are also needed to travel Yangon.'[182]

Similarly, contrary to government rhetoric about greater freedom to travel, at least some NVC holders in Thandwe Township are still required to obtain Village Departure Certificates in order to travel:

'There are some NVC holders in Thandwe, who don't have the [CSC]. Some people refused to take it. Those who hold the NVC, don't have any privilege and they can't go anywhere with the NVC. They have to travel with the NVC and Tauk Kan Sa. Those who do not have the NVC have less of a chance than those that hold it.'[183]

Although Kaman with NVCs in Sittwe Township can travel beyond Sittwe if they are able to obtain Form 4s, one mixed Kaman-Rohingya man told the IRI that holding the document did not guarantee freedom of movement:[184]

'First, the government said the NVC-holder can do everything, for example, fishermen could go to fishing with it. The government said that any business can be done if we hold NVC first. Now people cannot do anything by holding NVC too after NVC had been held.'[185]

Discussing the challenges of obtaining the requisite documentation to travel, a Kaman man living in the 'closed' Taung Paw camp in Myebon Township explained that even with citizenship documentation, Kaman are not able to move freely:

'Currently, only the [NCSC] is issued to people even if full documents of three generations can be shown. The people with CSC and NCSC also cannot move and go out of the camp freely in Myebon at all.'[186]

Kaman in Sittwe Township told the IRI that a curfew is enforced in the evenings, and that if they traverse a checkpoint after the curfew they can face physical abuse and extortion at the hands of state security forces.[187] Despite the myriad different restrictions on Kaman populations in different areas, the IRI did not speak to anyone

who had received substantive information about what they are or how they are implemented.

Kaman in Thandwe and Sittwe Townships explained that their racial characteristics and religious identity can also serve to limit their movement, both in interactions with government representatives and Rakhine communities:[188]

> *'The people with beards have many difficulties in immigration office. I heard from others that when my friends with beard went to downtown, they were asked by Rakhine people where they were from, what ethnicity they were. When I went to downtown on a day in the past, I sat in a teashop with my some of Rakhine friends, two unseen Rakhine guys came and asked about me on what ethnic I was or [if I was] Maramagyi. I replied them I am Kaman. Then they were quiet.'*[189]

One Kaman woman in her 60s living in Thandwe Township explained that discrimination based on religious identity also limited the Kaman community's ability to travel by bus:

> *'No one tells to take the Tauk Kan Sa to go to Sittwe, but when someone goes to buy the bus ticket, the seller never sells to the Muslim people. If we want to go Sittwe by plane, we can. Even with the Tauk Kan Sa, the bus travelling is not allowed. For going to Yangon, we cannot use the usual passenger bus, we have to take a special small car, and we have to pay 35,000 MMK (24.15 USD) per person. There is no rule and regulation for not selling the bus ticket; I think this is a kind of discrimination.'*[190]

For Kaman in Sittwe Township, factors including the documentation they possess and the time of day or night they are attempting to travel can affect their ability to move.[191] A woman in her 30s from a village in the Sittwe camp area explained:

> *'People are checked by military people at checkpoint when they are going to Yae Chan Pyin Village and Hla May Shwe Village. So people are afraid to go to these villages due to checking if they are abused by military. When military check people, if one can answer well in Rakhine or Burmese language, he is allowed to go or if he is not able not to speak well in Rakhine, he is caught and kept at checkpoint.'*[192]

Kaman residing in Sittwe Township also face extortion at checkpoints by the Tatmadaw personnel inside the Sittwe camp area. As a result, Kaman residing in Bumay Village are both restricted from moving freely outside of the Sittwe camp area, and limited in their movements within the camps itself:

> *'The ferry motorbikes from Bumay site need to pay 6,000 MMK (4.14 USD) to the military checkpoint at Hmanzi Junction for one month for allowing to go to Baw Du Pha camp sites crossing the checkpoints of Hmanzi. The ferry motorcycles cannot cross the checkpoints to Baw Du Pha site without paying. The car drivers also need to pay to military people.'*[193]

Similarly, another Kaman woman living in Bumay village told the IRI:

> *'The drivers need to pay (military personnel at checkpoints) 2,000 MMK (1.38 USD) for back and forth trip. Charge is also needed to pay at the military checkpoints at Thae Chaung and Hmanzi. As these charges to pay become official, they can ask charge from drivers of every vehicle, can't they?'*[194]

Although Kaman residents of Bumay Village in the Sittwe camp area told the IRI that they were able to travel freely to health clinics during the day, if a medical emergency arises during the curfew, Kaman are required to pay police personnel at checkpoints or risk being denied access to life saving treatment:

> *'When a person has to move with an emergency at night, we actually need to pay the police at the checkpoint or they don't allow to cross and go for also emergency issue even. For example, when a patient is taken to the clinic at night, we are not allowed to go without paying them. If we can give some charges, we can go to the clinic with the patient.'* [195]

HINDU

The Hindu living in Rakhine State are a small ethno-religious group primarily residing in villages in northern Rakhine State. Rakhine State's Hindu community identifies with Hinduism and speaks a language they call Hindu, which is closely related to the language spoken by the Rohingya. While much has been written about the violence of 25 August 2017 that led to the exodus of Rohingya from northern Rakhine State, less attention has been dedicated to the more than 100 Hindus who were either killed or disappeared by the ARSA in the days that followed the attacks, and the displacement of many more.[196]

As with Rohingya, Hindus across Myanmar often face difficulties in obtaining citizenship. In Rakhine State, the IRI spoke with Hindus who possessed citizenship documentation (either CSCs or NCSCs; some Hindus also possessed TRCs, which expired in 2015) as well as others who had received NVCs. Some of those who possessed CSCs reported being required to acquire 'permission forms'[197] to inform their Village Administrator if they planned to travel overnight or to go outside Maungdaw Township despite having citizenship.[198] One Hindu woman in her 20s living in Maungdaw Township explained:

> *'To go from one hamlet to another, or one village tract to another village tract [NCSC] holders don't need the permission letter. But for night stays, we need to inform the village authorities. NVC-holders cannot travel.'*[199]

The same woman said that with her NCSC she was able to move, but that without it travel was restricted.[200] For Hindus travelling to other townships, and in some cases within Maungdaw Township, it is necessary to obtain a permission form.[201] A woman living in Ward 4 of Maungdaw Town said:

'The Ogatah mostly tells us to take [a permission form] for travelling to Buthidaung, or to go to Boli Bazaar (Kyein Chaung). If I want to go to Sittwe, maybe I also need the [permission form].'[202]

Although Hindus in Maungdaw and Buthidaung Townships told the IRI that NVCs can facilitate their movement, it was not clear to what extent.[203]

As with other townships affected by conflict, a formal curfew order is in place that affects the movement of Hindus.[204] Information about this and other restrictions on movement are communicated by GAD staff and camp leaders, but are not clearly codified:[205]

'Sometimes we hear these regulations from the radio, and the immigration departments also tells us about them. These messages are delivered through the administration department. We are discriminated against by the GAD staff, the immigration staff, and the local authorities. There are no sign boards communicating restrictions to us.'[206]

None of the Hindus the IRI spoke to had been subjected to extortion or bribed at checkpoints, whether they were in possession of NRCs, NCSCs or white cards.[207] One woman who travelled with a Village Departure Certificate and white card told the IRI that she had not had negative experiences whilst traversing checkpoints:

'We have checkpoints and police stations, but they don't give us any trouble. When I have the [permission form] and white card, they have no chance to take or ask for money. I don't know if our Hindu people have given money to the checkpoint, but those who don't have [permission forms] and proper documentation, they don't travel.'[208]

MARAMAGYI

The Maramagyi are a small ethnic minority group who identify with Buddhism, generally have a darker complexion, and reside primarily in villages around central Rakhine State. While the community calls the language it speaks Maramagyi, it closely resembles the Rohingya language. Owing to this linguistic proximity, Maramagyi often serve as interlocutors and traders between Rohingya and Rakhine communities. As a recognised ethnic group under the 1982 Citizenship Law, the Maramagyi community can access CSCs and generally face little interference with their movement from state security forces.[209]

Maramagyi interviewed in Mrauk U said it is not necessary to obtain a Village Departure Certificate or other permissions in order to travel as they possess CSCs. However, residents of Than Oak (Sin Oe) Village Tract told the IRI that they face more restrictions on their movement than residents of nearby Rakhine villages; Maramagyi are required to inform their Village Administrator before they travel, and in some cases obtain a Village Departure Certificate to 'vouch for their character':[210]

> *'The restrictions are different from other villages, because those villages are Rakhine villages. We have more restrictions in our village, the restrictions are only for our ethnic group. If we have to go somewhere, we inform the Ogatah. He is Rakhine. We have to keep good relationship with him. The Ogatah has explained to us not to go far because there will be problems, and because the present situation is not good. So, we don't go to far places.'*[211]

Notwithstanding these additional requirements, the Maramagyi community in Mrauk U Township told the IRI that they can move without restriction:

> *'We have [CSC], we don't have any restriction for travelling. I have the [CSC] which is about 10 years old. So I don't need any permission to go to Yangon or anywhere. I can travel as Myanmar people and Rakhine people.'*[212]

Despite the absence of formal restrictions on their movement, community leaders within the Maramagyi community instruct villagers not to travel to specific areas for risk of encountering security problems.[213] Memories of previous incidents creates a fear of travelling to specific areas, which can in turn affect access to livelihoods:

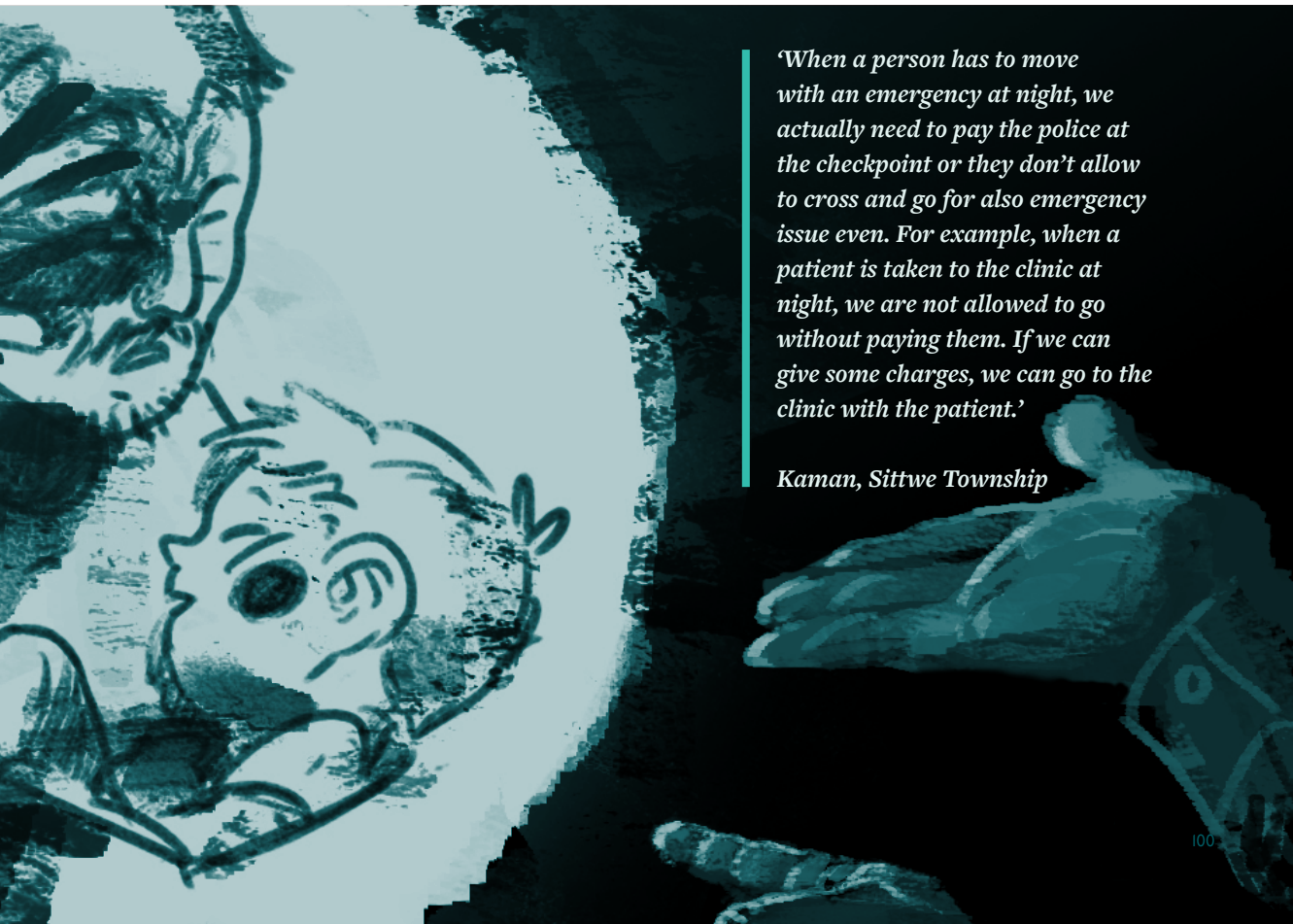
> *'Our elders told us not to go to the other side of the Lay Myo River because, if we go there, there will be a problem. And in the past, the four people who were killed didn't follow the elders' instruction not to go.'*[214]

Fear of travelling to specific areas is anchored in the Maramagyi community's concerns of encountering Rakhine people and becoming embroiled in the conflict between the AA and the Tatmadaw.[215] A Maramagyi man in his 40s living in Mrauk U Township told the IRI that in some cases this fear, coupled with a formal curfew,[216] prohibits people from travelling to access emergency care:

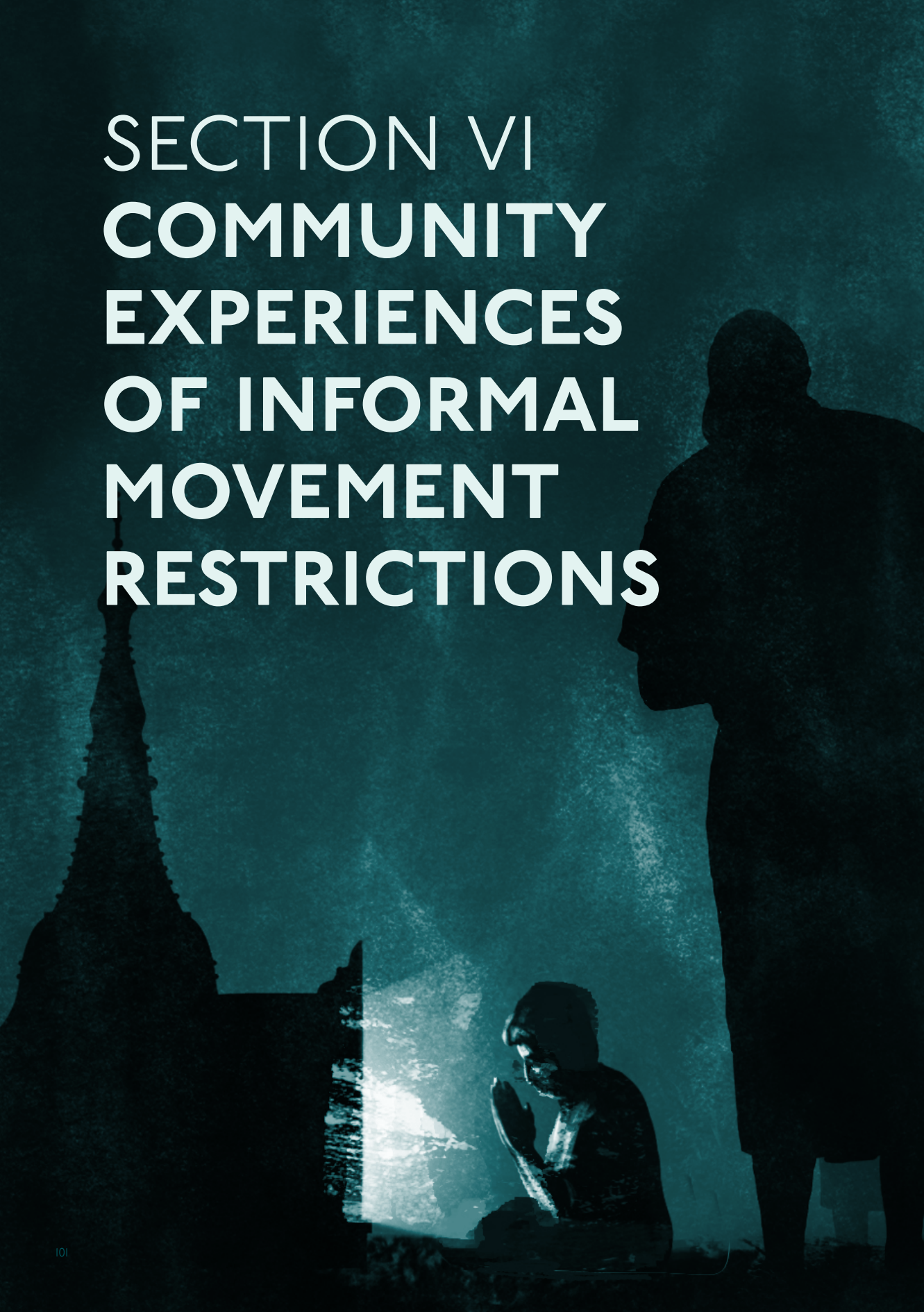
> *'We have a curfew order not to go out at night from 9:00 p.m. to 5:00 a.m. For emergency case, if we have to go to hospital in downtown at night, we dare not go because we are afraid of the Rakhine people, and there is a lot of fighting between Arakan rebels and the army in our area."*[217]

None of the Maramagyi the IRI spoke to reported any threats or harassment by state security forces at checkpoints, although encountering problems with Rakhine communities was a concern:

> *'There are some checkpoints, but we don't need to be afraid. The government side doesn't give any disturbance to us. But, to go to the Rakhine side we have to fear. There are not any problems at the checkpoints, if we have the [CSC]. If they ask, we show the [CSC]; if they don't ask, no need to show.'*[218]



> ***'When a person has to move with an emergency at night, we actually need to pay the police at the checkpoint or they don't allow to cross and go for also emergency issue even. For example, when a patient is taken to the clinic at night, we are not allowed to go without paying them. If we can give some charges, we can go to the clinic with the patient.'***
>
> ***Kaman, Sittwe Township***



SECTION VI
COMMUNITY EXPERIENCES OF INFORMAL MOVEMENT RESTRICTIONS

'When we are inside the pagoda/monastery together with them, we have fear because we are generally discriminated against. This is because our face looks like Muslim. We are really Buddhist, but we look like Muslim and speak like Muslims.'

Maramagyi, Mrauk U Township

As discussed in the section above, administrative restrictions on freedom of movement implemented as a result of actions by state actors are prevalent throughout Rakhine State, albeit differentially implemented depending on community and location. No less important, however, are informal, non-administrative restrictions on movement in response to actions taken by other communities, government and security officials.

Three key factors play a major role in influencing informal movement restrictions by communities: intercommunal policing of movement by Rakhine communities; a general climate of impunity for perpetrators of human rights violations; and the failure of the government to create an environment of security (see ***Section IV: Overview of Current Restrictions on Movement, Informal Restrictions on Movement*** for more detail). These factors interplay with the administrative restrictions described in the section above to create an environment of fear that serves as the primary motivating factor in communities making calculated decisions not to travel. It should be noted that these 'decisions' are rooted in a lack of agency and should not be considered as 'self-imposed restrictions'.

Informal restrictions, like those formally implemented by the GoM, are not uniform and are, in many ways, a barometer of the wider political, ethnic and religious dynamics at play in Rakhine State.

ROHINGYA, KAMAN AND MARAMAGYI COMMUNITIES' FEAR OF RAKHINE

For Rohingya communities throughout Rakhine State, the fear of facing violence at the hands of Rakhine, and authorities failing to hold perpetrators to account, are key motivating factors for individuals making calculated decisions not to move.[219] Kaman and Maramagyi communities also face intimidation from Rakhine communities.[220]

Rohingya living in Minbya Township explained that threats from Rakhine – and impunity for perpetrators of violence – prohibit their community from travelling to obtain firewood and to buy goods in a nearby market:[221]

> *'We cannot go to the forest for getting firewood, we are prohibited by the Rakhine people. We are also told if we go there, we will be killed. If they kill us, there is no action against them so the Rakhine people can do as they like.'*[222]

Similarly, in Mrauk U a Rohingya woman in her 20s explained that while her community is not prohibited from travelling by administrative restrictions, the fear of facing violence from Rakhine communities, and being unable to access justice, means that many people are forced not to move:

220 While it is necessary to note the degree to which a fear of the Rakhine prevents some communities from moving, it should be said that this is not found in all communities. The IRI also found examples of how positive intercommunal relations had given some communities a greater ability to move. See, *Section VIII: Analysis.*

> *'The only restriction for us is to travel to Rakhine villages. No one prevents us from travelling, but we are afraid to get beaten or killed. We are only afraid of the Rakhine. If someone is killed in the Rakhine village, we cannot find the dead body, and we cannot get equal justice.'*[223]

Rohingya living in Pauktaw Township told the IRI that while, previously, state security forces had prevented them from travelling, local Rakhine were now responsible for restricting their movement on the basis that Rohingya are Muslim and from Bangladesh:

> *'Local Rakhine people prevent us from travelling to Sittwe. In the past, the police stopped us, but now it is not the police only the Rakhine. They said that, "You cannot stay in our Rakhine State, this state is for Rakhine people. You are Muslim. You are from Bangladesh, you cannot go anywhere." Sometimes they kill or injure the travellers.'*[224]

Speaking to the widespread non-administrative restrictions on freedom of movement in Rakhine State, a man from the 'closed' Taung Paw camp in Myebon Township explained that cooperation between Rakhine and state security forces can lead to violence against Rohingya if they travel to Rakhine villages:

> *'If a Muslim is seen in the Rakhine village, he/she is caught and passed to police. At the time, the police people torture and extort from him/her because all the security points are police checkpoints.'*[225]

Conflict between the AA and the Tatmadaw has also driven a fear of travelling among the Rohingya, not least because Rakhine people advise them not to move. Rohingya communities' inability to move means that they are trapped between two conflicting parties that are both hostile towards them:

> *'We are now inside the battle area – we are told not to go out by Rakhine people. They tell us not to give accommodation and help to the army. So, we explain to the Rakhine we have to do everything for both Rakhine and military we cannot avoid either.'*[226]

Speaking of the fear of travelling by waterways during the conflict and of the concerns that the conflict will lead to further restrictions on movement, a Rohingya man residing in Kyauktaw Township explained:

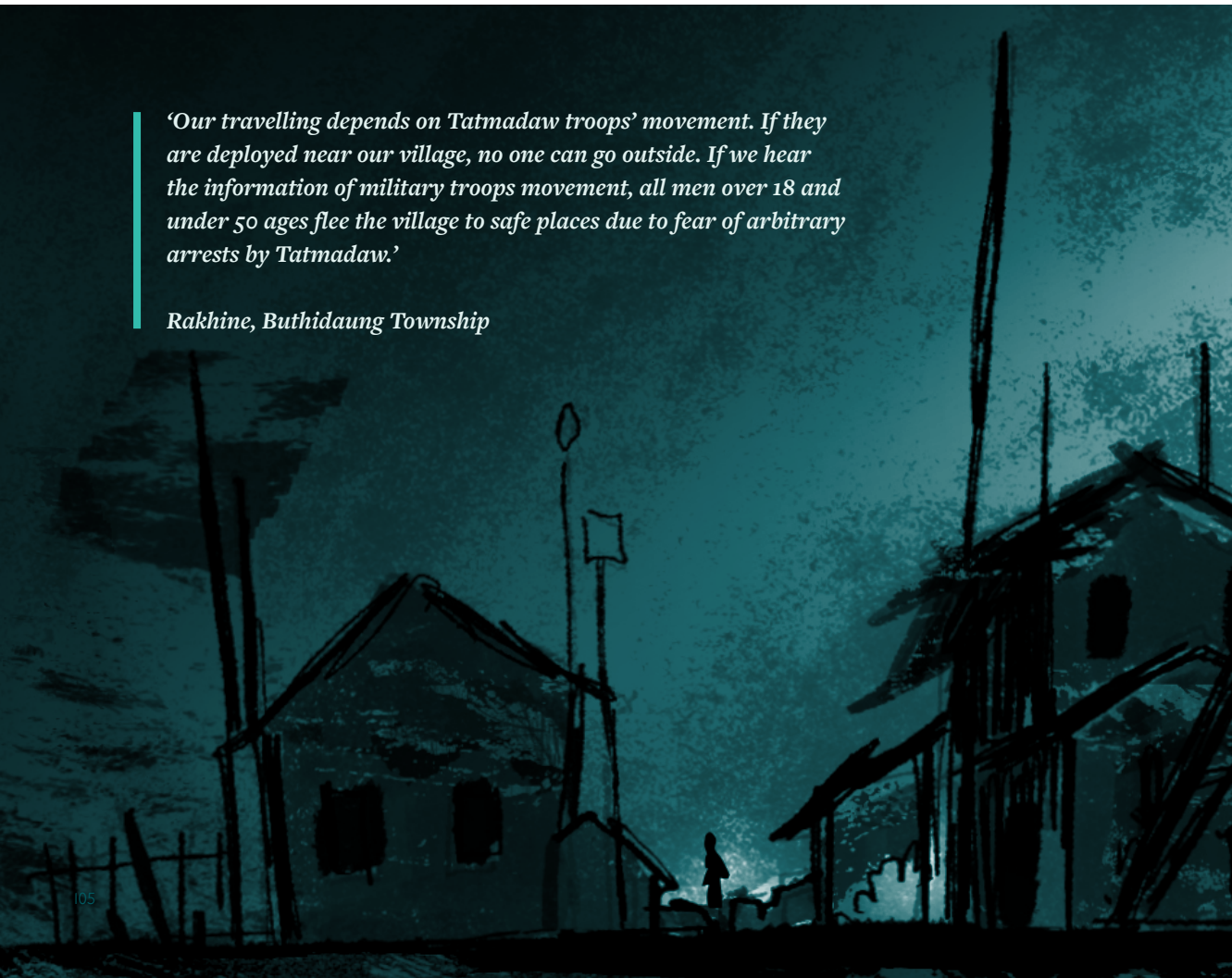
> *'Yes, we have fear for travelling because we are afraid to be thrown stones. Or suddenly, if the engine stops, Rakhine people may come and do something to us. We think we have to finish our lives in this condition, we don't think we can improve the condition. I think in the future the condition will go more bad because now there is fighting between AA and government. Almost every day, we hear the sounds of fighting, bullets, and very big arms. So, we are afraid the condition will become worse.'*[227]

The compound effect of this deeply rooted fear of Rakhine communities is Rohingya being unable to travel to access healthcare and livelihood opportunities. A Rohingya man from the Sittwe camp area explained:

> *'We cannot go downtown and cannot go to Rakhine villages because of fear towards Rakhine people. When I am sick, I cannot go downtown too to get better treatment. So, I receive just poor quality of healthcare that is in the area. Why l am afraid to go there is because a lot of Muslim were killed and injured there during 2012 violence. That is why I do not dare to go there anymore.'*[228]

A man from the Sittwe camp area explained that when he encountered Rakhine on his way to work as a carpenter, he was subjected to questioning and violence:

> *'I said I was going for work. They said I could not go, and that I needed to go back. I asked why, and I said what crime I was committing to them. They said, "We could even kill you right now." There were seven of them. I thought it was one against seven, and I said, "Kill me if you want to kill me. I cannot beat you, seven people, alone." There was no one, and the surrounding was empty. They could do anything they wanted to do to me. Then somebody punched me. Another one slapped me. All these*



> ***'Our travelling depends on Tatmadaw troops' movement. If they are deployed near our village, no one can go outside. If we hear the information of military troops movement, all men over 18 and under 50 ages flee the village to safe places due to fear of arbitrary arrests by Tatmadaw.'***
>
> ***Rakhine, Buthidaung Township***

seven people beat me about 14 times. I came back with those beatings on my body. I could not go to work.'[229]

Explaining the ongoing restrictions on freedom of movement for Rohingya living in the 'closed' Ni Din camp, a Rohingya woman in her 40s told the IRI:

'We cannot go the marketplace, riverside, and also forest, or to Rakhine village. No one makes restriction, but if they find us there, they will kill.'[230]

It is not only the Rohingya community who are forced to limit their own movement as a result of their fear of Rakhine. The IRI spoke with Kaman communities in Thandwe, Sittwe and Myebon Townships who voiced concerns about facing harassment or intimidation when meeting Rakhine people as they are moving:[231]

'Yes, we have fear for travelling. When we reach Gwa and Toungup, we fear if someone gives us trouble, who will help us? This kind of fear we have. We have mostly to fear the Rakhine groups. I don't know exactly if they are told by the government, if they are told to do disturbances like this. What I think is that the government knows everything, but from the backside the government is allowing them to do these troubles.'[232]

In Sittwe Township, a Kaman from Bumay told the IRI that he feared both state security forces and Rakhine while moving around:

> *'I am always afraid to move around the villages in Sittwe and travel to other townships due to the fear of the Rakhine extremists and abuse from police when I am met alone.'*[233]

Despite the absence of administrative restrictions on the community's freedom of movement, several Maramagyi explained that their fear of Rakhine precludes them from travelling freely:

> *'On the way to the hospital, we are afraid to travel. If someone doesn't have money for travelling to the hospital, he or she gets treatment from the phony doctor in the village. We are afraid to travel to the hospital, because we think that the Rakhine might do something to us. So, we travel in groups. We never travel to Mrauk U alone.'*[234]

Maramagyi also said that their fear of repercussions from the Rakhine community means that they do not lodge complaints with local authorities when their movement is restricted:

> *'If we are found in the upper side of the river by Rakhine people, the Rakhine villagers will take out our properties and money, and sometimes they will arrest and bring us to where they want. This is the problem for us. They prohibited us to not even step on that side. They came in groups and prohibited us from going there. We dare not complain or inform this matter to the police or GAD because we are afraid of the Rakhine people.'*[235]

Explaining the root causes of the Maramagyi community's fear of Rakhine and how this translates into limited movement, a man in his 40s living in Mrauk U explained that linguistic and racial differences between the two communities forms the basis for the discrimination they face:

> *'There are no restrictions from the government, but we have to think of the Rakhine people; we are afraid of them. We don't have any problem to go to the pagoda or monastery. We can go freely. We go to Rakhine monastery, and they come to our monastery and pagoda. There is no problem from this. When we are inside the pagoda/monastery together with them, we have fear because we are generally discriminated against. This is because our face looks like Muslim. We are really Buddhist, but we look like Muslim and speak like Muslims.'*[236]

INTERCOMMUNAL TENSIONS BETWEEN ROHINGYA AND HINDU

Despite speaking a similar language, Rohingya and Hindu communities in Rakhine State have historically exhibited mistrust towards each other, with Hindus generally positioning themselves close to the government and Rakhine communities. One

Rohingya woman living in the Aung Mingalar quarter told the IRI that if they travel outside of their ward, Hindu and Rakhine communities cooperate to drive Rohingya out of public spaces – in some cases through violence:

> *'We cannot go out of this ward. If we go outside and sit somewhere at the betel shop or tea shop, we are driven from that place and told to go home. And sometimes they beat us. If we are outside, Hindu young guys make phone calls to the Rakhine, and inform them where we are. Then Rakhine people come and beat us. For a long time we've known these young Hindu guys. So they know me well, and if they see us outside of the village, they inform the Rakhine and then Rakhine people beat us a lot.'*[237]

Tensions between the communities ran particularly high following ARSA attacks and clearance operations in 2017, when Hindu communities in northern Rakhine State were also displaced and affected by violence. Fear continues to play a role in inhibiting movement, as one Hindu man in his 60s from Maungdaw Town explained:

> *'We are very afraid to travel because a big problem happened in Maungdaw in our area in 2012 and 2017, still we fear this kind of problem. And now there are less people than before in our area. We make less travelling now because we are afraid.'*[238]

Similarly, a Hindu man in his 40s living in Maungdaw Township told the IRI that memories of Hindus being killed after they travelled had forced him to limit his own movement:

> *'I have fear for travelling because a lot of people have died and were killed. Hindu people were also killed, that is why I am afraid to travel. I don't know at what condition they were killed, but it was away from their place. I make less travelling because in the past there was a big problem that happened.'*[239]

FEAR OF SECURITY FORCES AND ARMED ACTORS

FEAR OF THE TATMADAW AND THE RISK OF BEING ASSOCIATED WITH THE AA AMONG THE RAKHINE

Among the Rakhine community – particularly Rakhine men – the primary factor that forces individuals to limit their movement is the fear of arrest or abuse by state security forces as a result of their alleged affiliation with the AA.[240] The movement of Tatmadaw troops in close proximity to villages in Rathedaung and Buthidaung Townships drives this fear and leads to people avoiding travel in order to avoid interactions with state security forces.[241] In some cases, Rakhine individuals have migrated as a result of these restrictions on their movement and the development of the conflict.[242] It is worth noting that no Rakhine interviewee cited fears of the AA as a reason for restricting their own movement.

Fears of being associated with the AA are not unfounded. The IRI spoke with displaced Rakhine in Buthidaung Township who said their village was deliberately targeted by the Tatmadaw, and that they had not been able to return:

> *'Our village has already been destroyed and houses were burned down by Tatmadaw. The Tatmadaw is targeting people from our village because they believe that Tatmadaw troops were ambushed from our village, and they accused us as AA supporters and acceptors. Now, all people from our village are sheltering at IDP camp in Buthidaung Town.'*[243]

A female teacher from Buthidaung Township told the IRI her travel was dependent on the movement of Tatmadaw troops, and that fear of arbitrary arrest was prevalent among men between the ages of 18 and 50:

> *'Our travelling depends on Tatmadaw troops' movement. If they are deployed near our village, no one can go outside. If we hear the information of military troops movement, all men over 18 and under 50 ages flee the village to safe places due to fear of arbitrary arrests by Tatmadaw.'*[244]

A man from Buthidaung Township explained that even with the requisite permissions to travel, people were afraid to exercise their freedom of movement if the Tatmadaw were deployed:

> *'During the day, we can also bring the recommendation letter of Village Administrator when the Tatmadaw troops are deployed near this village or along the way. But most people are afraid to go outside of this village if they are deployed.'*[245]

Similarly, a Rakhine man from Buthidaung Township now residing in Malaysia told the IRI that the movement of Tatmadaw troops close to his village would result in communities being forced to limit their own movement for fear of physical abuse or arrest:

> *'There is a Tatmadaw checkpoint near Oo Yin Thar Village on the main highway road to Buthidaung. No one dare to travel across the Tatmadaw checkpoint due to fear of arrests, beaten by Tatmadaw soldiers. All people avoided facing with Tatmadaw troops and checkpoints when they need to travel. If there was a movement of Tatmadaw troops along the way, no one dare go outside of the village.'*[246]

Detailing how the fear of arrest by state security forces was driving severe restrictions on freedom of movement and having a negative impact on access to livelihoods in Rathedaung Township, one man who has since migrated to Thailand said:

> *'Villagers were afraid to go outside of the village for travelling to nearby villages, making paddy fields, taking firewood or vegetables, and plantation at mountains due to fear of arrest by Tatmadaw, crossfire and landmine explosions. Before I left my*

village, I usually ran away to other villages about four days per week. I hadn't slept well when I was at my village due to fear of entering Tatmadaw troops into village and arbitrary arrest.'[247]

FEAR OF STATE SECURITY FORCES AND ARMED ACTORS AMONG THE ROHINGYA

The imposition of administrative restrictions on freedom of movement, coupled with human rights violators acting with impunity, drives fears of interacting with state security forces among Rohingya communities.[248] The spike in the conflict between the AA and the Tatmadaw has exacerbated this and forced Rohingya to limit their own movement.[249]

Rohingya communities' fear of meeting state security forces while moving stems in part from the absence of justice for previous episodes of violence against them. A Rohingya woman in her 30s from Mrauk U Township explained:

'Though the government does not prevent us, we can't go freely because we have fear. And if something happens, we have no justice, and the government also never makes decisions for us equally. Though we need to go outside, to buy or get something, we don't go because we fear to have problem or something happening.'[250]

A Rohingya man from the Aung Mingalar quarter told the IRI that his memory of anti-Rohingya violence in 2012 combined with ongoing harassment at checkpoints drove him to restrict his own movement:

'I am afraid to move or go out of the village because the trauma entered in my mind from the violence which both the Rakhine people and the government did persecutions to us in 2012. Now, we need to be afraid to the government police because we are caught and checked – "Where did we go, whom did we inform, why did we move?" And other various questions we will be asked if we go out of the village without informing them.'[251]

A Rohingya woman living in rural Maungdaw Township said that pressure from state security forces had increased since the violence of August 2017, driving her community to limit their movement outside their village:

'For the people that have been left behind, the pressure has increased from the checkpoints. And if there is any change in the village, like new people moving into the village, the military sometimes comes and take that person away without any coordination with the officials in the village. It's fearful to go and stay in another village, because we are afraid that this could happen to us, so we stay in our own village where the military knows us.'[252]

FEAR OF STATE SECURITY FORCES AMONG THE KAMAN

Kaman communities all voiced ongoing fears of moving, if doing so would result in interactions with state security forces. Either the presence of state security forces at checkpoints or historic memories of human rights violations instil fear at the prospect of attempting to move.[253]

Kaman in both Thandwe and Sittwe Townships explained that fear of traversing checkpoints was forcing them to limit their own movement.[254] One community elder living in Bumay told the IRI he was afraid both of interacting with the Rakhine and being restricted by the police at checkpoints:

'I am afraid to move or go to downtown myself as the police checkpoint blocked Muslims from being able to go downtown at all, although I can go there now as I look like Rakhine. When I'm going there, I'm not free in my mind. What I worry to travel in downtown is that if any one of Rakhine people make or find a problem with me, or I am checked or restricted and not to able to go there by police checkpoint.'[255]

In Thandwe, one Kaman woman told the IRI that, although there were no official barriers to their movement, her community did not dare to travel:

'There aren't any government officials preventing us, but at night the road that leads to Toungup, no one dares to go there at night-time because of the checkpoint.'[256]

BOX 6: Gender and Checkpoints

Restrictions on freedom of movement can have highly gendered impacts on different communities, reinforcing existing gender norms, and leading men and women to respond differently to different types of movement barriers.[257] Gender norms among the Rohingya, Kaman, Hindu and Maramagyi communities, although distinct, mean that women's scope of movement is more limited than that of men. Furthermore, because men move more regularly than women, they can be exposed to greater risk.

Religious and cultural norms within the Rohingya community mean that in many cases women wear head coverings, including while travelling. Rohingya women are routinely required to remove their head coverings at checkpoints; failure to do so can result in physical and verbal abuse, creating a fear of travel among women and men.[259] State security forces have repeatedly used this as a basis to target and harass Rohingya women by demanding they remove their head coverings in the name of 'security'. One Rohingya woman living in rural Maungdaw Township told the IRI:

> *'At the checkpoints if the women aren't ready with their veil removed, they'll say that you're disrespecting us, and they will ask us for money or beat us. They will rip off our burkas and slap us in the face, or take any goods that they want.... Less than a month ago, in the Latha village station, I was going into town and there was a new checkpoint that I didn't know about and so when I got there they said, "Why didn't you already have your burka off?" And they slapped me in the face. So, they made me pay 1,000 MMK (0.69 USD). I was in the car and the driver wasn't ready either so they beat him too.'*[260]

Memories of past episodes of sexual violence by state security forces also inform Rohingya women's decisions with regard to movement. Rather than offering a sense of protection and safety to women while travelling, the opposite is true:

> *'I am scared when I get close to the checkpoints. I wonder what kind of disrespectful or dishonourable things that they might do. I am afraid that they may grab one of the women and take them into the rooms to do evil things. This is why the women always travel in groups. Because of the situation, the majority of women will not travel, but if they really need to for a medical emergency they will take their mother and sisters and go in a large group.'*[261]

Similarly, among the Kaman community fear of encountering state security forces without a male companion also forces women to limit their movement. A Kaman man is his 20s living in Sittwe Township told the IRI that women also fear sexual assault if they are travelling in the presence of security escorts:

> *'Movement and travelling are more difficult for women than men because women are afraid to travel to other townships such as Ponnagyun, Minbya and Kyauktaw, alone with police security guard without male companion from family if the police security make her sexual abuse and harassment (sic).'*[262]

'At the checkpoints if the women aren't ready with their veil removed, they'll say that you're disrespecting us, and they will ask us for money or beat us. They will rip off our burkas and slap us in the face, or take any goods that they want.... Less than a month ago, in the Latha village station, I was going into town and there was a new checkpoint that I didn't know about and so when I got there they said, "Why didn't you already have your burka off?" And they slapped me in the face. So, they made me pay 1,000 MMK (0.69 USD). I was in the car and the driver wasn't ready either so they beat him too.'

Rohingya, Maungdaw Township

While some women told the IRI that it was not their 'habit' to move outside their home, it is likely that in patriarchal communities responding to an environment of state-sponsored hostility, women's agency over their own movement is heavily restricted.[263] In this way, movement restrictions end up reinforcing and perhaps exacerbating conservative cultural norms around female movement:

> *'At the moment, it is not easy to move from places to places for even men – as it is expected that men will be tortured and slapped on the way at checkpoints. Given that, we do not give women a chance to go out very often in the areas with the checkpoints but sometimes around the city. Some poor women or widows go out regularly for selling snacks and other things for their livelihood. The rest of the women have no regular practice to go out.'*[264]

Explaining the cultural context in which women's movement takes place, and the problems that can arise as a result of moving, one woman from the Sittwe camp area explained:

> *'As our village is in rural site, women do not have habit to go out of home very much according to the culture. Since men go out of the village mostly to the markets for shopping and to their works, so men face more difficulties in travelling than women. If we compare to the women who have habit to go out usually with the men, movement and travelling is more difficult for women than men because women have to worry if anyone at the checkpoints of police or military will make troubles or sexual abuse or someone from public community will make bad things accordance with religion while moving or travelling. So women are more fearful to move and travel than men.'*[265]

Similarly, a Hindu man in his 60s living in Maungdaw Township alluded to the gendered norms which govern women's movement within the Hindu community, noting that Hindu women do not have the 'habit' of travelling even in a context in which they are able to exercise their freedom of movement:

> *'Women can travel to market and other places the same as men, no problem. But women never go to very far places. As Muslim and Hindu women have no habit to go to far places only Rakhine women go.'*[266]

Individuals from the Rakhine, Kaman and Maramagyi communities told the IRI that men have more problems than women when attempting to move, in part because of the regularity with which they attempt to travel, reflecting the gender and cultural norms that govern freedom of movement in Rakhine State:[267]

> *'Men have more problems for travelling. Women mostly stay in the village, and men go to this side, that side, and other side. They make more travelling than women.'*[268]

Alluding to the risks associated with Rakhine men travelling as a result of the escalation of the conflict between the AA and the Tatmadaw, one Rakhine woman explained:

> *'There is no serious problem for women when they face the Tatmadaw troops and inform them to get permission for travelling. But it is difficult for men especially for young people to get permission when they face Tatmadaw troops on the way, and request for travelling permission. Because, I think they (the Tatmadaw) specify all young men are AA members in this area. That's why, they arrested some young men with suspicion of affiliation with AA.'*[269]

SECTION VII
IMPACTS OF MOVEMENT RESTRICTIONS

'Some Muslim brokers go to Rakhine villages which are very far from us to buy cows and oxen. They need to go there at night not to be seen by other Rakhines and they can return again from there at the night of another day. They need to stay at the Rakhine person's house in the daytime hiding.'

Rohingya, Sittwe Township

ACCESS TO EDUCATION

Access to education for Rohingya, Kaman and Rakhine communities has been limited by administrative and non-administrative restrictions on their movement as well as the development of the conflict between the AA and the Tatmadaw. However, access can vary based largely on the location and circumstances of each community.

In central Rakhine, an estimated 60,000 Muslim students living in camps or camp areas are forced to seek out education within their respective camps. Although there are a small number of government-run schools in Muslim villages within the Sittwe camp area, most young children only have access to primary education through TLCs.[270] Intended as a temporary solution, TLCs have replaced government schools as the mainstay of primary education (Kindergarten – Grade 4) services in camps. They depend on volunteer teachers with little formal training.[271] The TLCs are primarily supported by humanitarian assistance, although the Ministry of Education has increasingly taken steps to increase support by paying a portion of the volunteer teachers' salaries, providing textbooks, and supervising Grade 4-level exams. Because TLCs only provide education up to Grade 4, students wishing to enrol in upper levels are required to obtain transfer certificates; this practice that can amount to another barrier to accessing education for Muslims because of the non-standard way in which the certificates are granted by head teachers. Post-primary education in the Sittwe camp area consists of six branch middle schools and one high school run by the State Education Department.[272] Children living in two camps in Pauktaw Township do not have access to any government schools and must instead attend community-run schools.

In the Aung Mingalar quarter in central Sittwe, memories of previous episodes of violence against the Rohingya community means that people are too scared to bring their children to nearby schools, and instead rely on the one school that exists in the quarter:

> *'All the students from Aung Mingalar attend this school only in (Aung Mingalar) village because Muslims cannot attend the schools BEHS No.1, 2 and 4 even if these schools are nearby to our village and the Muslim students could attend before violence.'*[273]

Rohingya and other Muslims living in villages in central Rakhine State face greater challenges when accessing all levels of education. Because Muslim children are generally barred from attending primary school in Rakhine villages, these communities have often taken education into their own hands:

> *'As our children cannot go out to other Rakhine villages for education, we established a primary school up to 8th grade. Our children study there. Teachers are Rohingya*

272 For children who have dropped out or never entered primary school, the Non-Formal Primary Education courses are available in 16 NFPE centres in Sittwe and Pauktaw. Upon completion of the Level 2 exams, children receive an official certification of completion for primary education.

> *from the village. We have 30 Muslim villages in our district, for education it is the same in all the villages. In the past before 2012, we can study in Minbya, Mrauk U and Kyauktaw, but after 2012 we cannot.'*[274]

For many of these communities, secondary education – often located in inaccessible central township locations – is simply not an option. For those able to attend community schools, there is the additional risk that their education will not be recognised officially by state authorities. The consequence of these restrictions is fewer children being able to access education, especially at higher levels.[275]

In some areas of central Rakhine State, educational access is further restricted by fears of intercommunal violence. In Kyauktaw Township, Rohingya told the IRI that community elders also advised students not to travel because of concerns around tensions with Rakhine:

> *'We have a school in our village tract, but we are not allowed to study because the elders want to avoid the problem between Rakhine and Muslims in the school.... The school is about a half mile away, and the children cannot use the main road because the (Rakhine) people throw stones and empty bottles at the students, when they are using the main road.'*[276]

For Rohingya living in villages and towns in northern Rakhine State, government-run schools are generally accessible. A Rohingya man in Buthidaung described the situation in his village:

> *'We have a government school and children can go there easily. The school has teachers, and they teach well. We have a primary school in the village, and our children can join easily, there is no need to pay anything, and the school also provides books. For middle and high school education, we have to go to Buthidaung by bicycle. We don't need anything to go to school, just to go to the school and enrol them. Students just need the student card that they show at the checkpoint to pass.'*[277]

A Rohingya man in Maungdaw Township described a similar situation, highlighting that intercommunal tensions between children could sometimes arise:

> *'The school goes up to the 5th grade. Anyone over 6th grade has to go to a different village tract for school. The kids are able to travel to different tracts where the schools are, they don't need Tauk Kan Sas for that. It's fairly safe for the kids to travel to school, but if they are travelling by themselves, they may have an incident with Rakhine children.'*

Despite their entitlement to citizenship as a recognised ethnic group, some Kaman in Sittwe Township said that access to secondary schools in central areas was prohibited as a result of the their lack of access to documentation and discriminatory treatment, meaning that they must instead attend Thet Kay Pyin High School in the Sittwe camp area alongside Rohingya.[278]

Access to tertiary education in Rakhine State is restricted for all Muslims regardless of their documentation status. Rohingya and Kaman students had been able to attend Sittwe University, the Teachers Education College in Kyaukphyu, and other associated institutions of higher education in the state, but all Muslim students were expelled in 2012 and have not been able to enrol since. One Kaman from Sittwe Township noted that Kaman children must now attend government schools in the Sittwe camp area rather than those in the city centre, and that university access is restricted:

> *'Kaman students also cannot attend the University as the government restricted us too. Now, our children can attend the school until matriculation exam and then they cannot attend the University after passing the matriculation exam. Muslim students cannot attend the schools in downtown now.'*[279]

While students with valid documentation are theoretically able to enrol at universities elsewhere in the country, national university admissions guidelines limit most students from going anywhere besides their local universities. For matriculating Kaman and Rohingya, this means there is no in-state option except for a severely limited University of Distance Education programme offering only two courses – in Myanmar language and history – for two weeks of on-campus time per year (Muslim students cannot access Sittwe University and must attend on-campus classes at Thet Kay Pyin High School). However, a recent government-approved initiative will provide approximately 100 scholarships for students from all communities to attend university in Yangon.[280]

Justifying restrictions on the movement of Rohingya and Kaman communities attempting to access secondary and tertiary education, the government has claimed that communal tensions between Muslim communities and Rakhine communities create safety risks for Muslim students.[281]

Fighting between the AA and the Tatmadaw has also led to interruptions in the education of Rakhine communities in conflict-affected areas. Schools across central Rakhine State (and hundreds of schools in neighbouring Chin State[282]) have closed as a result of the fighting and a lack of teachers, while matriculation exams have also been disrupted.[283] The conflict has directly led to the harming of children, this includes 19 children injured by shelling in a Buthidaung Township village[284] and the shooting to death of a nine-year-old boy in Kyauktaw Township.[285] In Rathedaung Township, movement of Tatmadaw personnel and ongoing fighting means that parents must prevent their children from travelling to school:[286]

> *'The school is not opened usually due to the Tatmadaw troops movement near our village, and the parents do not send their children to school when the artillery shell shooting from Ray Soe Chaung (Yae Soe Chaung) Village's Tatmadaw Station.'*[287]

ACCESS TO HEALTH

Restrictions on freedom of movement have a devastating impact on communities' access to healthcare in Rakhine State. The degree to which individuals can access healthcare is largely dependent on their documentation status, religious identity, geographical location, and perceptions of safety and security while travelling. Formal curfews and permission requirements imposed in townships throughout Rakhine State mean that Rohingya, Kaman, Maramagyi and Rakhine communities are often unable to access healthcare, in some cases leading to preventable deaths.[288]

Geographic overview of healthcare access

The government-run healthcare system in Rakhine State is based on a collection of health centres, clinics and station hospitals dotted around the state providing basic care; township hospitals located in each township's urban core providing secondary care; and Sittwe General Hospital (SGH), the only institution in the state that provides tertiary care. Complex cases are often referred to SGH or Yangon General Hospital. Private clinics, independent medical practitioners, traditional healers, and pharmacists also provide basic healthcare services.

It should be noted that across Rakhine State, the largest challenge for all communities in accessing health care is the general lack of health care services, particularly in rural areas of northern Rakhine State. Movement restrictions, particularly the use of restricted zones, curfews and movement permission requirements, can significantly compound this challenge. This primarily affects Rohingya and Kaman communities, although other minority groups are also affected. The location of particular communities has a significant impact on their ability to access healthcare.

Central Rakhine State

In central Rakhine State, Rakhine and other non-Muslim communities who carry documentation can generally access healthcare without problems unless they reside in conflict-affected areas. Those living in conflict-affected areas face travel restrictions, including mandatory Village Departure Certificate requirements and curfews, which can delay or impede healthcare access.

Rohingya and Kaman living in larger camps in Sittwe and Pauktaw often have more regular access to healthcare than those living in isolated camps or villages. Basic care for camp residents is typically provided by INGO- or government-run clinics. For those living in the Sittwe camp area, access to SGH is possible through a medical referral process at Thet Kay Pyin Sub-Rural Health Centre. Those living in camps outside Sittwe can attempt to gain permissions and travel to the hospital independently, often at great expense, or alternatively can have their medical referrals processed by humanitarian organisations. However, these processes are dependent on government ambulance services and mandatory security escorts,

'We have a school in our village tract, but we are not allowed to study because the elders want to avoid the problem between Rakhine and Muslims in the school.... The school is about a half mile away, and the children cannot use the main road because the (Rakhine) people throw stones and empty bottles at the students, when they are using the main road."

Rohingya, Kyauktaw Township

which can add significant delays and costs to a hospital trip. For Kaman in Sittwe Township, access to healthcare is also restricted by checkpoints that only allow those with security escorts and/or medical referrals to travel.[289]

Healthcare access for Rohingya living in the Aung Mingalar quarter in Sittwe Township, located a significant distance from SGH, remains constrained, despite the fact that government health officials have improved referral pathways from previous years. In order to access healthcare outside of Aung Mingalar, Rohingya can obtain access through an INGO, which can arrange a medical referral and transport to the hospital. Rohingya can also seek healthcare independently at local clinics or at SGH but must inform the police of their planned movements. In some cases, even after providing this information, the police have denied patients the ability to travel to health clinics.[290]

For Rohingya, Kaman and other Muslim communities outside camps in central Rakhine State, access to healthcare is significantly more challenging. While some villages have access to basic care at government-run health clinics in rural areas, Muslims are barred from accessing township hospitals, particularly those in Kyauktaw, Mrauk U, Minbya, Myebon and Pauktaw. This is because of general restrictions on Muslims entering urban areas as well as hospital policies that prohibit Muslims from seeking care due to security concerns. While more minor cases can be treated at station hospitals in Ah Pauk Wa in Kyauktaw Township and Myaung Bway in Mrauk U Township, more complex cases, including complicated child births, are referred to SGH rather than local township hospitals, which are often much closer. In order to reach SGH, patients and their families must obtain the requisite permissions, including Village Departure Certificates and Form 4s, and must pay large sums for transportation and security escorts. For urgent cases, the delays caused by these restrictions on movement can often be deadly.

Northern Rakhine State

Access to basic healthcare across northern Rakhine State can be extremely challenging. While township hospitals are open to all in Buthidaung and Maungdaw Towns, those living in rural areas farther afield often have no government-provided services available. Alongside this, government-imposed blocks on humanitarian access have significantly limited the ability of national and international healthcare NGOs to reach vulnerable communities through mobile clinics. Though some of these organisations operate mobile clinics in parts of northern Rakhine, their reach is often limited and irregular. Rohingya are most significantly affected by the lack of accessible healthcare in northern Rakhine, both because they are the largest population demographically and because of their lack of documentation. Rohingya can access township hospitals but must obtain the requisite permissions to do so, including Village Departure Certificates.

Owing to the extreme difficulty of obtaining permissions for inter-township travel, particularly in urgent cases, there is virtually no access to tertiary care for

Rohingya in northern Rakhine State. While in previous years complex cases would have been referred to hospitals in Cox's Bazar, the closure of the border following the 2017 'clearance operations' has effectively blocked this access route. Township hospitals in Buthidaung and Maungdaw do provide Rohingya patients with medical referral documents to travel to SGH, which is located only hours away by boat or road, however, health actors told the IRI that even with referrals, Rohingya in need of urgent care simply did not receive permission to travel from Immigration Department officials. Since 2016, there had been only one successful referral; a case that took weeks of lobbying and advocacy, a luxury not afforded to those facing life-threatening injuries or complicated pregnancies.

BARRIERS TO HEALTHCARE ACCESS

Curfews

Explaining the challenges of accessing healthcare as a result of curfews imposed by the government, a Rohingya man living in rural Maungdaw Township told the IRI:

> *'We can only go to the hospital during the day, if we need to go to the hospital at night, it's really difficult. I have two relatives that have died in the night because they were not able to travel to the hospital at night."*[291]

Similarly, elsewhere in northern Rakhine State a Rohingya man in his 30s explained:

> *'Our people cannot move at night-time. Maybe the patient can die at night, but they are not allowed to go out."*[292]

In Mrauk U Township, Rohingya told the IRI that travelling for an emergency case during curfew hours can lead to extortion:

> *'At night, travelling from 6:00 p.m. to 6:00 a.m., we cannot go out. But if someone has an emergency, they go, but if they are found on the way outside of the house, they must pay a fine. It's not a regular amount – 50,000 MMK,(34.50 USD), 100,000 MMK (68.99 USD), 200,000 MMK (137.98 USD) – as they can manage."*[293]

Other Rohingya in Maungdaw and Buthidaung Townships reported, however, that they can access healthcare after their Village Administrator has contacted the necessary checkpoints to facilitate their movement.[294]

For Kaman living in the Sittwe camp area, restrictions on their movement imposed by state security forces result in a denial of access to health clinics:

> *'It takes a long time to get permission by informing to the checkpoints when a serious patient is taking to Thet Kay Pyin clinic at night. At night, there were military and police people who sometimes allow the patients to go to Thet Kay Pyin, they do not allow sometime too."*[295]

The imposition of curfews also affects ethnic Maramagyi and Rakhine communities in Buthidaung, Mrauk U and Rathedaung Townships. One Maramagyi man living in Than Oak (Sin Oe) Village Tract in Mrauk U Township explained:

> *'For emergency case, we have to go to Mrauk U hospital about five miles away. To get medical treatment in the rural health centre is not a problem, but at night we have problems after 7:00 p.m. to go there.'*[296]

Although Rakhine in conflict-affected areas are able to access healthcare during the day once they have acquired requisite permissions, movement during curfew hours is restricted by Tatmadaw personnel:

> *'Sometimes, we could not go to hospital at night even though we faced serious health problems without the Tatmadaw troops permission. We could go to the hospital during the day when we got the permission from the Tatmadaw troops near our village...'*[298]

Lack of access to central Rakhine State township hospitals, documentation and costs

As noted above, lack of documentation is a key factor limiting communities' movement in Rakhine State, and in turn their access to healthcare. Rohingya in Buthidaung Township said that even if their medical condition is serious, they are still forced to wait until they possess the documentation required to travel:

> *'We cannot go to Sittwe and Yangon, even if we are seriously sick. To go to Sittwe and Yangon, we have to take the NVC first, apply for other cards, and then we will be able to travel. Even in dying condition, we have to die, but we are not allowed to go to Sittwe.'*[299]

For Rohingya and other Muslim communities living in the central Rakhine State townships of Kyauktaw, Mrauk U, Minbya, Myebon, Ponnagyun, and Pauktaw, the government does not allow access to township hospitals, reportedly because they cannot guarantee the safety of Muslim patients admitted to the hospitals. Instead, these patients are taken to other medical facilities in their respective areas, notably station hospitals at Ah Pauk Wa in Kyauktaw Township and Myaung Bway in Mrauk U Township. However, these facilities lack the capacity to attend to complex cases, particularly those requiring tertiary care.

As a result, those with complex cases are referred to SGH through a costly and time-consuming process that effectively precludes access for poorer individuals. Rohingya in Minbya, Mrauk U, Kyauktaw, Pauktaw and Sittwe Townships told the IRI that without the finances necessary to pay for permissions, security escorts, and bribes it is not possible to travel to access healthcare:

> *'Most patients in our hamlet die for the lack of healthcare. Some patients rely on local treatment. Only the rich can manage to go to hospital by the help of security force – at that time they have to pay more than 1,000,000 MMK (689.92 USD) for the security and travelling.'*[300]

In Mrauk U Township, one Rohingya man explained that it is necessary to acquire both an NVC and a Form 4 before being allowed to travel to SGH for healthcare, meaning that poorer patients are unable to access it:

> *'To go to Sittwe with a patient, first we have to go to the immigration department, and they tell us to take NVC and Form 4. For NVC and Form 4, we have to pay 100,000 MMK (68.99 USD) or 150,000 MMK. (103.49 USD). Only those that have the money can do it. Poor people cannot go for treatment, and they have to die.'*[301]

Rohingya in Kyauktaw Township told the IRI that since the violence of 2012 it has not been possible to access Kyauktaw Township Hospital for fear of facing attacks, and that it is easier to access SGH.[302] To do this, however, it is necessary to acquire a Form 4, often at great cost:

> *'We need the [Form 4] to go to other townships. If we need the [Form 4], we have to pay 150,000 to 200,000 MMK (103.49–137.98 USD). We cannot go freely to Sittwe. For serious health problem, when the UNHCR doctor gives the recommendation, with this recommendation, we have to contact with township doctor to take [Form 4], after that we can go to Sittwe.'*[303]

In Pauktaw Township, in some cases, patients who cannot pay the costs associated with travelling to SGH rely on assistance from INGOs. A Rohingya woman living in a Pauktaw camp explained:

> *'The price isn't fixed, it's around 5,000 MMK (3.45 USD) to 15,000 MMK (10.35 USD) depending on the problem. If we have a serious medical problem, we discuss with the Village Administrator and [a humanitarian organisation] and arrange to send the person to Sittwe Hospital. This kind of visit to Sittwe Hospital is managed easily by the people who have money, but for the poor people, [the humanitarian organisation] gives some money to spend.'*[304]

Speaking of the consequences of the restrictions on freedom of movement with regard to healthcare, a woman in her 30s living in Pauktaw Township explained:

> *'For the serious cases, we cannot manage to send them to Sittwe.... If we cannot access the hospital, patients die. Many people died this way. Ninety per cent of serious patients die. One woman, about four to five days ago, who is the wife of my father's friend, died because her husband is poor and could not manage to send her to the hospital. Maybe she could live longer, if she got treatment.'*[305]

Discriminatory treatment

All communities face significant costs and quality-of-care issues at SGH, but the discriminatory policies and practices imposed on Muslim communities present an additional barrier between them and access to care. The IRI's 2018 ***Access to Sittwe General Hospital*** report found that, in addition to being placed in a segregated ward (Rohingya in the report told the IRI that they preferred to be separated from

Rakhine patients), Rohingya patients were not able to bring male caregivers (a major challenge, as male Rohingya are significantly more likely to speak Rakhine and translate for female patients); were barred from bringing mobile phones, restricting their ability to communicate with relatives; and were forced to immediately leave the hospital in cases resulting in the death of a patient, leaving families without the

BOX 7: Security Escorts for Sittwe General Hospital

Despite SGH's primary role in providing healthcare in Rakhine State, severe restrictions on the Rohingya community have limited their ability to access the hospital. In northern Rakhine State, the onerous process for Rohingya to obtain the requisite travel authorisations to access SGH, as well as routine extortion at checkpoints, effectively precludes access even for those patients with medical referral documents. In central Rakhine State, township hospitals' refusal to accept Muslims as patients, results in them being referred to SGH for complex cases regardless of whether a closer facility can provide care.[307] This results in Rohingya being forced to acquire permissions, avoid curfews and face threats and extortion at checkpoints, as well as throughout the process of travelling to SGH. Alongside these restrictions, Rohingya are often forced to pay for security escorts from state security forces to access healthcare.

A Rohingya woman in her 30s living in a village in the Sittwe camp area told the IRI that she faced verbal abuse from the Rakhine community, police and nurses when she visited SGH, who referred to her as ***kalar*** – a derisory term used in Myanmar to describe Muslims, Indians or others of South Asian descent.[308] She also explained that police threatened that if she refused to pay them bribes for transporting her to hospital, they would refuse to take her and allow Rakhine to beat her:

> *'I was threatened by the police that if I did not pay money to them, they would stop the car in the middle of the road and that they would hand us over to the Rakhine. The police threatened that Rakhine will beat us..... Everyone is scared for their lives. That was why I said that I would pay money. We had to pay for security charges to the police. We still have to pay if we want to go to the hospital. One patient has to pay 5,000 MMK (3.45 USD) and caretaker has to pay 5,000 MMK. (3.45 USD). I heard this from people who regularly go to the hospital. When I went there, I had to pay 20,000 MMK (13.80 USD) each person for a return trip.'*[309]

Even in the event that Rohingya or other Muslim patients are able to obtain permissions to travel for healthcare, the requirement for patients to obtain an expensive security escort in effect precludes poorer individuals from access to healthcare, particularly those living in townships far removed from SGH.

ability to properly bury their dead. In addition, the IRI found that, in a hypothetical case study, a Muslim could pay up to 61% more in costs than a Rakhine person for the same treatment due to charges around ambulance transportation, security escorts, and unofficial payments to guards for food and medicine.[306]

'If we need to go to hospital, we have a big problem. We have to give money and go to the hospital with a security escort. We need at last five security guards to go to the hospital. We have to pay 10,000 MMK (6.90 USD) per security guard. Yesterday one village person died because of lack of treatment. Some Muslims give donations as a help, up to 100,000 MMK (6.90 USD). But the Muslims can't give much money, because most of them are poor. Muslims can't get treatment without money.'[310]

In the Aung Mingalar quarter in Sittwe Township, several Rohingya told the IRI about the ways in which security escorts operate in order to subject those attempting to access healthcare to extortion, with one Rohingya woman explaining:

'The passengers do not need to pay to Lon Htein (police) but the driver needs to pay 2,000 MMK (1.38 USD) to one Lon Htein security guard. Two security guards follow with one car, one sits in front of the car and another one sits behind the car. And the driver also needs to pay to Lon Htein people at the checkpoints on the way.'[311]

The price of security escorts can vary, however. Rohingya in the Aung Mingalar quarter also told the IRI that security guards can demand up to 5,000 MMK (3.45 USD) as a fee for accompanying them to SGH, which is located just a few streets from the Aung Mingalar quarter.[312]

Despite the costs associated with these security escorts, Rohingya in Aung Mingalar explained that travelling with them can facilitate movement to SGH, and that going without them can be dangerous: [313]

'When the serious patient is being taken to SGH, the police security guard follows with the ambulance. The people do not need to show any document and not to pay to police security while the patient is being taken to SGH. The police do not restrict any patient to go to SGH with referral letter of doctor approval.'[314]

ACCESS TO LIVELIHOODS

Decades of underdevelopment have left Rakhine State the second-poorest state in the country, with a poverty rate of 78% – twice exceeding the national average.[315] Livelihood opportunities are limited across all communities and are primarily concentrated in the agriculture, fisheries, or casual labour sectors.[316] Insufficient sustainable livelihoods opportunities have led to a large outward migration both within Myanmar and abroad. For those remaining in Myanmar, movement restrictions on all communities and the spread of fighting between the AA and the Tatmadaw significantly complicate the already dim prospects for accessing livelihoods.

In northern Rakhine State, Rohingya explained that fighting between the AA and state security forces had made access to livelihoods near impossible:

> *'I have farmland that I farm. Only at night time, I can't go to the farmland. During the day time, no problem. We have no job opportunities now because of fighting, and we are not allowed to go to the forest. Before, we would collect firewood and bamboo, and we used to fish at night, but now it's not possible.'*[317]

In rural Maungdaw Township, one Rohingya woman said that the imposition of new checkpoints following the violence of 2017 had severely limited her husband's ability to fish and sell the produce:

> *'Near my house there are a lot of other areas that have burned down, and they have gates that block off all these burned areas. So it is difficult for my husband to fish because of all the gates. Before this, we would keep some fish and sell the rest, but because of the checkpoints we can't do that now.'*[318]

In central Rakhine State, Rohingya said that administrative restrictions on their movement precluded them from being able to fish and farm, resulting in people having to find work in their locality and facing extortion if they attempt to travel further. One man in Minbya Township said:

> *'We cannot go anywhere, to go to market for shopping we have to cross a river. We can go only there for shopping. We can go some Muslim village nearby. Now we cannot go out for fishing, so people in our village are facing much difficulty.'*[319]

A man in his 50s from the same village explained that the risk of being extorted by authorities meant that individuals had to find livelihoods within their confined village area:

> *'We have to struggle within our village area for our living. If we go somewhere and then we are found by the authorities, we have to pay compensation. Most people don't go to further place. Most people in the village are farmers, depending on farming work they can survive.'*[320]

For Rohingya in central Rakhine State, however, the impact of restrictions on movement on access to livelihoods are not uniform. One Rohingya man living in Mrauk U Township explained:

> *'In our village, we have some farmers that grow paddy and vegetables and some people do fishing. And we have some taxi drivers and motorcycle taxi drivers, and some work for daily wages. No one is stopping us from doing these jobs.'*[321]

The experience of Rohingya communities living in 'closed' camps mirrors some of the restrictions on movement seen elsewhere in Rakhine State. Rohingya in the Ni Din camp in Kyauktaw Township and the Taung Paw camp in Myebon Township told the IRI that they experience administrative restrictions on their movement as well as a fear of encountering Rakhine while they are travelling:[322]

> *'There is no opportunity to work here, we cannot go anywhere to work. The fishermen can only go fishing by crossing the black mountain to reach the coast. But the fishermen also cannot go fishing when any problem happens – whether between the AA and [the Myanmar] Army or intercommunal tensions in other towns such as Buthidaung or Maungdaw, or other reasons that we are prevented from security people.'*[323]

A woman in her 40s currently living in the Ni Din camp explained that fear of encountering Rakhine while travelling, and being killed by them, precludes her from moving to access livelihoods:

> *'We cannot go the marketplace, riverside, and also forest, or to Rakhine village. No one makes restriction, but if they find us there, they will kill. Even many got killed there. The market is near the Rakhine village, we cannot go there.'*[324]

Interviewees in the Taung Paw camp noted that recent changes by local officials had resulted in an increase in local movement abilities, including increased access to neighbouring village markets and the Myebon Jetty, creating more livelihood opportunities for traders and fisherfolk. However, Myebon town centre and the central market remain off limits for Muslims living in the camp.

In the Aung Mingalar quarter in Sittwe Township, Rohingya told the IRI that, more recently, they have had increased economic interactions with the Rakhine, including work as labourers for Rakhine construction projects.[325] While these interactions may point to a thawing of relations between the two communities in certain cases, Rohingya are still required to obtain permissions from their Village Administrator and state security forces, and to hire security escorts, before travelling to work with Rakhine:

> *'Some Muslims go for construction work near our village. We cannot go far from the border of our village, but we work for both Rakhine and Muslims. For the nearby area, we don't have problems. But if we want to go to a far place we have to go with security guards. If we want to go outside for work, we have to discuss with village*

> *leaders, and he discusses with security forces, and then we can go. But this only happens once or twice per month.'*[326]

Similarly, a woman from the Aung Mingalar quarter explained that Rohingya regularly go to work in some Rakhine villages, but that their movement can still be restricted by state security forces:

> *'Twenty to thirty casual workers of very poor families go to work in Rakhine villages per day since this year. They need to inform to the police while going to work but they do not need to show any document and not need to pay to the police. When the labourers inform to police, they allow them to go sometimes but do not allow them to go when they get bad information.'*[327]

While increased economic interactions between Rohingya and Rakhine communities is a positive sign, one resident of Aung Mingalar pointed out that Rohingya communities' ability to move only when Rakhine request their labour and with the permission of authorities, represents a much more restricted set of circumstances than those which prevailed before the violence of 2012:

> *'In the past, before the conflict, we could go anywhere to work. But now we can only work when the Rakhine people come to ask us for labour. If someone does not come to ask us for labour, we cannot go out.'*[328]

Explaining the impact the lack of access to livelihoods resulting from restrictions has on their movement, one Rohingya woman living in Dar Paing Camp in Sittwe explained:

> *'In the past, we were very unhappy because it was very hard to survive in terms of livelihood opportunities. Thus, we decided to leave by boat from the jetty in Thae Chaung to go to Malaysia because my husband is in Malaysia. But the immigration at the jetty caught us before we left. But we lied to the immigration that we were going to Pauktaw because we would be in trouble if we told them we were going to Malaysia. Then, we were asked to pay 10,000 MMK (6.90 USD).'*[329]

It is not only Rohingya communities whose access to livelihoods is affected by restrictions on freedom of movement. When Kaman workers travel by car in Sittwe Township, their driver is forced to pay state security forces at checkpoints, they are forced to return before curfew begins, and they are unable to move to central Sittwe for work:

> *'The villagers are casual workers mostly – some are trishaw drivers, and some are tuk-tuk and carry taxi drivers. The casual workers need to go to Thae Chaung market and other villages to work. When we go to Pyea Yar Lee Chaung (Pyar Lay Chaung) Village by car, the car driver needs to pay about 1,000 MMK (0.69 USD) to 1,500 MMK (1.03 USD) at the military checkpoint at the entrance to Thet Kay Pyin Village next to military area or the car cannot be allowed to cross the unit. Muslim people cannot go to downtown to find work. So people need to return home back from works that they can work just in Muslim villages before it is dark/sunset.'*[330]

Previous and ongoing episodes of violence also affect communities' access to livelihoods. One Hindu man living in Maungdaw Township told the IRI that after the violence of 2017 it became more difficult to travel and livelihood opportunities decreased.[331] Maramagyi communities affected by conflict between the AA and the Tatmadaw are not able to move far from their village of origin, meaning that they are unable to access their farms in areas restricted either by state security forces or by Rakhine civilians:[332]

> *'Among the 250 households in our village, maybe 60 can manage well for their living. The rest cannot because we have open fighting around our area between the AA and the Tatmadaw once every two to three days. So, we can't go far from our village, and we can't work well. Now about 150 households are having a really difficult time for food and living.'*[333]

For the Rakhine, conflict has increased the difficulties associated with moving, which in turn has made finding livelihoods and tending to already existing investments such as paddy fields and plantations more challenging. In some cases, these challenges are so severe that Rakhine have migrated to find work elsewhere:

> *'There are no job opportunities here to get income in this moment. There are many paddy farmlands which is still blank around our village. Farmers are afraid of going to make paddy farming near the mountain where the clashes broke out between Tatmadaw and Arakan. Also, the mountain is backbone for our people for livelihoods. There are so many fruit orchards, gardens, vegetable plantations at inside of the mountain and people rely on for their livelihood taking firewood and bamboo from the mountain. Now, no one could go inside of the mountain and face difficulties to get their livelihoods. So, many people left the village and working as a daily labour at Buthidaung and Maungdaw towns. Some young people went to Yangon and other places to find jobs previous month.'*[334]

One Rakhine man, now residing in Malaysia, told the IRI that restrictions on livelihoods are having such an impact that young Rakhine men are faced with two choices:

> *'For Rakhine young men from conflict-affected areas have only two options that whether they go to join with AA or leaving other places. We don't have many choices.'*[335]

BOX 8: Rohingya Fishermen

Fishing is a key livelihood activity for Rohingya in Rakhine State, one which is threatened by the severe restrictions imposed on their freedom of movement by the government. The IRI has previously found that, on average, an eight-person Rohingya fishing boat undertaking a four-day trip would have to pay more than 80,000 MMK (55.19 USD) in formal and informal fees to Myanmar authorities restricting their movement (see ***Table 7*** below).[336] As a result, the failure of a single fishing trip due to a low catch or harassment can be devastating for fishermen and their families – who depend on this income to pay off debts and finance their next trip.[337]

Since 2017, the government has coerced fisherfolk into accepting NVCs – in many cases through their employers who negotiate directly with authorities – with a severe socio-economic impact.[339] Echoing the sentiments of other Rohingya based in Pauktaw Township who spoke with the IRI, one Rohingya woman in her 30s said:[340]

> *'Most people in our village collect firewood in the forest, and most of us are fishermen. But in the past four years, we haven't been allowed to fish in the sea. The government ordered that we couldn't fish without the NVC. So, for the last four years, no one goes for fishing.'*[341]

As noted, the proliferation of different types of documentation required for the Rohingya community to move has opened the door for solicitation by state representatives. This is particularly true for fisherfolk who regularly encounter state security forces and Immigration Department officials:

> *'The fishermen who do not have NVCs borrow from those who have and they go fishing.... We do not know what will happen when we have NVCs. So we do not accept NVCs. The fishermen go fishing without NVCs by bribing immigration. I heard that people go fishing by using copies of identity cards of other people and bribing immigration.'*[342]

Similarly, a fisherman from Thae Chaung village in the Sittwe camp area explained the hostility which they face from the Navy while fishing, describing how security forces check the fishing registration books that all boats must carry while at sea:

> *'At these points, they check the booklet in which there are name list and photos of fishermen. If everything is correct in the book, the boat is allowed to go fishing. If they suspect anything is wrong in the booklet, the boat is not allowed. Sometimes Navy called us (fishermen) during fishing in the water. Sometimes they did not call. When Navy signalled any boat, she (the boat) must go to them. They checked the boat and every fisherman as in the booklet. When the Navy found there were one or two fishermen increased or decreased as one fisherman was sick and he could not accompany, the other fishermen were beaten and abused in the water.'*[343]

Alongside this, Rohingya living in Ohn Taw Gyi Camp in the Sittwe camp area told the IRI that fisherfolk are required to buy 'tokens' provided by ***Lon Htein*** police,[344] at a cost of 1,000 MMK (0.69 USD) per day, to be shown at police checkpoints, and that the police extort their best catch from them when they return from work, which has a dramatic impact on poorer fisherfolk.[345] Explaining the nexus between the restrictions on freedom of movement and their access to livelihoods, a Rohingya man residing in northern Rakhine State said:

> *'Because we can only do fishing at night and have to sell very early in the morning, the activity has been decreased since the curfew was made effective in northern Rakhine State. Because people have to be at the market to sell fish very early in the morning, they would sneak out to the market. But when they are arrested, they would have to pay a bribe to the authorities. But even if we are following rules, our safety and security are not guaranteed.'*[346]

TABLE 7: Cost of a Single Fishing Trip for an Eight-Person Muslim Fishing Boat[338]

Type of Cost	Description	Cost (MMK // USD)
DIRECT COSTS	Provisions per trip including food and fuel	150,000 // 103.49
DIRECT COSTS	Salary for eight-person crew for a successful fishing trip	160,000 // 110.39
SUBTOTAL OF DIRECT COSTS		310,000 // 213.87
INFORMAL FEE	Cost of eight 15,000 MMK NVCs split over 28 trips per year	4,286 // 2.96
FORMAL FEE	200,000 MMK annual crew registration divided over 28 trips per year	7,143 // 4.93
FORMAL FEE	Monthly boat fee of 20,000 MMK paid to border police divided over four trips per month	5,000 // 3.45
FORMAL FEE	Return fee paid to the police station	30,000 // 20.70
INFORMAL FEE	Litre of fuel paid to a police checkpoint on departure	754 // 0.52
INFORMAL FEE	Average value of two large fish paid to the police and immigration upon return	35,000 // 24.15
SUBTOTAL OF FORMAL AND INFORMAL FEES		82,183 // 56.70
TOTAL EXPECTED COST OF A FOUR-DAY TRIP		392,183 // 270.57

338 Note: the figures presented in this section are an average of the costs given by FGD participants in Sittwe Township for the IRI's June 2018 report, ***Livelihoods Barriers and Opportunities in the Rice and Fish Value Chains in Central Rakhine State***. They should not be taken to be representative of all costs, but simply as an indication of the typical prices paid by the FGD participants.

'We have a good relationship with [Rohingya] people. Now, people from our village can't go back to village to harvest paddy. So, farmers from our village requested [Rohingya] people to help for harvesting at their paddy farms and even [Rohingya] people share the ground information to us.'

Rakhine, Buthidaung Township

Freedom of Movement in Rakhine State // Independent Rakhine Initiative // March 2020

INTERCOMMUNAL RELATIONS

Episodes of violence between communities in Rakhine State in 2012 and 2017 have driven a wedge between Muslim and Buddhist communities. As intercommunal tensions and fears of intercommunal violence remain a challenge to social cohesion, there has been less attention paid to how state policies and practices shape relations between communities. As noted by the IRI and RAFT in an August 2019 report, subscribing to the government's argument that intercommunal tensions are the source of conflict and underdevelopment in Rakhine State risks 'playing into a government narrative that focuses on local-level, intercommunal changes while ignoring the structural changes necessary for positive social cohesion outcomes to truly be achieved.'[347]

The ways in which different communities interact in Rakhine State are not monolithic, and depend on economic incentives, locations, histories of violence, and the role of the state in fostering tensions. Although fear of Rakhine is prevalent – particularly among Rohingya, Kaman and Maramagyi communities[348] – intercommunal social and economic interactions have continued, albeit under distorted labour market conditions in which many Rohingya feel at risk.[349] Notwithstanding these interactions, the overarching dynamic in Rakhine State is one in which intercommunal relations are determined by the majority ethnic group, creating an environment in which minority groups can be discriminated against with impunity.[350]

For some Rohingya communities in Maungdaw Township and central Rakhine State, relations with Rakhine continue to be fraught, either because of ongoing abuses or an absence of interactions. One Rohingya woman in rural Maungdaw Township explained that, in the face of possible violence by Rakhine, it is not possible to travel:

> *'Other communities like Rakhine communities will come and "frog" check out the village and then later at night will steal animals, but Rohingya people are too afraid to check who it is and prevent them from doing it. It's not safe to travel alone and run across a Rakhine person who is drunk, but in a group it is safer. There have been times where Rakhine people have been fixing their house, and they leave to beat a Rohingya person. They intentionally leave their work to cause problems for us. I've seen the people who have come back beaten up from incidents like this.'*[351]

Speaking to the distrust that continues to characterise relations between some Rohingya and Rakhine communities and how this affects freedom of movement, a Rohingya man in his 30s in Mrauk U Township said:

> *'We can only go in our village tract for work, we can't go to other village tracts because we are afraid, we don't want to cause any problems with Rakhine. There are not any problems, because no one goes to those village tracts, we don't trust each other. Rohingya don't trust Rakhine, and Rakhine don't trust Rohingya.'*[352]

However, Rakhine and Rohingya communities in Buthidaung Township reported improved intercommunal relations, which some CSO leaders interviewed by the IRI attributed to stronger bonds and trust between leaders from different communities.[353] One Rakhine man from Buthidaung Township spoke of the positive social and economic interrelations with neighbouring Rohingya villages:

> *'Our village is very close with [Rohingya] villages and we have a good relationship with each other. There are interactions with them every day regarding with business and social matters such as work together at paddy farming at rainy season, plantations near the mountains, go to mountains to take wood and bamboo, and go to their villages to have lunch at wedding ceremonies, and they come to our village to have meals at donation ceremonies.... Despite the fact that there were some problems facing Rakhine people with [Rohingya], our relationship is normal. We understand each other and all people from both sides want to live peacefully.'*[354]

The relationships and friendships that exist between communities have helped to mitigate restrictions on movement. In a demonstration of how the conflict between the AA and the Tatmadaw has inverted some of the longstanding dynamics that have characterised northern Rakhine State, a young Rakhine woman who had been displaced from her village in Buthidaung Township said that Rakhine farmers actually relied on Rohingya friends to check on their farms and property, since the Rakhine themselves could not go for fear of the Tatmadaw:

> *'We had no problem with [Rohingya] people in 2017 problems despite there were big problems in other areas. We have a good relationship with [Rohingya] people. Now, people from our village can't go back to village to harvest paddy. So, farmers from our village requested [Rohingya] people to help for harvesting at their paddy farms and even [Rohingya] people share the ground information to us. They said, "Tatmadaw troops are deployed into our village," and advise us not come back our village. Farmers from our village requested [Rohingya] friends to save their livestock such as cattle.'*[355]

While fear and distrust characterise some interactions between Rohingya and Rakhine communities in parts of the state, the IRI found significant evidence of continued economic engagement between communities in other areas.[356] In Buthidaung Township, a Rakhine man said:

> *'We have interactions with [Rohingya] people in our areas, there is no problem with them. Rakhine people hire [Rohingya] people to work at paddy farms and plantations. Rakhine people usually go to [Rohingya] villages to hire labour. [Rohingya] people also usually come to our village every day to work with Rakhine at paddy farms and plantations. Rakhine people lend their paddy farms to [Rohingya] people. Rakhine people work together with [Rohingya] people at bamboo and wood business by investing share from each side.'*[357]

Rohingya in Minbya and Sittwe Townships also reported more opportunities for working for the Rakhine, or in Rakhine villages.[358] Furthermore, the Hindu community in Maungdaw Township articulated an improvement in relations with Muslim communities, which had suffered after the violence of 2017:

> *'Now I can see the Muslim people also come to Hindu villages and work there, and Hindu people can also come to Muslim villages and work there. After 2017, now it's been one year or two years, I see that many people can move around and work freely. We have more freedom to work now.'*[359]

Similarly, Rohingya in Aung Mingalar told the IRI that relations with both Rakhine and other ethnic minority groups had improved more recently, allowing them a greater degree of movement in central Sittwe, despite referencing a recent unconfirmed incident of a Rohingya man being shot there:

> *'Right now, the casual workers normally can go to work again. Rakhine people do not give any trouble to Muslim people while going in downtown for shopping, for medical treatment because of these shooting matter. I did not experience once that any person of Rakhine or Hindu or Maramagyi blocked or made trouble to me while I am moving to rural area and going to downtown.'*[360]

Kaman in Thandwe and Sittwe Townships echoed these sentiments, saying that interactions between Rakhine and Muslim communities have continued without problems:[361]

> *'In Thandwe Township, in the downtown and rural areas, the rules and regulations are the same. All the regulations are the same between Rakhine people and Muslims, and we all live together mixed. We can discuss, we can go to Rakhine villages, we can talk, we can sit with them.'*[362]

For some Rohingya communities, however, underlying intercommunal tensions make it necessary to conduct business in a clandestine manner for fear of encountering other Rakhine.[363] Alongside this, the imposition of curfews and other administrative restrictions on their movement, and the potential for Rohingya to face extortion and violence at checkpoints, means that Rohingya trading with Rakhine are forced to take substantial risks:

> *'Some Muslim brokers go to Rakhine villages which are very far from us to buy cows and oxen. They need to go there at night not to be seen by other Rakhines and they can return again from there at the night of another day. They need to stay at the Rakhine person's house in the daytime hiding.'*[364]

Rohingya in Kyauktaw Township also noted that Rakhine people selling goods in Rohingya villages can face violence at the hands of other Rakhine, whilst noting that the risk of violence against Rohingya is still high:

> *'In the past the Rakhine from nearby villages gave disturbance, but not now. Some Rakhine people come to our village to sell goods and no Rohingya disturb them. But some Rakhine people give troubles to those sellers. But Rohingya never give them trouble. If we give them trouble, our village will be set on fire.'*[365]

In all cases reported to the IRI, however, economic interactions taking place between communities do so in an environment in which the Rakhine are the dominant group, in part because of their greater freedom of movement. While economic interactions that specifically allow Rohingya to move more freely are welcome, the structures of discrimination underpinning these interactions remain:

> *'I never go to other townships, and we are also not allowed. If I need to buy something in other townships, I have to ask Rakhine to bring those things for us. I do this two to three times per month. I don't have to especially pay them, but I have to increase the price of the goods. I know those Rakhine people since a long time ago because they are our neighbours. The relationship with them is not so good, but they did this shopping for us because they can make money from this. When we order things then they do it.'*[366]

The same structural discrimination which allows Rakhine traders to profit from restrictions on Rohingya communities' movement also permits more widespread anti-Muslim sentiment to be propounded with impunity:[367]

> *'Sometimes at Buddhist religious ceremonies, they announce not to buy from Muslim shops, they even do this downtown. Just a few days ago, on the day of U Ottama, they announced like that. Local Rakhine and some from outsiders are doing this. They announced on the speaker, "To take care of our own religion, do not to take or purchase somethings from any other shop owned by someone of a different religion." I feel like they are stirring up people who are living peacefully before to be against others.'*[368]

SECTION VIII
ANALYSIS

'In the past we have only one kind of travel constraint - now we have two kinds of travel constraint. We are also too afraid of the AA and Government. In the beginning the government together with the Rakhine people gave trouble to us. Now the conflict between them has started so now we are squeezed by both majority. Now Rakhine people come and we cannot recognise them – if they ask for money we don't know if they are Rakhine, AA or Government. There is no rule of law anymore.'

Rohingya, Minbya Township

Understanding freedom of movement in Rakhine requires an acknowledgment that an individual's ability to move is dependent on a host of intersecting factors (both circumstantial and linked to identity), is restricted by a complex web of targeted and often discriminatory policies and practices, and is undergirded by an entrenched illicit economy. How these factors interact with each other determines whether an individual can access healthcare, education, and livelihood opportunities, or travel without fear of abuse, harassment or extortion. The right to move freely is thus central to the ability of individuals and communities to live free and dignified lives.

In speaking with 181 individuals from five ethnic communities across 10 townships, the IRI found that the GoM has failed to meet its obligation to uphold the right to freedom of movement for Rakhine State's diverse communities. The movement restrictions imposed by the government have in turn served to greatly increase the vulnerability of those communities. Building on the data presented in this report, the analysis below explores why this is the case, providing a framework for understanding who is affected by movement restrictions and why; unpacking the discriminatory nature of movement restrictions imposed on the Rohingya community; analysing the effect of 'non-administrative' movement restrictions; examining the illicit economy financed by restrictions on movement; noting how restrictions affect intercommunal relations; and positing the government's role in lifting restrictions and fulfilling the right to freedom of movement.

ADDRESSING FREEDOM OF MOVEMENT REQUIRES DELINKING IT FROM CITIZENSHIP STATUS

Under international law, all people have the right to freedom of movement regardless of their citizenship status.[369] In Rakhine State, however, freedom of movement has historically been linked to citizenship; holding a citizenship card is the most significant factor in determining whether communities and individuals can move freely. This link is problematic because of the history of identity card confiscation and the ongoing deprivation of citizenship for the Rohingya community. In effect, the government has systematically denied an entire community access to documentation and then barred them from moving freely because they lack documentation.

Recent government efforts to increase the movement abilities of Rohingya and other undocumented individuals have centred on providing a greater degree of access to documentation. While these efforts should be acknowledged, they remain problematic at best. The NVC remains exceedingly unpopular, offering limited benefits to the few who have (willingly or unwillingly) accepted it and increased restrictions for the vast majority who haven't (see the analysis point on the NVC below). Marginal increases in the number of citizenship decisions granted through the citizenship scrutiny process have provided documentation and eased travel for a small number of individuals, but those who have received new documents continue to be forced to identify as Bengali; reports suggest that the majority of those who do receive citizenship decisions are receiving NCSCs, rather than full CSCs, indicating a sub-tier of citizenship. While

holding an NCSC ostensibly provides freedom of movement, the IRI found that at least some NCSC-holders were still being denied free movement in practice. The government's limited efforts to improve movement abilities by providing greater access to documentation are further undermined by the IRI's findings in this report, which indicate that possessing citizenship does not guarantee freedom of movement (see the analysis point on conditions and variables that affect movement abilities below).

Recognising the problematic nature of the link between movement ability and citizenship status, and how efforts to provide greater access to documentation have manifested themselves, it is clear that ensuring the right to freedom of movement requires delinking it from citizenship. The RAC recognises this need, calling for the government to ensure freedom of movement for all communities regardless of religion, ethnicity and citizenship status (***RAC Recommendation 18***).

While this report calls for delinking freedom of movement from citizenship, it also recognises the voices of the dozens of Rohingya interviewees who see access to citizenship as a practical necessity for moving freely and as a crucial element for their inclusion in Myanmar society. When asked about the most significant factor that could bring about change in their lives, Rohingya interviewees nearly unanimously asked for citizenship:

> *'The most important thing is to get the [CSC]. If I have this, I can go anywhere. The world will be open if I have the [CSC].'*[370]

Upholding and protecting the rights of Rohingya communities will require more than just redressing movement restrictions; it will require reforming the policies and norms that have led to their exclusion, including the laws that govern citizenship itself.

MOVEMENT ABILITIES DEPEND ON A SET OF INTERSECTING IDENTITY CONDITIONS AND CIRCUMSTANTIAL VARIABLES

Although there is an intrinsic link between movement and citizenship documentation, this report finds that possession of citizenship is not a guarantee of freedom of movement. The ability to move is strongly influenced by a set of independent but intersecting identity-related conditions. While these conditions are not weighted equally, they can each play a role in determining movement abilities for different communities:

1. Being undocumented

Being undocumented refers to whether an individual has citizenship (full or naturalised) and the associated legal identity documents (e.g. birth certificates, previous forms of ID cards, household registration lists). In Rakhine State, the vast majority of those without documentation are Rohingya, many of whom have never been issued documents, or who have had their documents confiscated by the government in previous decades. Undocumented persons may also include non-Rohingya who have been unable to apply for or receive citizenship due to stipulations in the 1982 Citizenship Law or

who lack the necessary paperwork to prove citizenship (for example, Kaman or Hindu communities). Discrimination due to other variables listed below, including membership of an unrecognised group or minority religious beliefs, compounds the difficulties involved in obtaining proper documentation.

While documentation is not sufficient to guarantee free movement, having proper identity documents is intrinsically linked to the ability to move freely. An individual who has citizenship documents is less likely to face challenges at checkpoints and is not required to obtain movement permissions such as Village Departure Certificates or Form 4s. In some cases, NVCs have also facilitated movement but only within limited and specific geographical areas.

2. Membership in an unrecognised ethnic group

Membership in an unrecognised ethnic group is a variable defined by which communities are included – or excluded – from the list of eight national races and 135 ethnic groups referenced in the 1982 Citizenship Law and its associated procedures. The variable speaks to the highly contested question of who belongs in Myanmar, and to a deeper notion about what it means to be a Myanmar person. It gives rise to prejudice and discrimination against groups that are perceived as foreign, and is intrinsically connected to documentation status, race, and religion. In Rakhine State, this variable primarily affects the Rohingya community, which has been subjected to decades-long, state-led marginalisation and exclusion from Myanmar society; however, it also affects some Hindu communities. Kaman, who face discrimination because of their Islamic faith, are nevertheless considered part of the 135 recognised ethnic groups in Myanmar and are entitled to citizenship.

3. Identification with minority religious beliefs

Identifying with minority religious beliefs refers to non-Buddhist individuals and communities. In Rakhine, this includes Islam (Kaman and Rohingya) and Hinduism (Hindus). While religion is often tied to ethnicity and race in the Rakhine State context, it is important to note that there are distinctions. For example, while a Kaman person may appear ethnically similar to a Rakhine person, he or she will practice Islam as their religion and may suffer discrimination as a result. The association of Kaman and Rohingya because of their shared religion has meant that many Kaman, particularly those in central Rakhine, face prejudice, discrimination and restrictions on their movement despite being entitled to citizenship as an enumerated national ethnic group.

4. Speaking a minority language

The primary language spoken in Rakhine State is the Rakhine language; official transactions can take place in Rakhine or Burmese. Kaman speak Rakhine as their native language, while Rohingya, Hindu and Maramagyi speak dialects similar to the Rohingya language (Hindus and Maramagyi identify their language as Hindu and Maramagyi, respectively).[371] Due to difficulties in accessing even basic education, rural and displaced ethnic minority communities are often precluded from learning and speaking Rakhine or Burmese fluently; this is particularly challenging for women in

conservative households who receive little education and have little interaction with individuals outside of their community. ***Speaking a minority language*** is perceived as an indication of foreignness and can prompt discrimination from native Rakhine or Burmese speakers, for example towards less well-educated Maramagyi or Kaman who otherwise possess documentation.

5. Having a darker complexion

While race is often tied to ethnicity, it is a distinct variable that can affect the ability of a person to move or access services. Individuals with darker complexions, including Rohingya, Maramagyi and Hindus, are typically perceived to be foreigners or of foreign descent. The use of the pejorative *kalar* – which could be taken to mean 'black', 'South Asian', or 'foreign' – underscores this point.[372] Differences in complexion can also affect individuals within groups. Interviews with Rohingya in Aung Mingalar suggest that those with lighter complexions were able to more easily pass checkpoints into the city because the police manning the checkpoint thought they could more easily 'pass' as Rakhine and therefore attract less attention. Similarly, data collected from Muslim and Hindu students from Sittwe, Buthidaung and Yangon for a forthcoming IRI report found that racial appearance played a major role in what ethnic designation they received on legal documentation and how they were treated by government officials.[373]

What is striking about these conditions is that they seem to be generalisable, in that they were reported across the diverse ethnic, religious, and geographic communities included in the IRI's report. The IRI's data demonstrates that these variables provide a framework for assessing the likelihood of individuals and communities being able to exercise freedom of movement in Rakhine State.

In addition to the above conditions, there are circumstantial factors that may enable or inhibit the movement abilities of specific individuals or communities. These include, but are not limited to:

1. **Presence in an area of armed conflict or displacement.** Individuals' ability to exercise freedom of movement can depend greatly on whether they are located in areas subject to armed conflict or displacement. State-imposed restrictions in areas of conflict include checkpoints, continuously renewed curfews, the requirement of additional documentation to travel, and requirements for security escorts to travel to and from internment camps, clinics and hospitals. In Rakhine State, these restrictions are justified as security measures and many remain in place long after active conflict has subsided. For example, a continuous curfew has been in place in Maungdaw and Buthidaung Townships since 2012 for Rohingya communities; only recently was the curfew expanded to cover non-Rohingya communities. Active conflict between the AA and the Tatmadaw has had a significantly negative impact on freedom of movement for all communities, with many reporting fears of active conflict or landmines as reasons for constraining their movement. Because Rakhine people and especially young Rakhine men are seen as sympathetic to the AA,

they are increasingly likely to get stopped, questioned and even arrested at checkpoints.

2. **Location.** While invariably linked to whether someone is present in an area of armed conflict/displacement, an individual's location can have a distinct impact on whether or not they can travel freely. For example, Rohingya living in urban areas of northern Rakhine face less strict movement restrictions within their respective locales than those in isolated villages or camps in central Rakhine. Those living in camps generally can access other camps but cannot go beyond the camp borders. Kaman living in southern Rakhine have significantly greater freedom of movement than those in camps in central Rakhine. For many communities, movement can depend on whether Section 144 of the Myanmar Criminal Code, which authorises curfews, has been imposed in their respective township.

3. **Socioeconomic status.** Individuals who possess greater relative wealth can more easily navigate restrictions, albeit at great cost, by paying officials for documentation, including citizenship papers and travel permissions, as well as the bribes required when traversing checkpoints. People with means are also able to pay for brokers to travel outside of Rakhine State.

4. **Social relationships.** Connections to authorities or other people in positions of power can influence whether or not individuals can move and how much they must pay to do so. Individuals in some communities from Buthidaung Township reported better ties between community leaders across ethnic lines and noted that these had prevented intercommunal violence in 2017 and led to an increase in freedom of movement for villagers at the local level. Individuals with good relations with security officials at checkpoints may be able to more easily navigate them or avoid extortion. Conversely, individuals with poor relations with local Village Administrators or other authorities can see their movement restricted accordingly.

5. **Gender.** Conservative cultural norms tied closely to religion intersect with administrative and non-administrative movement restrictions to greatly limit the ability of women and girls to move freely. Data from this report and IRI's Gender and Age Analysis[374] suggest that in addition to actively precluding movement for Rohingya or other undocumented women through the same administrative restrictions imposed on men, the very nature of the restrictions themselves – for example, requiring passing through military checkpoints, or seeking permission from male officials – adds an additional burden for women in male-dominated, patriarchal societies that discourages female public participation. Real and perceived fears of violence by security forces or by other communities compound conservative gender norms and further limit women's movement abilities across all communities.

This analysis is best informed through examples of how communities in this report relate to the five variables listed above.

ROHINGYA

'If we can get any kind of nationality in Rakhine State or another state it will be better, I think. As a human being, I want to go sometimes outside of my area to Sittwe or Yangon, but I can't. ... In Myanmar other ethnic groups can move freely.'

'The most important is that we need only permission for free movement. For free movement, we need the citizenship card.'

'We are stopped travelling for a long time. As a human being, even if we are a different religion believer, we might have free movement like other people in the world.'

'In our countryside, we have very less education, so sometimes with language constraints we have problem (travelling) because of that.'

'I cannot go out through town for medical treatment, shopping, or also for walking. We are suffering a lot for this matter. This has been happening since after the conflict in 2017.'

The Rohingya are not members of a recognised ethnic group under the 1982 Citizenship Law, and they are generally unable to obtain citizenship cards. The Rohingya primarily identify as believers of Islam, and they speak their own 'Rohingya' dialect. They also generally have a darker complexion.

KAMAN

'First, the government said the NVC holder can do everything, for example, fishermen could go to fishing with it. The government said that any business can be done if we hold NVC first. Now people cannot do anything by holding NVC too after NVC had been held.'

'When someone goes to buy the bus ticket, the seller never sells to the Muslim people... Even with the Tauk Kan Sa, the bus travelling is not allowed. For going to Yangon, we cannot use the usual passenger bus, we have to take a special small car, and we have to pay 35,000 MMK (24 USD) per person. There is no rule and regulation for not selling the bus ticket; I think this is a kind of discrimination.'

'When we have everything [for the checkpoint], like photo ID card, we don't need to pay. But they are looking at us not good because of our face (skin colour) and because we are Muslim. And they call us kalar and ask some questions, like name and where we are going. If someone doesn't have the complete documentation the police and immigration don't let him travel further.'

The Kaman are members of a recognised ethnic group. While Kaman generally have more access to citizenship documentation than Rohingya, some continue to be undocumented. Kaman speak Rakhine as their native language. The main sources of discrimination reported by the Kaman are due to their Islamic faith; some also reported discrimination because of their complexion.

MARAMAGYI

"When we are inside the pagoda/ monastery together with them, we have fear because we are generally discriminated against. This is because our face looks like Muslim. We are really Buddhist, but we look like Muslim and speak like Muslims."

Maramagyi people are members of a recognised ethnic group and are primarily followers of Buddhism. They are also generally able to acquire citizenship cards. However, they face discrimination for speaking their own language and having a darker complexion.

RAKHINE

Although Rakhine people do face difficulties related to freedom of movement, they are not as badly affected by discrimination based on identity factors as other minority ethnic groups in Rakhine State; their movement difficulties are more dependent on location relative to the ongoing AA-Tatmadaw conflict. The Rakhine are a recognised ethnic group under the 1982 Citizenship Law and they are able to obtain citizenship cards. They are the majority ethnic group in Rakhine State, and therefore practice the majority religion (Buddhism) and speak the majority Rakhine language. Rakhine participants did not report any discrimination based on complexion.

This analysis identifies a consistent pattern of discrimination based on core identity factors across multiple ethnic groups and communities living throughout Rakhine State, negatively affecting their ability to move about freely. Although there is clearly a need to identify immediate solutions for existing barriers to freedom of movement (e.g., removal of documentation requirements for movement), they also suggest that immediate solutions alone will not address entrenched discrimination based on identity factors. This is evident in the data collected from Kaman and Maramagyi communities, who are documented and recognised ethnic groups under the 1982 Citizenship Law but continue to face restrictions on their movement as a result of discrimination based on identity factors.

MOVEMENT RESTRICTIONS AGAINST THE ROHINGYA ARE TARGETED AND DISCRIMINATORY

Discrimination by state officials is a fact of life for many ethnic and religious minorities across Myanmar. In Rakhine State, Kaman and Hindu communities can face prejudicial treatment based on their race and religion, which can constrain their freedom of movement. Rakhine men in conflict areas are also increasingly profiled and stopped at checkpoints due to suspicions about their connections to the AA. However, it is necessary to note the degree to which the Rohingya community has been particularly affected by discriminatory state policies and practices. While the framework presented above indicates that a community's ability to move does not hinge on a single variable, the fact that the Rohingya are negatively affected by all five identity-related conditions, as well as the factors outlined below, suggests that the restrictions imposed on that community are targeted and inherently discriminatory:

Deliberate deprivation of citizenship and other identity documents. Successive governments in Myanmar have confiscated identity documents and denied citizenship to the Rohingya community over several decades. Given that the possession of documentation is linked to the ability to move, the refusal of the government to provide the Rohingya community with documentation effectively traps Rohingya in their towns, villages and internment camps. There are non-Rohingya individuals in Rakhine State who also lack documentation and may face restrictions on their movement as a result. However, the systematic effort to deny the vast majority of the Rohingya community access to citizenship documents is a key element of the government's wider project to prevent the movement of the Rohingya community as a whole.

Continued discrimination against those who do possess proper documentation. In at least some cases, Rohingya who do possess citizenship documents or even NVCs still reported not being able to move through checkpoints, go fishing, or having to pay bribes to facilitate the process. Those who did often faced physical abuse or verbal harassment. This belies the government's argument that providing NVCs or CSCs/NCSCs will

increase freedom of movement and points to how anti-Rohingya prejudice informs the actions of state officials.

Long-standing nature of movement restrictions. The enforcement of movement restrictions through checkpoints and costly bureaucratic processes have been firmly established for years and have, until recently, been targeted solely at the Rohingya. While the escalation of the conflict between the AA and the Tatmadaw has led to restrictions for other groups, including the Rakhine, these date back only to 2018 and are operative primarily in conflict-affected areas. In contrast, the use of checkpoints and bureaucratic processes have been in place in all areas inhabited by Rohingya since at least 2012; many have been used for decades.

Continued internment of Rohingya in permanent camps. An estimated 128,000 Muslims, primarily Rohingya, have been trapped in de facto internment camps since 2012, where they are deprived of freedom of movement. Government efforts to lead a 'camp closure' process have thus far not followed international standards for IDP returns or resettlements, with residents of newly closed camps including Taung Paw and Ni Din reporting modest increases in their ability to move within their immediate areas but continued difficulties in accessing town centres or other Rohingya and Muslim areas outside their townships. The continued segregation of Rohingya behind barbed wire and checkpoints not only deprives them of the right to free movement, but also contributes to the perception that the Rohingya are a threat to other communities, damaging prospects for social cohesion.

Continued inability to access services. Rohingya continue to be deprived of the ability to access services, though circumstances vary depending on location. Blanket bans on Rohingya accessing township centres in certain townships in central Rakhine State effectively prevent access to nearby hospitals, forcing time-consuming and costly trips to SGH or to INGO-run health clinics. Rohingya in northern Rakhine State still, effectively, do not have access to any form of tertiary care because movement to SGH from Maungdaw or Buthidaung Townships is virtually impossible. Government-imposed restrictions on humanitarian access further limit the services vulnerable communities are able to receive.

Targeted nature of movement costs. While other communities reported administrative restrictions on movement, only Rohingya have to pay for permissions to move. The costs associated with movement, including the cost of Village Departure Certificates, Form 4s, NVCs, and security escorts are prohibitive for an already economically marginalised community and effectively prevent most Rohingya from travelling.

While Rohingya individuals' ability to move can vary depending on their level of documentation and geographical location, it is necessary to understand the systematic nature of the discrimination practiced against the community as a whole, particularly within the broader history of well-documented structural rights violations and violent 'clearance operations' carried out against the Rohingya community over decades.[375] With this context in mind, it is clear that these restrictions have been developed as part of a wider effort to control the Rohingya population. While other communities throughout Rakhine State also face limitations on their freedom of movement,[376] the system of checkpoints, curfews, security escorts, and the necessity of acquiring numerous permissions and pieces of documentation that the Rohingya community must navigate is designed to impart a clear message: they do not belong in Myanmar. Genuine efforts by the government to ensure freedom of movement must acknowledge and redress not only movement restrictions themselves, but the broader persecution of the Rohingya community.

CONFLICT BETWEEN THE AA AND THE TATMADAW HAS TRANSFORMED THE LANDSCAPE IN RAKHINE STATE, LEADING TO INCREASED MOVEMENT RESTRICTIONS FOR ALL COMMUNITIES AND A SEVERE IMPACT ON RAKHINE PEOPLE

The escalation of the conflict between the AA and the Tatmadaw has had a transformative impact on the landscape in Rakhine State. While Rohingya had previously been the target of many movement restrictions, legitimate security concerns have led to the imposition of some – but not all – of the same restrictions, including Village Departure Certificates, checkpoints, and curfews, on communities in conflict-affected parts of the state.

Though the conflict has negatively affected areas of the state inhabited by Rohingya, Maramagyi and other ethnic groups, the Rakhine population has been most significantly affected. Active fighting, fears of arrest, being caught in the crossfire, and landmines, have led to mass displacement for tens of thousands – and to

376 Given the significant parallels that exist between Kaman and Rohingya communities, it is worth distinguishing why Rohingya face additional targeted discrimination. Both communities suffer from anti-Muslim discrimination and often lack documentation, and Kaman communities in central Rakhine have similarly suffered prolonged interment in camps alongside Rohingya. As members of an officially recognised ethnicity, Kaman should be entitled to citizenship; that so many have difficulty in obtaining documentation is a symptom of a deeper vein of Islamophobic prejudice that affects Muslims throughout Myanmar. Nevertheless, evidence from this report suggests that movement restrictions are significantly more relaxed for Kaman communities than they are for Rohingya, with Kaman living in southern Rakhine stating that there were few administrative restrictions on their movement. Kaman are also generally more likely to have citizenship or the necessary documentation to apply for citizenship and are not required to register as Bengali on their citizenship applications. The vast difference in size between the Rohingya and Kaman populations (approximately 1.5–1.6 million Rohingya in Myanmar and Bangladesh compared with an estimated 45,000 Kaman in Myanmar) suggests that as a relatively small Muslim population, Kaman suffer to a large degree because of their perceived religious and cultural proximity with Rohingya rather than any targeted discrimination of the Kaman community itself.

informal travel restrictions for non-displaced communities, limiting livelihood opportunities and increasing vulnerabilities for both displaced and non-displaced households. Curfews have placed a heavy burden on those seeking to access urgent medical care at night, a particular concern given that active fighting has increased the number of civilian casualties in areas of conflict. For movement-constricted communities like the Rohingya, restrictions on movement can limit their ability to escape, limiting a vital self-protection mechanism.

The growth in the number of checkpoints is coupled with an increase in human rights violations associated with the conflict between the AA and the Tatmadaw. Experiences of human rights violations, including arbitrary arrest at the hands of state security forces, have driven Rakhine communities – particularly young men – to limit their own movement.

The failure of the government to hold perpetrators of these violations to account has further entrenched fear among civilians caught between conflicting parties. The proliferation of checkpoints and other measures taken by state security forces, ostensibly to ensure communities' safety, has only served to amplify feelings of insecurity among civilians in areas of conflict. Taken together, these restrictions and the consequent lack of access to services are so severe that they are driving Rakhine and other communities to migrate.

FEAR IS A MAJOR MOTIVATING FACTOR THAT DETERS COMMUNITIES FROM MOVING, AND IS INFORMED BY THE INTERPLAY OF FORMAL AND INFORMAL RESTRICTIONS AND THE FAILURE OF THE GOVERNMENT TO ENSURE A SECURE ENVIRONMENT

Every movement decision in Rakhine State is informed by an intuitive understanding of the interplay of formal and informal restrictions. For Rohingya and other communities facing restrictions on their movement, choosing whether to move means weighing whether or not one has the proper documentation and the money available to pay unofficial fees and bribes at checkpoints, and the likelihood of facing verbal or physical abuse from state security officials or Rakhine communities. These considerations are strongly influenced by broad socio-political factors, in particular the intercommunal policing of movement; a climate of impunity for perpetrators of human rights violations; and the failure of the government to ensure an environment of security.

Memories of historic human rights violations in 2012, 2016 and 2017, and the absence of accountability for their perpetrators informs the perception among Rohingya and other marginalised groups that the government and security forces will not take action to protect the rights of ethnic minorities, particularly the right to freedom of movement. This climate of impunity has enabled the use of violence and threats by hard-line elements of the Rakhine community to police the movement of Rohingya, Kaman and Maramagyi communities (see *Section VI: Community Experiences of*

Informal Movement Restrictions). Ethnic minority communities are in some cases trapped between Rakhine extremists and government and security officials who fail to protect them, creating an enabling environment for administrative and non-administrative restrictions on freedom of movement to proliferate.

Rather than protecting the right to free movement by ensuring an environment of security and punishing those responsible for preventing movement, the government has instead restricted the movement of ethnic minorities, claiming that they are unable to ensure the safety of those who travel. Among Rohingya, this leads to a pervasive belief that restrictions on freedom of movement and lack of access to justice are targeted and discriminatory.

The interplay of these factors generates an environment of fear in which communities constrain their own movement. While some observers have called these 'self-imposed' restrictions, they stem from a context in which communities have little or no agency to exercise the right to freedom of movement.

UNOFFICIAL PAYMENTS AND BRIBES ASSOCIATED WITH MOVEMENT RESTRICTIONS ARE A MAJOR BARRIER TO FREE MOVEMENT AND ENABLE AN ILLICIT ECONOMY BASED UPON THE EXPLOITATION OF THE ROHINGYA COMMUNITY

The unofficial payments and bribes solicited from Rohingya for every movement permission, security escort, and checkpoint crossing has fuelled the growth of an illicit economy benefiting members of the government and security forces – as well as some individuals from Rakhine and other communities. This illicit economy not only further constrains the Rohingya community's ability to move and access services but also provides no incentive for government officials benefiting from the cycle of restrictions and payments to dismantle the system.

In Rakhine State, some non-Rohingya, particularly those who are darker skinned and perceived as foreigners, can also be asked to pay bribes while travelling even if they possess proper documentation. However, in its interviews for this and past reports, the IRI found no evidence of other communities being systematically solicited for these types of payments. Considering that the vast majority of Rohingya are undocumented individuals who are required to take significant additional steps in order to move, and that each of these steps requires unofficial payments, it is clear that this project of extortion is targeted at the Rohingya community.

The costs of moving can be enormous for a community that is already economically marginalised, and acts as one of the primary barriers preventing Rohingya from accessing services and livelihoods. While there is little data available on household income for Rohingya, it is likely that the cost of a Village Departure Certificate at 1,000 MMK (0.69 USD) or traversing each checkpoint for 5,000 MMK (3.45 USD) is sufficient to deter movement, including for those seeking emergency

care, or travel to Yangon. The cost of movement also effectively serves as a tax on the limited income of Rohingya workers – going fishing, transporting goods, and accessing markets are all associated with extra costs. Rohingya also pay huge sums to brokers and people smugglers to travel outside of Rakhine State and to obtain documentation, including NVCs and citizenship cards.

The illicit economy formed by unofficial payments benefits a range of government and security officials, including members of the GAD; township Immigration Department offices; police; and military and BGP. For many of these officials, these informal payments may act as important supplemental income and further incentivise the perpetuation of restrictions. The government's cyclical, duty-station approach to assigning officials to bureaucratic positions means that postings that benefit from these informal payments in northern Rakhine State may be seen as lucrative opportunities for officials willing to live in difficult areas.
Movement restrictions have also given rise to an informal economy based upon the exploitation of Rohingya communities by outside groups. For Rohingya farmers and fisherfolk who cannot travel to markets in village or town centres, individuals from Rakhine, Maramagyi, Hindu and other communities play dual roles in facilitating a greater connection with the outside world while also abusing their relative privilege by paying artificially lower prices for Rohingya-produced goods, lowering incomes for economically marginalised households. Similarly, Rakhine serve as brokers both for livelihood opportunities for Rohingya outside of their villages and village tracts, and for the permissions and documentation required for Rohingya to move. The huge cost of people smuggling and trafficking can force Rohingya who do travel into situations of indentured servitude, while driving high levels of debt for those who remain. It is worth noting that members of the Rohingya community also benefit from this economy, particularly those who can leverage their connections to government or Rakhine businesses at the expense of fellow Rohingya.

Further study is needed on the scale and nature of this illicit economy. However, it is clear that ensuring freedom of movement for all communities will require the complete dismantling of the incentive structures that enable and perpetuate movement restrictions in Rakhine State.

RESTRICTIONS ON FREEDOM OF MOVEMENT HAVE BEEN USED TO COMPEL THE ROHINGYA AND KAMAN COMMUNITIES TO ACCEPT NVCS, WHICH MANY ROHINGYA BELIEVE IS PART OF A WIDER PROJECT TO ERASE ROHINGYA IDENTITY

Despite government rhetoric, numerous individuals who have accepted – or been coerced into accepting – NVCs do not enjoy the right to freedom of movement or its attendant rights. Indeed, the government's repeated refusal to address communities' legitimate concerns, and mistrust about the NVC process, confirms suspicions among Rohingya that the card is part of a wider project to erase their ethnic identity and deny them citizenship.

The government has continuously incentivised enrolment in the national verification process by promising freedom of movement 'according to national laws and regulations', a pathway to citizenship, and greater access to livelihoods. The IRI found evidence to suggest that opportunities to move have increased for Rohingya who have accepted NVCs in northern Rakhine State, where NVC-holders can now travel within their respective townships without requiring a Village Departure Certificate, and between Maungdaw and Buthidaung Townships without requiring a Form 4. The IRI's data also suggests that NVC-holders in northern Rakhine State are less likely to face extortion. However, the IRI found that NVC-holders in central Rakhine State generally did not see the same advantages, with continued reports of movement restrictions and abuse for those who did accept the cards. Under national law, NVC-holders travelling between townships (excluding Maungdaw and Buthidaung) or outside the state must still apply for a Form 4.
Importantly, opportunities to move have *decreased* for the majority of Rohingya who refuse to accept NVCs. Indeed, most of the Rohingya the IRI spoke with saw the NVC as a significant additional barrier to movement and access to services. Many of the ostensible privileges that come with the card – for example, the ability to move from village to village within a township or to register as fisherfolk – were actions that were previously available to undocumented individuals but have since been revoked. Most significantly, Rohingya and Kaman seeking to travel outside their township of residence[377] must now apply for an NVC and a Form 4, a process that remains time consuming, costly and arbitrary.[378] In effect, the government has further limited freedom of movement for these communities by adding an additional bureaucratic and deeply unpopular requirement to exercise that right. Many individuals who now possess NVCs have acquired them not because they believe that they will guarantee citizenship or mark a dramatic improvement in their freedom of movement, but because of the absence of better, more sustainable choices. This is possibly best exemplified by undocumented Kaman who, despite being recognised as citizens by law, feel they have no choice but to accept NVCs in order to increase their freedom of movement in the short term.

Besides serving as an additional requirement for movement, the imposition of the NVC on the Rohingya community has served to further damage prospects for a sustainable solution to that community's statelessness. While the government claims that the card is a legitimate response to the need to provide a legal identity to hundreds of thousands of undocumented people, the imposition of NVCs ignores the deep mistrust of the government felt by the Rohingya following successive stages of disenfranchisement in which their previous identity cards have been revoked. The problematic application process for obtaining an NVC, which can include being registered as Bengali on the application Form 4 and being forced to falsely state that the applicant comes from Bangladesh, is a barrier in and of itself. For others, the card – which currently states that holding it 'does not testify that the card-holder is Myanmar citizen (sic)' – adds insult to injury for those who did hold citizenship and serves as further evidence of a long-standing government project to deny Rohingya a

nationality. That the government routinely forces Rohingya to take the NVC against their will confirms suspicions that the card should not be trusted.

The government's failure to convince Rohingya that the NVC provides tangible benefits speaks to its inability to acknowledge how badly it has damaged its own credibility with the Rohingya community through decades of discriminatory policies and practices relating to citizenship and identity. Its insistence that Rohingya accept a card carrying so much negative history amplifies mistrust and further harms the government's legitimacy among the Rohingya community.

INTERACTIONS BETWEEN COMMUNITIES PERSIST DESPITE GOVERNMENT RESTRICTIONS ON MOVEMENT

Contrary to government rhetoric, intercommunal interactions continue in Rakhine State and in some cases have improved, with ongoing engagement between communities at markets and other communal spaces. Moreover, evidence from the IRI's interviews suggest that in areas where leaders from Muslim and Buddhist communities have maintained close ties, community members are more able to move freely within and between villages. These interactions belie the government's narrative that long-standing tension between communities justifies restrictions on non-Rakhine communities' movement – although importantly never the movement of Rakhine communities into non-Rakhine communities. This narrative has been fundamental for the government's imposition of restrictions on freedom of movement in Rakhine State, and as a justification for the massive security presence there since 2012. While intercommunal tensions – and the threat of intercommunal violence – remains a challenge in parts of Rakhine State, it does not justify the government's ongoing restrictions on the Rohingya and Kaman communities. It is ultimately the government's responsibility to ensure freedom of movement for all individuals, rather than limiting the movements of some in the name of 'security'.

Rather than preserving peace between communities, movement restrictions have instead acted as an additional barrier to the improvement of intercommunal relations. The fences and checkpoints that separate Rohingya from Rakhine serve not only to trap Rohingya and Kaman in camps and villages, but also to prevent the engagement of Rohingya in the broader society. Visible barriers like barbed wire and checkpoints propagate fears that those who are subjected to them are a threat. Treating entire communities as foreigners who need to be interned perpetuates deeply ingrained prejudices and furthers their marginalisation from Myanmar society. The longer these populations are kept separate, the more difficult the task of returning families to their original homes and rebuilding social relations.

While it is positive that interactions between communities continue, the context in which these interactions take place remains one of structural discrimination against the Rohingya. As noted in the section on illicit economies above, this

structural discrimination is made manifest by restrictions on freedom of movement – which allows other ethnic groups to increase the profitability of their businesses by exploiting low prices for Rohingya goods and cheap Rohingya labour, and which forces Rohingya to accept whatever livelihoods they are able to access. The enrichment of one community at another's expense serves to foment distrust on all sides and entrenches a social hierarchy in which marginalised communities come last.

SECTION IX
MOVING FORWARD & ROADMAP OF RECOMMENDATIONS

'For Rakhine young men from conflict-affected areas have only two options that whether they go to join with AA or leaving other places. We don't have many choices.'

Rakhine, now living in Malaysia

MOVING FORWARD

This report finds that movement restrictions are pervasive and affect every community in Rakhine State. While a limited number of these restrictions may be justified given the increased security environment, most are arbitrary and necessitate revision and removal. The restrictions imposed on the Rohingya are particularly problematic; resolving them requires not only lifting requirements for Village Departure Certificates and Form 4s, but broader reform of the structural causes that have led to the disenfranchisement and ostracisation of the Rohingya community. While it is critical to address the plight of the Rohingya, the framework provided by this report's analysis indicates that structural discrimination affects multiple communities. To ensure that the right to freedom of movement is upheld, the GoM has a responsibility to ensure that all communities have freedom of movement regardless of religion, ethnicity or citizenship status, lift arbitrary restrictions on movement, ensure accountability for those who commit human rights violations and prevent others from moving, and provide a secure environment where individuals from all communities feel free and safe to move.

Accompanying this report is the *Roadmap for Lifting Movement Restrictions in Rakhine State*. This roadmap, based on the evidence provided by this study as well as relevant reports by other national and international organisations, is meant to serve as a platform for constructive engagement on an issue of critical importance. It sets out a comprehensive set of immediate-, short, medium- and long-term recommendations needed to ensure freedom of movement for all communities. As the primary duty bearer, the responsibility for implementing these recommendations and reporting on its progress rests with the GoM. However, national and international organisations can and must play an instrumental role in supporting the government by lending technical support and assistance and working to improve freedom of movement in their own areas of operation.

ROADMAP FOR LIFTING MOVEMENT RESTRICTIONS IN RAKHINE STATE

This roadmap addresses freedom of movement as a cross-cutting issue by providing recommendations that not only directly address freedom of movement, but also address the environment of discrimination that enables restrictions on freedom of movement, as well as the other rights that are dependent on it (health, livelihoods, education, etc.). Based on this perspective, the roadmap consists of nine categories of recommendations: 1) Education, 2) Healthcare, 3) Livelihoods, 4) Movement Permissions and Documentation, 5) Policies and Regulations, 6) Security-related Restrictions, 7) Rule of Law, 8) Desegregation and Social Cohesion, and 9) Citizenship.

Categories of Recommendations

1. Remove all freedom of movement barriers related to attending schools or accessing education.
2. Ensure that all communities can move freely for healthcare, and have access to every healthcare facility in Rakhine State.
3. Remove all freedom of movement barriers related to accessing livelihoods.
4. Remove/modify movement permission and documentation requirements that infringe on communities' rights to freedom of movement in Rakhine State, including the Form 4 and the Village Departure Certificate.
5. Map existing policies and government regulations, and their impact on freedom of movement.
6. Remove unnecessary government-imposed barriers to freedom of movement that are unduly justified as security.
7. Ensure the fair application of the rule of law by addressing accountability and extortion.
8. Deconstruct apartheid conditions by desegregating communities and building social cohesion.
9. Delink citizenship from freedom of movement and ensure restrictions are lifted for all, regardless of citizenship status, religion or ethnicity, while also making changes to identity documentation and reforming laws and processes to ensure greater access to citizenship.

STRUCTURE

The concept of a roadmap implies a step-by-step model moving from immediate to long-term recommendations, which is how this resource is structured. However, to mitigate superficial progress that does not lead to systematic change, we encourage users to always keep the long-term recommendations that facilitate sustainable improvements to freedom of movement in mind when putting advocacy efforts into the short- and medium-term recommendations.

The roadmap is primarily organised by theme of recommendation, and secondarily organised by which government level is targeted (Union, state, or township). Union-level recommendations are primarily national, systematic, legal recommendations but also include recommendations that involve influencing policies and values at the state level. State-level recommendations are targeted at making systematic changes within the state, and often overlap with Union-level recommendations. However, state-level recommendations also include more specific recommendations regarding access to healthcare, education, and livelihoods. Township-level recommendations target restrictions specific to situations within particular townships.

Recommendations Matrix

This recommendations roadmap is accompanied by an online *Recommendations Matrix*, accessible at:

http://tiny.cc/FoMMatrix2020

The *Recommendations Matrix* contains all the recommendations enumerated in this document and can be filtered according to the needs of individual agencies and users.

Timeframes (immediate, short-, medium-, and long-term) are also used to identify immediate starting points and assist in conceptualising how the recommendations should progress over time. Timeframes are based on subjective categorisation factors related to the perceived complexity of completing the recommendation and perceived barriers to it completion. Recommendations that are relatively straightforward, geographically limited, and require fewer government departments, are of immediate importance. They are likely to have less community resistance, and to be categorised as immediate or short-term recommendations, and vice versa for medium- and long-term recommendations. The exception is for recommendations that are categorised as immediate or short-term because of their urgent nature (e.g. medical referrals, access to health centres, changes to documentation policy, etc.).

All recommendations are labelled with a reference number, which can be used to identify specific recommendations within the accompanying ***Recommendations Matrix***. These numbers link recommendations across the different timeframes. For example, *1.02 Access* has short-, medium-, and long-term components, all of which are labelled *1.02*. However, not all recommendations have components in every timeframe, some only have short- or medium-term components, etc.

Additionally, the accompanying ***Recommendations Matrix*** includes a column related to government support for suggested recommendations. This includes references to government-endorsed documents that support some of the roadmap recommendations. Specifically these include information from the RAC, the Independent Commission of Enquiry, and the camp closure strategy.

SOURCES

The primary source of data informing this roadmap is the IRI's study and report on freedom of movement. In addition to the IRI's findings, this roadmap is informed by a number of other reports on freedom of movement in Rakhine State, including reports disseminated by the United Nations, as well as humanitarian, human rights, and CSOs. Additionally, a number of uncirculated briefing notes, reports, and internal documents also inform the content of this roadmap. In order to preserve the security of those that provided this internal data, these sources will remain unidentified. Supplemental KIIs were conducted with individuals working in advocacy-related positions in Myanmar. These key informants provided useful

perspective on advocacy strategies that have worked in the past, as well as on current challenges to conducting productive advocacy.

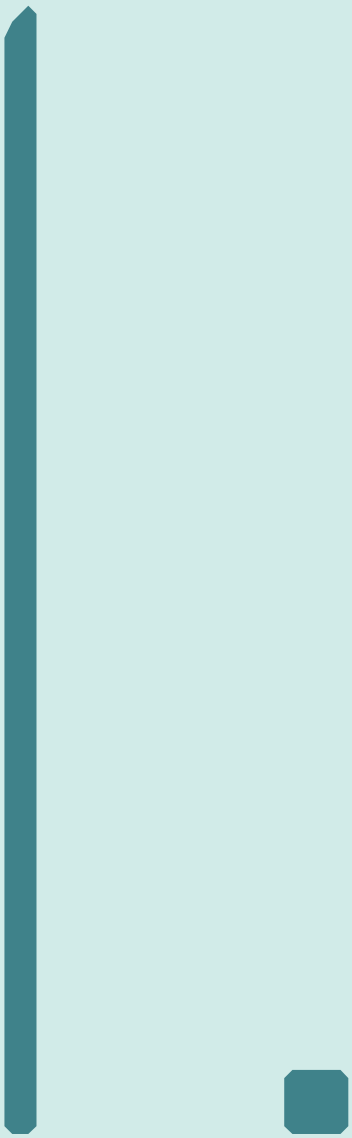
This roadmap is aligned with RAC recommendations 18–23 on the freedom of movement, and is also supported by a number of other RAC recommendations related to education, health, livelihoods, social cohesion, accountability, etc. (listed in Annex A).

Although, this roadmap is based on the most recent available data, the situation regarding freedom of movement in Rakhine is also always shifting. The government, and actors advocating on freedom of movement, should consult with relevant stakeholders before taking action. This is particularly relevant with the township-level recommendations; no action should be taken without first consulting stakeholders from the affected communities.

Rakhine Advisory Commission Recommendations Referenced in the Roadmap

18. In general, the Government should ensure freedom of movement for all people in Rakhine State, irrespective of religion, ethnicity, or citizenship status. The freedom of movement and access to services are deeply interlinked, and therefore should be addressed in parallel. All communities should have access to education, health, livelihood opportunities and basic services.
19. The Commission reiterates that the Government should conduct a mapping exercise to identify all existing restrictions on movement in Rakhine, as recommended in the interim report. The mapping should include all formal, informal and social restrictions affecting all communities, and be conducted at the village and township-level. Following the mapping, the Government should establish a road map for the lifting of restrictions – with clear timelines and milestones. The various steps of this process should be accompanied by well-developed and conflict-sensitive communications strategies to prepare all communities prior to initiation.
20. The Government should introduce measures to prohibit informal restrictions that include, among others, unofficial payments, arbitrary roadblocks, and requirements for the Muslim community to pay for security escorts. Perpetrators should be prosecuted in accordance with the law.
21. Pending the eventual lifting of all above-mentioned movement restrictions, the Government should immediately simplify the travel authorisation system to allow movement across townships and outside the state.
22. The police should uphold the rule-of-law and ensure that anyone who obstructs movement – for instance by using violence or threats of violence as a means of preventing movement – is held accountable in accordance with the law.
23. To ensure equality before the law, the Government should undertake a mapping and legal review of all local regulations and orders in Rakhine State which restrict the rights and freedoms of minorities.

RECOMMENDATION ROADMAP



EDUCATION

Movement restrictions make accessing education difficult for Muslim (Rohingya and Kaman) communities in Rakhine State. Compounding this difficulty are the current restrictions barring Muslim students from attending the schools closest to their homes (particularly starting at the secondary level) because they are located in Buddhist villages. University access is also a problem, as Muslims are barred from attending university and teachers' colleges in Sittwe, Kyaukphyu and Toungup. Therefore, these freedom of movement education recommendations are focused on opening access to nearby schools and on the desegregation of existing schools.

RECOMMENDATION ROADMAP TABLE 1: Education recommendations

	Immediate	Short term
State level	**1.01 Desegregation:** Oblige township officials to make plans to ensure that all schools are desegregated (as supported by RAC #33).	**1.02 Access:** > Require that schools in Rakhine villages and towns begin to accept Muslim/Rohingya students. This is particularly relevant for secondary schools or schools that are located in town areas (as supported by RAC #18 and #33). > Increase opportunities for university distance learning options for Muslims (Rohingya and Kaman) who are unable or don't feel safe to travel to Sittwe. > Continue increasing access to higher education in Yangon and other parts of Myanmar for Muslims (Rohingya and Kaman) who are unable or don't feel safe to travel to Sittwe.
Township level	**1.03 Access (Pauktaw):** Pending the desegregation of the high schools in Pauktaw, allow Muslim students from Pauktaw to access Thet Kae Pyin schools without requiring security escorts or a Ta Kan Sau. Provide financial support for students from Pauktaw staying in dormitories near Thet Kae Pyin.	
	Example indicators	

	Medium term	Long term
	1.02 Access: > Ensure that Muslim/Rohingya students who need to travel to other townships or states to attend school do not need any official documentation to do so (as supported by RAC #18 and #33). > Ensure access to higher education (including at Sittwe University and Teachers College in Kyaukphyu) for Muslim (Rohingya and Kaman) students, without limitations on the subjects they are able to study (as supported by RAC #18 and #33).	**1.01 Desegregation:** Complete the desegregation of schools in every township in Rakhine State.
	1.04 Access (Sittwe): Ensure access to Sittwe University for Muslim students, without any limitations on the subjects studied. **1.06 Access (Kyaukphyu):** Ensure Muslim students are able to study at Teachers College in Kyaukphyu.	**1.05 Access (Ramree):** Ensure Muslim students from Ramree are able to study at Toungup University.
> % of individuals reporting difficulty accessing schools in their township due to freedom of movement restrictions (i.e. segregated schools, not being allowed to travel in urban areas where schools are located, etc.)		

RECOMMENDATION ROADMAP

HEALTHCARE

Restrictions on freedom of movement have contributed to the inaccessibility of medical centres and led to delays in referral, which then contribute to health deteriorations and deaths of patients in Rakhine State. The fact that patients in emergency situations are experiencing extensive restrictions makes freedom of movement related to healthcare a top priority. Recommendations for improving access to healthcare are focused on ensuring that all communities can access every healthcare facility in the state, ensuring that curfews, checkpoints, documentation, and/or security escorts do not prevent or delay emergency cases, and lastly, on initiating efforts to end segregation and integrate the wards in hospitals and clinics.

RECOMMENDATION ROADMAP TABLE 2: Healthcare recommendations

Immediate

Union level

2.01 Humanitarian Access: Ensure unfettered access throughout Rakhine State to healthcare organisations serving communities that are facing freedom of movement restrictions and are unable to access existing healthcare facilities (as supported by RAC #27).

State level

2.02 Humanitarian Access: Ensure unfettered access throughout the state to healthcare organisations serving communities that are facing freedom of movement restrictions and are unable to access existing healthcare facilities (as supported by RAC #27).

2.03 Curfews: Pending the lifting of curfews (6.01/6.03) (and in areas of active conflict where curfews are justified) allow all patients with emergency health needs to travel to medical facilities at night (without any documentation or security), and expedite their travel through checkpoints (as supported by RAC #18 and #38).

2.04 Checkpoints: Ensure that those being transported through checkpoints for medical reasons are expedited to make the process as quick as possible (as supported by RAC #18 and #38).

2.05 Referrals:

- Ensure that Rohingya patients can be referred without needing excessive documentation, by removing the need for township medical officers to certify patients for referral. A doctor's referral should be sufficient to send a patient for further care. Pending this change, TMOs must write referral letters for patients without discrimination (as supported by RAC #18 and #38).
- Ensure that referrals to Thet Kae Pyin or SGH can be made from any health facility in the state without a Form 4 (as supported by RAC #18 and #38)

2.06 Security Escorts: Ensure that if a security escort is required for patients' safety, any costs are borne by the state as part of its duty to protect residents of Rakhine and enforce the rule of law (as supported by RAC #20 and #22) (See 7.06 for more).

Township level

2.09 Access (Kyauktaw): Ensure that Muslims can access Ah Pauk Wa Hospital without paying for a security escort.

2.10 Access (Minbya): Ensure that Muslims are able to access the Kyan Taik Village clinic without having to pay the required 500 MMK to the security posted outside the village.

2.11 Access (Sittwe): Allow Muslims to use mobile phones in the hospital, and to be able to leave the hospital freely during their stay. Additionally, allow male companions to accompany patients in the hospital.

2.12 Access (Rathedaung): Ensure that Muslims/Rohingya living in Rathedaung Township can access either SGH or Buthidaung General Hospital without a Form 4 or security escort.

2.15 Referrals (Kyauktaw): Ensure Muslims can be freely transferred from Kyauktaw to Myaungbwe Hospital, by removing the requirement that patients must secure a Form 4 and pay for a security escort.

2.16 Referrals (Kyuakphyu): Allow referrals of Muslims/Rohingya in Kyauk Ta Lone IDP Camp to SGH.

2.17 Security Escorts (Sittwe): Remove requirements that necessitate security escorts for ambulances proceeding from the Sittwe camps or Sittwe Jetty.

Example indicators

- % of individuals reporting delays in receiving medical care/referrals due to restrictions on freedom of movement (e.g. documentation, bribes, required security, etc.)

	Short term	Medium term	Long term
	2.07 Access: Work with township officials, the international community, and medical staff at clinics and hospitals to ensure that Rohingya can immediately access, and be treated at, all health facilities in Rakhine State, including town hospitals and medical facilities in Rakhine villages (without required documentation, security costs, etc.) (as supported by RAC #18 and #38).	**2.08 Desegregation:** Ensure the integration of healthcare facilities by ending the segregation of Muslim and Buddhist medical wards, solicit assistance from the international community to ensure a 'do no harm' approach when integrating the facilities (as supported by RAC #38).	
	2.09 Access (**Kyauktaw**)**:** Ensure that Muslims are able (and feel safe) to access Kyauktaw Hospital, by removing restrictions that prevent access and communicating the removal of these restrictions. **2.10 Access** (**Minbya**)**:** Ensure that Muslims are able (and feel safe) to access Minbya Hospital, by removing restrictions that prevent access and communicating the removal of these restrictions. **2.11 Access** (**Sittwe**)**:** Ensure that Muslims are able to access SGH, and are treated without discrimination. **2.13 Access** (**Mrauk-U**)**:** Ensure that Muslims are able (and feel safe) to travel to Mrauk-U Town and access the city-centre hospital, by removing restrictions that prevent access and communicating the removal of these restrictions.	**2.14 Access** (**Myebon**)**:** Ensure that Myebon IDPs are able (and feel safe) to access Myebon Hospital, by removing restrictions that prevent access and communicating the removal of these restrictions. **2.18 Desegregation** (**Mrauk-U**)**:** Ensure the integration of Myaungbwe Hospital, by ending the segregation of Muslim and Buddhist wards. **2.19 Desegregation** (**Sittwe**)**:** Ensure the integration of SGH, by ending the segregation of Muslim and Buddhist wards.	**2.19 Desegregation** (**Sittwe**)**:** Ensure the integration of Sittwe General Hospital, by ending the segregation of Muslim and Buddhist wards.

> % of individuals reporting difficulty accessing the medical facilities nearest their home due to freedom of movement restrictions (e.g. not being allowed to access medical facilities in Rakhine villages or to township hospitals)

RECOMMENDATION ROADMAP

LIVELIHOODS

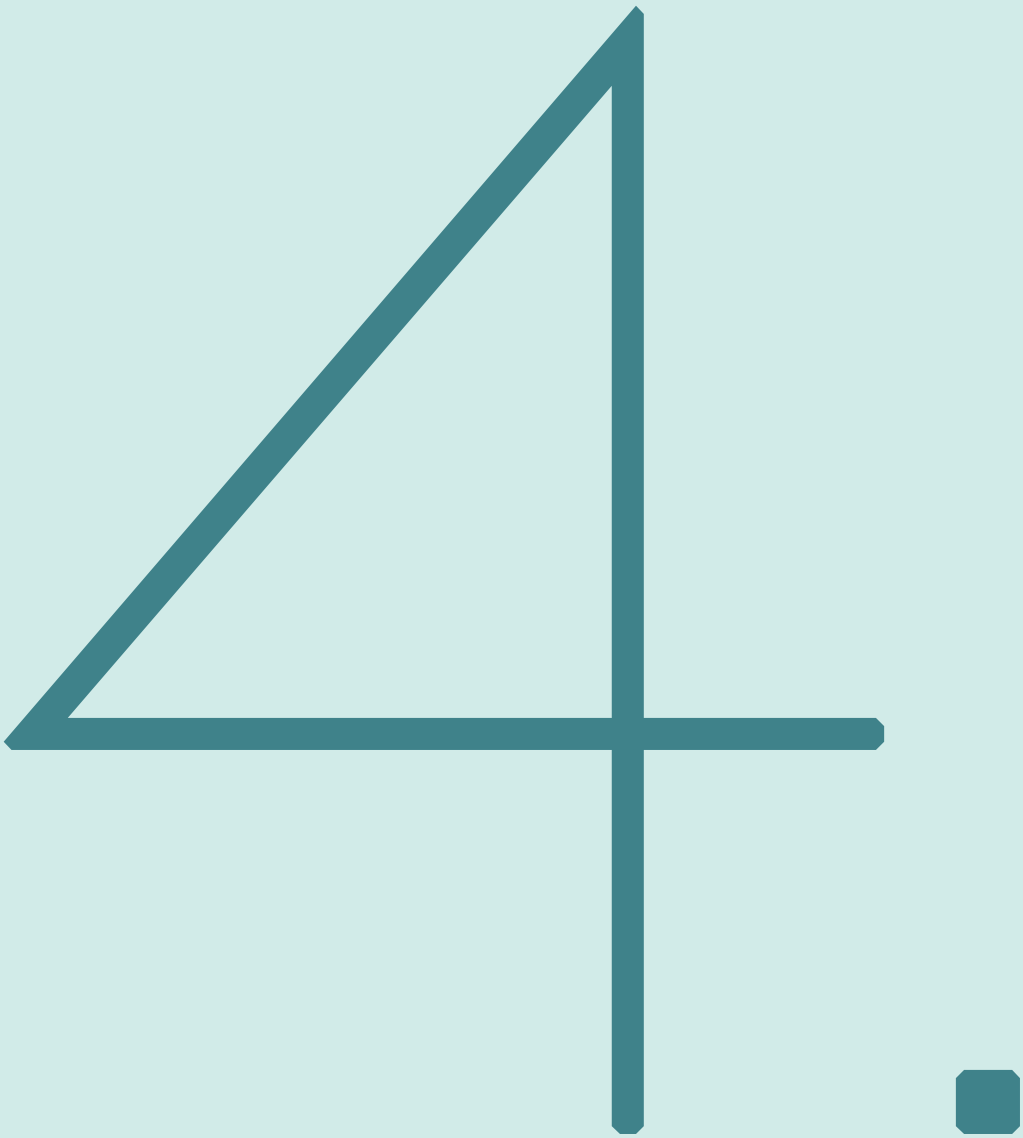
Livelihood opportunities are scarce in Rakhine State, and problems with finding work are compounded by freedom of movement restrictions that limit that ability of communities to seek work outside their villages. Additionally, apartheid-like conditions exclude Muslims (Rohingya and Kaman) from accessing markets and limit their ability to access jobs in towns. Recommendations for livelihoods primarily focus on increasing access to towns, markets, and livelihood opportunities, while removing specific restrictions (e.g. NVC-related restrictions) that prevent communities from moving to access livelihood opportunities.

RECOMMENDATION ROADMAP TABLE 3: Livelihoods recommendations

	Immediate	Short term
State level	**3.01 NVC:** > Ensure that people without documentation have the ability to fish by removing the requirement that fishermen must have an NVC in order to obtain a fishing permit. > For fishermen that already have the NVC, remove the three-day time limit for fishing trips (as supported by RAC #18).	**3.02 Access:** Ensure the ability to travel throughout the state to pursue livelihood opportunities in neighbouring towns (as supported by RAC #18). **3.04 Extortion:** Ensure that communities can transport goods without paying bribes at checkpoints and hold officials accountable for soliciting bribes from those transporting goods. **3.05 Rule of Law:** Ensure intercommunal economic interactions continue by holding groups and individuals who threaten those that hire Muslim workers or buy from Muslim shops to account (as supported by RAC #22).
Township level		
Example indicators	> % of individuals reporting difficulty travelling outside of their village tract to pursue livelihood opportunities	

	Medium term	Long term
	3.02 Access: Ensure communities have unimpeded access to water sources, fishing areas, farmland, and forests throughout the state by instructing security forces to allow access (as supported by RAC #18). **3.03 Curfews:** Ensure greater livelihood opportunities by lifting curfews in townships that do not have active conflict to allow for a larger range of movement and more time. **3.06 Intercommunal Business:** Encourage and provide incentives for intercommunal business interactions, which will lead to sustainable freedom of movement for all communities (as supported by RAC #62).	**3.02 Access:** Ensure that Muslims/Rohingya have free access to markets in all town areas in every township in the state, (without required documentation, paid security, etc.) (as supported by RAC #18).
	3.07 Access (**Mrauk-U**)**:** Ensure that ethnic minorities (including Rohingya and Maramagyi) are able (and feel safe) to access Mrauk-U Town and markets, by removing restrictions that prevent access and communicating the removal of these restrictions. **3.08 Access** (**Minbya**)**:** Ensure minorities (including Rohingya and Maramagi) are able to travel to and access livelihood opportunities east of the Lay Myo River and ensure accountability for communities that have typically prevented them from travelling there. **3.09 Access** (**Sittwe**)**:** Ensure that Muslims (Rohingya and Kaman) are able (and feel safe) to access Sittwe Town and markets, by removing restrictions that prevent access and communicating the removal of these restrictions. **3.10 Access** (**Myebon**)**:** Ensure that Muslims (Rohingya and Kaman) are able (and feel safe) to access Myebon Town and markets, by removing restrictions that prevent access and communicating the removal of these restrictions. **3.11 Extortion** (**Ramree**)**:** Hold naval officers stationed near Manaung Island to account for subjecting Muslim fishermen from Ramree to extortion.	
	> % of individuals reporting difficulty accessing market areas in their township	

RECOMMENDATION ROADMAP



MOVEMENT PERMISSIONS AND DOCUMENTATION

Movement permission and documentation recommendations are focused on removing/reducing the documentation required for emergency medical travel (detailed further in 8. Desegregation and Social Cohesion), as well as the phasing out of the Form 4 – the most problematic form of documentation limiting movement in Rakhine State. Modifications to the existing Village Departure Certificate can allow for greater movement abilities within the state for those without citizenship documentation, while changes to the NVC (see Recommendation 9.02) can allow for those without citizenship to travel throughout the country. There are overlapping recommendations here at the Union and state level, as it is important to target both government levels to advocate for the removal of documentation requirements that make these forms necessary for travel.

RECOMMENDATION ROADMAP TABLE 4: Movement permissions and documentation recommendations

Immediate

Union level

4.01 Medical Documentation: Ensure that any requirements for travel documentation/authorisation for those with medical emergencies are immediately removed; allow those with medical emergencies to travel between townships and states with only a medical referral (see also 2.05).

4.02 Form 4:

- Ensure the complete phasing out of the Form 4 as a required travel document by developing and publishing a plan for phasing it out in coordination with state and local government officials. This should start with eliminating the Form 4 for inter-township travel, followed by phasing it out for interstate travel, pending the reform of the NVC process (see also 9.02).
- Remove any costs associated with the Form 4.

4.03 Village Departure Certificate:

- Alongside state and township officials, create and publicly announce a plan for phasing out the Village Departure Certificate as a required travel document for intra-township travel in areas not experiencing active conflict in Rakhine State. Allow the Village Departure Certificate to be used as a travel document for inter-township travel, in line with the phasing out of the Form 4 (see also 4.02).
- Remove any costs associated with the Village Departure Certificate.

State level

4.04 Medical Documentation: Ensure that those with medical emergencies can receive services at any health facility in the state without any kind of travel/identity documents; allow those with medical emergencies to travel between townships and states with only a medical referral (see more in 2. Healthcare) (as supported by RAC #38).

4.05 Form 4:

- Work alongside Union-level officials to develop a plan for phasing out the Form 4, starting with an elimination of the Form 4 for inter-township travel, followed by phasing it out for interstate travel, pending the reform of the NVC process.
- Remove any costs associated with the Form 4.

4.06 Village Departure Certificate:

- Alongside Union-level officials, create and publicly announce a plan for the phasing out of the Village Departure Certificate as a required travel document for intra-township travel in areas not experiencing active conflict in Rakhine State.
- Remove any costs associated with the Village Departure Certificate.

	Short term	Medium term
	4.02 Form 4: Ensure that the phasing out of the Form 4 is progressing and that individuals without identification cards no longer need to apply for the Form 4 to travel within Rakhine State. As per Recommendation 4.03, ensure that individuals are able to travel throughout the state by receiving a Village Departure Certificate from their Village Administrator. **4.03 Village Departure Certificate:** > Ensure that the Village Departure Certificate is no longer required for intra-township travel for communities in Rakhine State (primarily in northern Rakhine State) located in areas where there is no active conflict. > For inter-township travel, ensure that the Village Departure Certificate is only required by individuals with no other form of documentation, and that the	
	4.05 Form 4: Ensure that the phasing out of the Form 4 is progressing and that individuals without identification cards no longer need to apply for the Form 4 to travel within Rakhine State, and that they can travel throughout the state by receiving a Village Departure Certificate from their Village Administrator at no cost. **4.06 Village Departure Certificate:** > Ensure that the Village Departure Certificate is no longer required for intra-township travel for communities in Rakhine State (primarily in northern Rakhine State) located in areas where there is no active conflict. > For inter-township travel, ensure that the Village Departure Certificate is only required by individuals with no other form of documentation, and that the Village Departure Certificate only requires authorisation from the Village Administrator, has a long validity period, is easily renewable, and that it has no costs associated with it. **4.07 Access to Documentation:** > Ensure that the Immigration Department and GAD grant individuals open access to their personal information, files, and documentation from government archives (i.e. household lists, birth registration documents, registration documents from previous identity cards, education and health documentation, etc.), particularly for those who have had identity documents confiscated. > Continue the ongoing processes of providing documentation, including household lists and birth registration.	

	Immediate
Township level	
Example indicators	> % of northern Rakhine State individuals reporting the ability to travel from village tract to village tract without taking a Village Departure Certificate

	Short term	Medium term
		4.08 Form 4 (Rathedaung): > Allow Rohingya from Rathedaung without valid identity cards to travel to neighbouring townships by accepting the Village Departure Certificate (and not requiring a Form 4). > Allow Rohingya without identity cards in Lun Taung, Kan Sit and Ahr Kar Taung to travel into Buthidaung Township for services, and allow Rohingya in Ah Nauk Pyin and Nyaung Pin Gyi to travel to Sittwe to access services, with only a Village Departure Certificate.

> % of individuals reporting the ability to travel from township to township without taking a Form 4

RECOMMENDATION ROADMAP

POLICIES AND REGULATIONS

The total existing internal government policies, regulations (formal and informal), and local orders that provide the basis for the freedom of movement restrictions in Rakhine State can only be mapped directly by the government itself. This mapping recommendation is aimed at Union- and state-level government actors that want to understand the underlying basis for all official freedom of movement restrictions, in accordance with RAC recommendation #19.

RECOMMENDATION ROADMAP TABLE 5: Policies and regulations recommendations

	Short term
Union level	**5.01 Policy Mapping:** With the assistance and support of the state government, carry out a mapping of all state and township government regulations, orders, checkpoints and informal policies related to movement in Rakhine State, including an examination of the misuse/overuse of Section 144 to limit the movement of communities (as supported by RAC #19). Results of this mapping should be made public to ensure transparency in removing the existing restrictions.
State level	**5.02 Policy Mapping:** Coordinate with Union and township officials to map the state and township regulations, orders, checkpoints and informal policies that restrict the movement of everyone (but particularly minority communities) in the state (as supported by RAC #19).

	Medium term
	5.01 Policy Mapping: Based on the mapping of movement regulations, review and revoke any other state-level, township, or local orders that place restrictions on freedom of movement for all communities.
	5.02 Policy Mapping: Based on the mapping of movement regulations, review and revoke any other state-level, township, or local orders that place restrictions on freedom of movement for all communities.

RECOMMENDATION ROADMAP

SECURITY-RELATED RESTRICTIONS

Several restrictions on freedom of movement, such as curfews and checkpoints, are justified by the government as necessary based on the security situation; however, these restrictions are often maintained over long periods of time, sometimes long after active conflict has ceased. Ensuring that these restrictions are removed in times and places where security is not actively threatened, and ensuring that they are only enforced in a transparent manner and have a clear expiration date, is essential to ensuring freedom of movement in Rakhine State.

RECOMMENDATION ROADMAP TABLE 6: Security-related restrictions recommendations

	Immediate
Union level	
State level	**6.06 Checkpoints:** Identify and begin to shut down unnecessary checkpoints outside areas of armed conflict and in IDP camp areas (potentially as part of the mapping exercise detailed in 5.01/5.02).
Example indicators	> Average number of checkpoints that individuals report having to cross to access services

Freedom of movement restrictions justified as security

Security has often been a justification for the imposition of a variety of movement restrictions, including the Village Departure Certificate, curfews, checkpoints, compulsory security for Muslims, bans on Muslims from entering certain urban areas or townships, etc. While a heightened security environment creates legitimate grounds for the creation of new, albeit limited, restrictions, the reality is that individuals and communities across Rakhine State continue to face arbitrary and often discriminatory policies and practices that unduly infringe on their right to freedom of movement and are justified as security for the affected communities. To address the security argument we suggest the following:

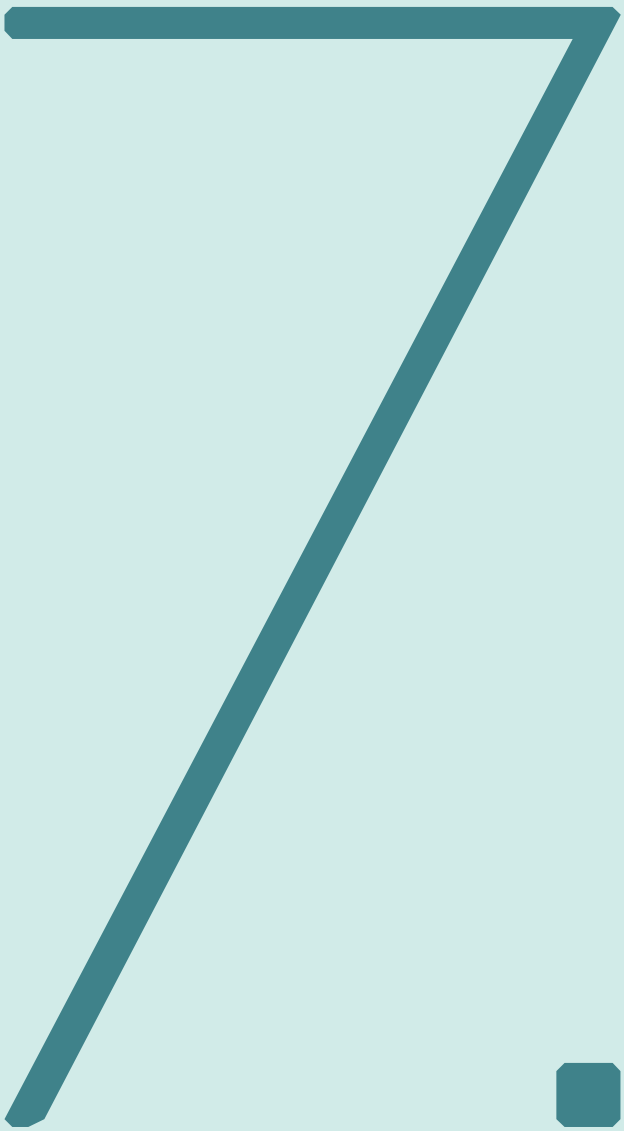
1. If additional security measures are warranted, they must be proportional, publicly communicated, and include justifications for the additional restrictions and expiration dates.

	Short term	Medium term
	> Work with the state governments to ensure that curfew restrictions are not renewed in towns where there is no active conflict. > Ensure clear communications about curfew orders to affected populations. **6.02 Checkpoints:** Remove security forces from checkpoints in areas without active conflict (e.g. Hmanzi Junction, Sittwe, Ward 5, Maungdaw, etc.).	
	> Instruct township officials to only renew curfews in areas of active conflict. > Communicate that continuous curfews are no longer acceptable to Maungdaw Township officials. **6.04 Checkpoints:** Conduct monitoring exercises to ensure that civilians passing through checkpoints are treated without violence, discrimination, or harassment (e.g. forcing women to remove burqas) (as supported by RAC #20 and #66). **6.05 Communications:** > Publicly announce and post written communications regarding curfews and required travel documentation in every affected community (both displaced and non-displaced), including expiration dates, who is affected, and legal justifications. > Publicly announce how communities can access emergency medical services when curfews, checkpoints and other barriers are in place. > Communicate the above using conflict-sensitive messaging in the language of the target community (Rohingya language, Maramagyi language, etc.).	**6.04 Checkpoints:** Ensure the removal of security forces from checkpoints in areas without active conflict.
	> % of individuals reporting difficulties accessing services due to curfews	

2. The government should eliminate restrictions justified as security that are clearly disproportional or unnecessary (e.g. continuous curfews in Maungdaw since 2012, compulsory security escorts for entering towns, Village Departure Certificates required for intra-township travel in Maungdaw and Buthidaung, etc.).

3. If restrictions inhibit the movement of communities to access basic services, the government should do everything in its power to ease the burden caused by these restrictions, such as expediting medical referrals through checkpoints, ensuring medical referrals are still possible when curfews are enforced, working with communities to minimise the impact of restrictions on livelihoods, ensuring access to education, etc.

RECOMMENDATION ROADMAP



RULE OF LAW

Rule of law recommendations are oriented around understanding and correcting 1) the ubiquitous practices of extortion by security officials related to freedom of movement, 2) the failure to enforce the rule of law and hold civilian perpetrators that inhibit the freedom of movement of minority communities to account, and 3) the requirement that Rohingya pay for security escorts when travelling on certain routes or to certain places (e.g. most of the town areas in Rakhine State, Rakhine villages, etc.).

RECOMMENDATION ROADMAP TABLE 7: Rule of law recommendations

	Immediate
Union level	**7.01 Security Escorts:** Ensure that Muslims (primarily the Rohingya) are not required to pay for security when travelling, including by mandating that state and local officials communicate the removal of these requirements to communities. If additional security is needed to protect Muslims, the government should provide this as a matter of course (as supported by RAC #20 and #22).
State level	**7.04 Security Escorts:** > Ensure that state and local officials remove requirements for Muslims to pay for police security when travelling in Rakhine State, particularly in urban (city-centre) areas, in and around Rakhine villages, and as escorts for ambulances in medical emergencies (in line with 2.02) (as supported by RAC #20). > Clearly communicate to communities (both verbally and in writing) that none of the security required for travelling will cost anything from now on. > If intercommunal tensions are rising, and additional security is needed to protect Muslims travelling to urban areas or near Rakhine villages, ensure that this protection is provided as a matter of course. > For medical referrals, ensure that if a security escort is required for patients' safety, any costs are borne by the state as part of its duty to protect residents of Rakhine, and enforce the rule of law (for more on security escorts and medical referrals see 2. Healthcare). **7.05 Checkpoints:** Ensure that government officials and security forces (including Immigration Department officials, the Myanmar military, the Myanmar Police Force, and the BGP) do not subject travellers, particularly Rohingya, to extortion at checkpoints.

Short term

7.02 Extortion: In conjunction with an internationally recognised, independent body, conduct a political economy assessment, to understand how the systematic extortion of minority and stateless communities provides an incentive for freedom of movement restrictions to remain in place, and take action to eliminate corruption and extortion related to freedom of movement.

7.03 Rule of Law:

> Establish a mechanism (e.g. an anonymous hotline) for communities in Rakhine State to safely report incidences of corruption, informal payments, exploitation or discriminatory practices and hold government and civilian perpetrators to account (as supported by RAC #68).

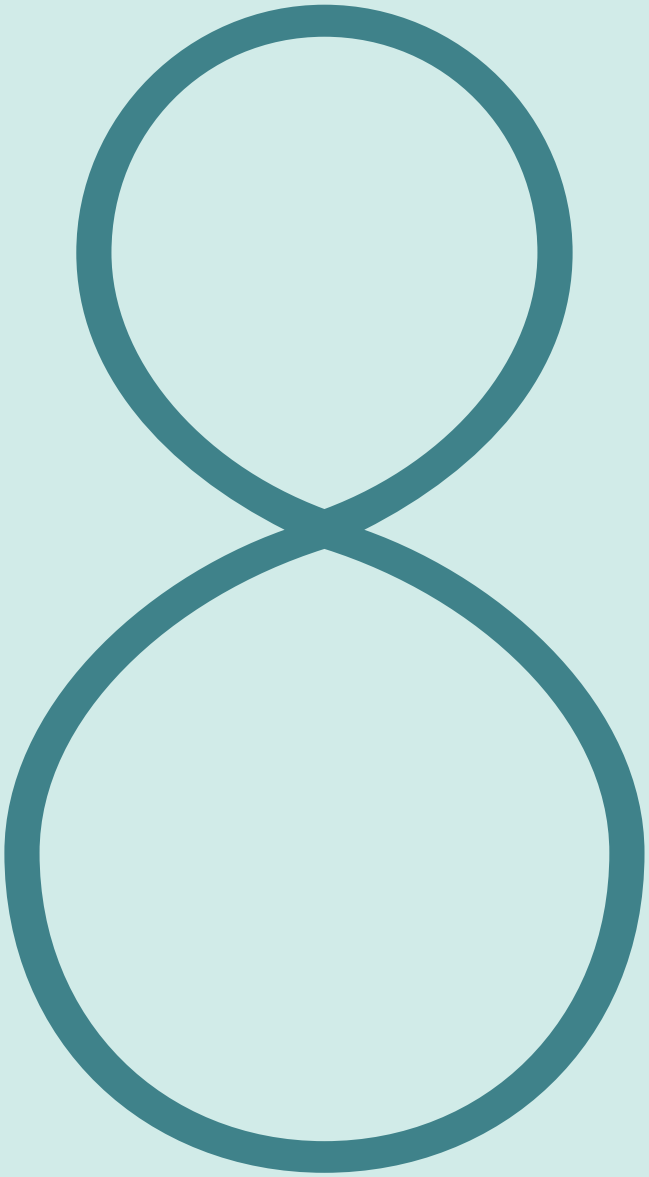
> Alternatively, ensure that the Complaints and Appeals Committee (and the associated hotline) is equipped to manage complaints from Rakhine State (including Rakhine- and Rohingya-language speakers), and publicise the number, and the process of making complaints, among minority communities in Rakhine State (primarily the Rohingya) (as supported by RAC #68).

7.07 Rule of Law:

> Conduct regular government–community events in every township to build trust between the government and local communities, in line with social cohesion recommendations (see also 8.05).

> Regularly assess the risk of intercommunal conflict, carefully considering the methodology necessary to avoid inflaming anti-Rohingya sentiment.

RECOMMENDATION ROADMAP



DESEGREGATION AND SOCIAL COHESION

The segregation of communities in Rakhine State directly affects the freedom of movement of minority communities and contributes to the underlying discrimination that strengthens restrictions on freedom of movement. The government (at all levels) should be the primary duty bearer responsible for reintegrating these communities by 1) initiating state-wide social cohesion efforts, 2) re-establishing access for Muslims (Kaman and Rohingya) to urban areas, 3) ensuring accountability for those disseminating hate speech, and 4) removing regulations, checkpoints, and documentation requirements that confine IDPs to their camps.

RECOMMENDATION ROADMAP TABLE 8: Desegregation and social cohesion recommendations

	Immediate	Short term
Union level		**8.01 Social Cohesion:** The GoM and the military should internally analyse how government/military practices/policies have allowed, exploited, and inflamed ethnic and religious discrimination, and concentrate on efforts to reverse these practices and policies with a focus on becoming the principal actor working towards community cohesion in Rakhine State (as supported by RAC #60 and #61). **8.02 Desegregation:** The Union- level government should publicly announce that, coinciding with its national strategy to close the IDP camps, the Union and state government will lead efforts to desegregate the communities living in Rakhine. **8.03 Urban Areas:** Work with local and state officials to prepare conditions in their communities that allow free movement for Muslims (Rohingya and Kaman) to urban/town areas of Rakhine State that they are currently barred from accessing, inform this approach by including dialogue with all affected communities, sensitising communities to the lifting of movement restrictions, and providing timelines for changes to take place (as supported by RAC #18). **8.04 Hate Speech:** Ensure accountability for organisations and individuals throughout Myanmar that disseminate hate speech that perpetuates discrimination nationally and consequently creates barriers to freedom of movement for minority communities in Rakhine State (as supported by RAC #63).

Medium term	Long term
8.01 Social Cohesion: Ensure that state and local government initiate community cohesion efforts in every township in Rakhine State (not only between Rakhine and Rohingya, but also including other ethnic minorities affected by discrimination, such as the Maramagi, Kaman, Hindu, etc.) (as supported by RAC #60 and #61). **8.02 Desegregation:** Oblige local and state officials, in collaboration with local communities and stakeholders, to create plans for the desegregation of Muslim and Buddhist hospital wards, schools, and markets in their communities, including timelines for completion (as supported by RAC #18, #33 and #38). **8.03 Urban Areas:** Ensure that Muslim (Rohingya and Kaman) access to all urban areas in Rakhine State is realised.	**8.02 Desegregation:** Monitor and ensure the complete desegregation of Muslim and Buddhist hospital wards, schools, and markets.

	Immediate	Short term
State level	**8.05 Social Cohesion:** > With local communities and stakeholders, create a state-wide community cohesion strategy that includes efforts to build understanding and trust when it comes to freedom of movement (in line with plans for the desegregation of public spaces – 8.07) (as supported by RAC #60 and #61). > Pending the implementation of the state-wide community cohesion strategy, remove barriers (unnecessary permissions from the security minister and other departments) to facilitate access to organisations working on social cohesion initiatives (as supported by RAC #27). **8.06 Desegregation:** Oblige state and township officials, in collaboration with local communities and stakeholders, to create plans for the desegregation of Muslim and Buddhist hospital wards, schools, and markets in their communities (in line with plans for the desegregation of public spaces – 8.07) (as supported by RAC #18, #33 and #38).	**8.05 Social Cohesion:** Implement the planned state-wide community cohesion strategy. **8.07 Urban Areas:** > Oblige township officials to shift their policy positions and official/unofficial statements, from discouraging Rohingya from travelling to urban areas, to creating conditions where everyone is safe to access them. These officials must take the lead on changing policy and communicating the new policy to the police, local officials, and local communities (as supported by RAC #18). > As part of the state-wide and localised social cohesion strategies (8.05), oblige township to officials prepare conditions in their communities to allow free movement for Muslims to urban/town areas of Rakhine that they are currently barred from accessing. This includes dialogue with all affected communities, and communicating timelines for these changes to take place (as supported by RAC #18). **8.08 Hate Speech:** Prosecute organisations and individuals who disseminate hate speech that perpetuates discrimination and consequently creates barriers to freedom of movement for minority communities (as supported by RAC #63). **8.09 IDP Camps:** Township administrators must ensure the removal of the barbed wire fencing from around IDP camps, and the police checkpoints from camp entrances (as supported by RAC #25 and #26).
Township level		**8.10 Urban Areas (Rathedaung):** Ensure that Muslims are able (and feel safe) to enter Rathedaung Town, by removing restrictions and communicating the removal of those restrictions. **8.12 Urban Areas (Gwa):** Ensure that Muslims (Rohingya and Kaman) are permitted to stay overnight in Gwa, by removing restrictions and communicating the removal of those restrictions. **8.15 Urban Areas (Toungup):** Ensure the lifting of the prohibitions on Muslims travelling through Toungup on their way to Yangon, by removing restrictions and communicating the removal of those restrictions. **8.16 IDP Camps (Myebon):** Ensure IDPs in Myebon Camp have the ability to travel freely out of the camp without additional authorisation, by removing restrictions and communicating their removal to camp residents. **8.17 IDP Camps (Kyaukphyu):** Ensure residents of Kyauk Ta Lone IDP Camp have free movement to and from the camp without the need for permissions or a security escort, by removing these restrictions and communicating their removal to camp residents.
Example indicators	> % of individuals reporting the ability to access urban areas in their township	

	Medium term	Long term
	8.13 Urban Areas (**Sittwe**)**:** Allow free movement from Aung Mingalar to Thet Kae Pyin. **8.14 Urban Areas** (**Pauktaw**)**:** Allow Pauktaw Rohingya to access the main Sittwe jetty (Myo Ma) to ensure safer travel and avoid deaths and accidents at sea from taking more dangerous routes. **8.15 Urban Areas** (**Toungup**)**:** Ensure that Muslims are able (and feel safe) to enter Toungup Township, by removing Toungup's prohibition of Muslims and communicating the removal of this prohibition.	**8.06 Desegregation:** Complete the desegregation of Muslim and Buddhist hospital wards, schools, and markets.
	8.13 Urban Areas (**Sittwe**)**:** Allow free movement from Aung Mingalar to Thet Kae Pyin. **8.14 Urban Areas** (**Pauktaw**)**:** Allow Pauktaw Rohingya to access the main Sittwe jetty (Myo Ma) to ensure safer travel and avoid deaths and accidents at sea from taking more dangerous routes. **8.15 Urban Areas** (**Toungup**)**:** Ensure that Muslims are able (and feel safe) to enter Toungup Township, by removing Toungup's prohibition of Muslims and communicating the removal of this prohibition.	

> % of individuals reporting feeling safe enough to travel to urban areas in their township

RECOMMENDATION ROADMAP

CITIZENSHIP AND IDENTITY CARDS

Findings from this study strongly support the idea that access to essential services should not be dependent on citizenship, and there is an immediate need to de-link citizenship as a prerequisite for accessing basic services (in line with the RAC's *Recommendation 18*). For those who don't hold citizenship or other documentation, the NVC and its application process should be reformed to provide residency and freedom of movement throughout Rakhine State. However, though citizenship reform is necessary, it is insufficient as a guarantee of long-term freedom of movement in Rakhine State. Considering the political atmosphere in Myanmar, citizenship law reform – a recommendation that was overwhelmingly requested by Rohingya interviewees – is likely to require the most long-term commitment to advocacy in order to be realized.

RECOMMENDATION ROADMAP TABLE 9: Citizenship and identity cards recommendations

Immediate

Union level

9.01 De-link Citizenship from Accessing Services: De-link citizenship from access to services. As an immediate step, publicly announce that the GoM will ensure the freedom of all communities regardless of ethnicity, religion or citizenship status (as supported by RAC #18). To rapidly address access to essential services, act on recommendations that can immediately improve access to healthcare, livelihood opportunities, and education – and ensure that access is dissociated from extortion or any other unofficial costs.

9.02 NVC:

- Ensure that holding the NVC guarantees the right to travel throughout Rakhine State without additional documentation (e.g. a NVC-holder should not need a Form 4 to travel to any township in the state).
- Protect the rights of communities who do not accept the NVC to access essential services (healthcare, livelihoods, and education).
- When applying for identity cards, ensure that stateless populations (primarily the Rohingya) are not required to record false information regarding their ethnicity, birthplace, or other details.
- Remove text on the NVC that states that 'Holding this card does not testify that the card holder is a Myanmar citizen'.
- Ensure that applicants are not charged to obtain NVCs.
- Provide legal guarantees that holding an NVC provides residency in Myanmar.
- Communicate these messages regarding the NVC process to stateless communities (primarily Rohingya and Hindu).

State level

9.05 NVC:

- Ensure that the choice to accept the NVC is voluntary, and that officials are not coercing communities (primarily Rohingya and Hindu) to accept the NVC (as supported by RAC #15).
- Ensure that holding the NVC guarantees the right to travel throughout Rakhine State without additional documentation (e.g. Form 4).
- Protect the rights of communities who do not accept the NVC to access essential services.
- When applying for identity cards, ensure that stateless populations (primarily the Rohingya) are not required to record false information regarding their ethnicity, birthplace, or other details.

Example indicators

- %of individuals receiving a citizenship card within the last six months
- % of individuals who report being coerced to take the NVC within the last six months

	Short term	Medium term	Long term
	9.02 NVC: Ensure that holding the NVC guarantees the right to travel throughout the country without additional documentation. **9.03 Citizenship Reform:** In collaboration with stakeholders begin the process of reviewing the 1982 Citizenship Law and making preparations to amend or repeal the law in order to bring Myanmar's citizenship laws up to the standard set by international human rights law (as supported by RAC #17).	**9.03 Citizenship Reform:** Pending the repeal or amendment of the Citizenship Law, restore citizenship rights to holders of formerly valid identity cards and their children, and provide them with CSCs / pink cards (as supported by RAC #17). **9.04 Citizenship Verification:** Begin dialogue with stateless communities (who don't have formerly valid ID cards) in Rakhine State regarding how to move forward with citizenship verification (as supported by RAC #15).	**9.03 Citizenship Reform:** As supported by RAC #17, amend or repeal the 1982 Citizenship Law by: > Removing any ethnic or religious requirements for citizenship; > Removing the three-tiered system of citizenship and providing a single status of citizenship; > Granting nationality/ citizenship rights to those born in Myanmar that would otherwise be stateless.

> % of individuals forced to register as an ethnicity they don't identify as in the last six months

GOVERNMENT COMMUNICATION

Government communication (or lack thereof) regarding freedom of movement is a cross-cutting issue in Rakhine State affecting everything from social cohesion and widespread discrimination to the ability of communities to access urban areas. The variety of ways in which government communication is relevant to freedom of movement is illustrated by the diversity of communication recommendations

Highlighted communication recommendations

4.02 Form 4: Ensure the complete phasing out of the Form 4 as a required travel document by developing and ***publishing a plan*** for phasing it out in coordination with state and local government officials. This should start with eliminating the Form 4 for inter-township travel, followed by phasing it out for interstate travel, pending the reform of the NVC process.

4.03 Village Departure Certificate: Alongside state and township officials, create and ***publicly announce a plan*** for phasing out the Village Departure Certificate as a required travel document for intra-township travel, in areas not experiencing active conflict in Rakhine State.

6.01 Curfews: Ensure ***clear communications*** about curfew orders to the affected populations.

6.05 Communications (State):

- ***Publicly announce*** and ***post written communications*** regarding curfews and required travel documentation in every affected community (both displaced and non-displaced), including expiration dates, who is affected, and the legal justifications.
- ***Publicly announce*** how communities can access emergency medical services when curfews, checkpoints, and other barriers are in place.
- ***Communicate*** the above using conflict-sensitive messaging in ***the language of the target community*** (Rohingya language, Maramagyi language, etc.).

7.04 Security Escorts (State): ***Clearly communicate*** to communities (both verbally and in writing) that from now on none of the security required for travelling will cost anything.

7.07 Rule of Law (State): Conduct regular ***community meetings*** in every township to build trust between the government and local communities.

8.03 Urban Areas: Work with local and state officials to prepare conditions in their communities to allow free movement for Muslims (Rohingya and Kaman) to urban/town areas of Rakhine State that they are currently barred from accessing, inform approach ***by including dialogue with all affected communities***, and provide timelines for changes to take place (s supported by RAC #18).

collected from the pathway and highlighted in the table below. In a state full of contested narratives, the government must pivot from its traditional messaging and lead the way in creating more inclusive narratives that reject discrimination and embrace unity.

8.04 Hate Speech: Ensure accountability for organisations and individuals throughout Myanmar that ***disseminate hate speech*** that perpetuates discrimination nationally and consequently creates barriers to freedom of movement for minority communities in Rakhine State (as supported by RAC #63).

8.07 Urban Areas (State):

- Oblige township officials to shift their policy positions and ***official/unofficial statements*** from discouraging Rohingya from travelling to urban areas, to creating conditions where everyone is safe to access them. These officials must take the lead on changing policy and ***communicating new policy to the police, local officials, and local communities*** (as supported by RAC #18).
- As part of the state-wide and localised social cohesion strategies (8.01), oblige township officials to prepare conditions in their communities to allow free movement for Muslims to urban/town areas of Rakhine that they are currently barred from accessing. This includes ***dialogue with all affected communities, and communicating timelines for these changes to take place*** (in line with 8.01) (as supported by RAC #18).

8.08 Hate Speech (State): Prosecute organisations and individuals who ***disseminate hate speech*** that perpetuates discrimination and consequently creates barriers to freedom of movement for minority communities (as supported by RAC #63).

8.09 IDP Camps (State): Instruct township authorities to change policies to ensure free movement for IDPs travelling to and from IDP camps by removing all documentation/authorisation requirements. Additionally, ***ensure township authorities communicate the changes in movement policy to the police, camp officials, and IDP camp residents.***

9.02 NVC: ***Communicate these messages*** regarding the NVC process to stateless communities (primarily Rohingya and Hindu).

RECOMMENDATIONS FOR NATIONAL AND INTERNATIONAL AGENCIES

When operating in a context where the rights of many communities have been compromised, agencies conducting development, humanitarian, and peacebuilding work have a responsibility to ensure not only that their programmes do no harm, but that they are actively working towards ensuring the protection and respect of every community's rights. This requires contextual awareness about Rakhine

National and international agencies (NIA)

NIA 1 Organisational Preparation: Every agency should create space for an internal, organisational reflection on freedom of movement advocacy and its intersection with the strategic vision of the organisation. Discuss organisational buy-in at all levels (particularly of national staff) in moving forward with freedom of movement advocacy.

NIA 2 Mobility Assessment: Jointly develop a mobility assessment tool that can capture the extent to which programme beneficiaries are affected by movement restrictions, ensuring that the tool differentiates between ethnic group, gender and documentation status. Develop a system for collating and reporting the cumulative results of the mobility assessments, or alternatively incorporate the reporting of the mobility assessment tool through existing mechanisms (e.g. potentially the PIMS system).

Implementing agencies (IA)

IA 1 Organisational Support: Ensure that there is buy-in and support from all levels of the organisation. Conduct internal meetings/workshops to share the strategic vision and ensure alignment between international and national staff regarding the values underlying intervention and advocacy in Rakhine State.

IA 2 Staff: Recruit national staff that have strong humanitarian values to engage in advocacy. Build capacity and ensure buy-in of national staff to engage in effective relationship-building and advocacy with officials at the local and township level to mitigate international staff turnover.

IA 3 Mobility Assessment: Implement mobility assessment tools for new and existing programmes.

IA 4 Monitoring System: Protection actors working in Rakhine should review the Protection Incident Monitoring System (PIMS) and assess if monitoring of movement in Rakhine State is possible as part of this existing framework.

State and its challenges, greater collaboration between national and international organisations, and the development of specific advocacy strategies focused on lifting localised movement barriers. The table below lays out general recommendations for all agencies working in Rakhine State, as well as recommendations specific to the freedom of movement.

NIA 3 Advocacy Strategy: Using the findings from the mobility assessments, every agency should hold internal meetings to discuss how freedom of movement affects beneficiaries within their own programmes and develop an internal advocacy strategy that guides their engagement on the issue. Agencies should identify unique programmatic or advocacy entry points that they have vis-à-vis specific movement barriers. They should 1) conduct a stakeholder mapping exercise to identify actors with similar programmes and goals to coordinate with, 2) implement short-term mitigation methods for existing movement barriers within programmatic areas, 3) develop localised advocacy strategies for lifting local movement restrictions, ensuring that localised movement advocacy strategies and mitigation methods are coordinated across agencies, and 4) contribute up-to-date data to broader freedom of movement monitoring systems.

Donor agencies (DA)

DA 1 Engagement with Government: Work to advocate directly with Union and state government to implement roadmap recommendations. Focusing on easier wins may be an effective strategy to build momentum, but continue to raise the larger structural issues as the long-term focus of advocacy (e.g. NVC reform, social cohesion, desegregation, and citizenship reform).

DA 2 Mobility Assessment Support: Ensure that implementing agencies receive adequate funding and support to implement mobility assessments at the outset of new programmes and for existing programmes.

DA 3 Advocacy Support: Ensure that implementing agencies are adequately resourced to develop and implement localised advocacy strategies. Support the implementation of these strategies wherever possible through, among other things, higher level meetings with senior government officials.

DA 4 Government Support: Support government in conducting transparent assessments on movement, but ensure that this support does not violate any 'do no harm' principles.

Implementing agencies (IA) cont.

IA 5 FOM Monitoring: Separately from the mobility assessment tool, integrate the monitoring of extortion and corruption into monitoring mechanisms, for example collect and record incidents where beneficiaries are required to pay to cross checkpoints, to acquire travel documentation or identity cards, or report being harassed or abused, etc. This data should be anonymised and shared with the government (or other mechanisms, such as the PIMS).

IA 6 Access Mapping: Work with the humanitarian access working group to develop a mapping of areas in Rakhine State where humanitarian actors do not have access or have limited access, overlay this map with areas where communities are facing the most severe movement restrictions in order to identify the most vulnerable populations.

IA 7 Coordination: Coordinate advocacy efforts at the township level by communicating with other stakeholders regarding advocacy strategy, effective tactics, and officials that are receptive to advocacy.

IA 8 Social Cohesion: When advocacy with government officials is at a standstill, focus on social cohesion efforts relevant to advocacy goals. These efforts can be viewed as laying the groundwork for advocacy, to prepare community support for initiatives moving forward.

All agencies

GA 1 Context Training: Jointly develop a Rakhine State contextualisation training in which incoming national and international staff can learn about the Rakhine State context and its inherent challenges.

Donor agencies (DA) cont.

DA 5 Prioritisation of Movement: Ensure that all programmes in Rakhine State (humanitarian and development) address the systematic restrictions on freedom of movement by requiring the integration of strategies that facilitate greater freedom of movement, such as assessing localised freedom of movement restrictions and implementing advocacy efforts to remove them.

GA 2 Local Advocacy: Place greater emphasis on building relationships with local and state officials to understand localised security and movement issues and to create greater opportunities for localised advocacy.

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ANNEX A

Rakhine Advisory Commission Recommendations Referenced in the Roadmap

15. While urging Rakhine and Muslim communities to work constructively with the Government to revitalize the citizenship verification process, the Commission also urges the Government to ensure that the process is voluntary. The Government should create proper incentives to encourage people to participate.

17. While recognizing that the 1982 law is the current basis for citizenship, the Commission recommends the Government set in motion a process to review the law. As part of such a review, the Government might wish to consider the following:

    > Aligning the law with international standards and treaties to which Myanmar is a State Party, including Articles 7 and 8 of the Convention on the Rights of the Child;

    > Bringing the legislation into line with best practices, including the abolition of distinctions between different types of citizens;

    > That as a general rule, individuals will not lose their citizenship or have it revoked where this will leave them stateless;

    > Enabling individuals who have lost their citizenship or had their citizenship revoked to reacquire it, if failing to do so would leave them stateless;

    > Finding a provision for individuals who reside permanently in Myanmar for the possibility of acquiring citizenship by naturalisation, particularly if they are stateless;

    > Re-examining the current linkage between citizenship and ethnicity;

    > Within a reasonable timeline, the Government should present a plan for the start of the process to review the citizenship law. The Government should also propose interim measures to ensure that – until new or amended legislation is in place – existing legislation is interpreted and applied in a manner that is non-discriminatory, in line with international obligations and standards and based on an assessment of how today's needs have changed compared to the conditions prevailing in 1982. The law should be reviewed to ensure the equitable treatment of all citizens.

18. In general, the Government should ensure freedom of movement for all people in Rakhine State, irrespective of religion, ethnicity, or citizenship status. The freedom of movement and access to services are deeply interlinked, and therefore should be addressed in parallel. All communities should have access to education, health, livelihood opportunities and basic services.

19. The Commission reiterates that the Government should conduct a mapping exercise to identify all existing restrictions on movement in Rakhine, as recommended in the interim report. The mapping should include all formal, informal and social restrictions affecting all communities,

and be conducted at the village and township-level. Following the mapping, the Government should establish a road map for the lifting of restrictions – with clear timelines and milestones. The various steps of this process should be accompanied by well-developed and conflict-sensitive communications strategies to prepare all communities prior to initiation.

20. The Government should introduce measures to prohibit informal restrictions that include, among others, unofficial payments, arbitrary roadblocks, and requirements for the Muslim community to pay for security escorts. Perpetrators should be prosecuted in accordance with the law.

21. Pending the eventual lifting of all above-mentioned movement restrictions, the Government should immediately simplify the travel authorization system to allow movement across townships and outside the state.

22. The police should uphold the rule-of-law and ensure that anyone who obstructs movement – for instance by using violence or threats of violence as a means of preventing movement – is held accountable in accordance with the law.

23. To ensure equality before the law, the Government should undertake a mapping and legal review of all local regulations and orders in Rakhine State which restrict the rights and freedoms of minorities.

25. The Government should cooperate with international partners to ensure that return/relocation is carried out in accordance with international standards, including:

    > All returns or relocations must be voluntary, safe and take place in a dignified manner.

    > The aim should be to facilitate returns to places of origin as a matter of priority, or otherwise respect the choices of the displaced.

    > Ensure that IDPs participate actively in the planning and management of their return, relocation, or local integration.

    > Relocation/local integration should not confine IDPs to sub- standard areas without adequate access to basic services or livelihood – or to areas where the safety and security of the IDPs cannot be ensured.

    > The choice to relocate must not be regarded as a renunciation of the right to return in safety and with dignity to the original place of residence, should that choice become feasible later.

    > IDPs and host communities must be consulted in a thorough and meaningful manner.

Rakhine Advisory Commission Recommendations Referenced in the Roadmap (cont.)

26. In the interim – and without affecting the closure of the IDP camps – the Government should ensure dignified living conditions in camps, including:

    > Improved shelter: Address current overcrowding by building additional/larger longhouses or individual houses in line with international humanitarian standards. When additional land is needed, host communities should be adequately compensated for the use of their land.

    > Improved water and sanitation: Update infrastructure for water, sanitation and hygiene (WASH), particularly for solid waste management.

    > Improved education: Recognise Temporary Learning Spaces (TLS) as formal schools, work with international partners to increase the number of TLS, and support and invest in teacher training, salaries, and teaching learning material.

    > Improved livelihoods: Improve job opportunities for both men and women – thus reducing reliance on international aid – through vocational training and income-generating activities in the camps, and facilitate work outside the camps.

27. The Government of Myanmar should ensure full and unimpeded humanitarian access – for both national and international staff – at all times and to all communities in Rakhine State.

33. The Union Government and the Rakhine State Government should ensure – and publicly state – that all communities in Rakhine have equal access to education, irrespective of religion, ethnicity, race, gender, or citizenship status. The Government should remove movement restrictions that reduce access to education, and reverse discriminatory practices that inhibit students without citizenship from higher education.

38. The Commission reiterates that the Union Government and the Rakhine State Government should ensure – and publicly state – that all communities have equal access to health treatment, irrespective of religion, ethnicity, race, gender, or citizenship status. The authorities should commence the removal of administrative obstacles that impede access to health care. Health facilities should be labelled as “protected zones”, providing a safe environment for those seeking care.

60. The Government of Myanmar should ensure that inter-communal dialogue is held at all levels of society – including township, state and union levels – and conducted in a systematic manner with a clearly stated purpose. The dialogue process should ensure grassroots participation, and include women, youth, minorities and civil society. Dialogue within communities should also be facilitated.

61. The Government of Myanmar should empower local Township Administrators in Rakhine to play a key role in facilitating dialogue by including this within the scope of their terms of reference, and by providing training on dialogue and mediation techniques. Rakhine and Muslim community leaders should also be provided with training in mediation and be exposed to lessons and best practices.

62. To support the reconciliation process, the Government should initiate activities that help create an environment conducive for dialogue. These may include:

    > Providing opportunities for Muslims and Rakhine to engage informally through joint activities, such as vocational training, infrastructure projects, or cultural events.

    > Fostering tolerance through cultural mediums, civic education, and awareness-raising activities to dispel misinformation about religion.

    > Establishing joint youth centres in areas accessible to both communities, which should promote joint activities such as sports, music, and arts.

63. The Government should actively combat all forms of hate speech, in particular when directed at ethnic or religious minorities. The Government is the guarantor of civic peace and should ensure that Myanmar has a robust legal framework to this end, and forcefully prosecute those who incite ethnic or religious hatred.

66. The Government of Myanmar should take steps to improve the monitoring of the performance of security forces. One essential step is to ensure that all security personnel wear a visible name badge and identification number, which has become standard practice in modern policing around the world. Another step would be to install CCTV at all checkpoints in Rakhine to ensure that all security personnel respect the dignity of the members of the public, and do not abuse their power through extortion and/or violence. It will be essential to require all footage to be kept available for inspection.

67. To maintain the high standards expected of the security forces, the Government should establish a permanent mechanism for performance inspection. To harness the power of transparency, such a body should be constituted by a diverse group of experts (including from outside the security forces), and report to the public.

68. The Government should establish a national complaint mechanism, through which individuals may seek redress in cases of abuse or neglect by security personnel. The body should be independent of the Government and report its findings publicly.

ENDNOTES

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211 IRI telephone interview with R.MRG.02, Yangon, Myanmar, 12 September 2019.

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218 IRI telephone interview with R.MRG.04, Yangon, Myanmar, 13 September 2019.

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223 IRI telephone interview with R.MYB.04, Yangon, Myanmar, 16 September 2019.

224 IRI telephone interview with R.SMW.02, Yangon, Myanmar, 17 September 2019.

225 IRI telephone interview with FT.ROH.MBN.01, Sittwe, Rakhine State, Myanmar, 16 December 2019.

226 IRI telephone interview with R.MIN.04, Yangon, Myanmar, 15 November 2019.

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251 IRI telephone interview with FT.ROH.AMG.04, Sittwe, Rakhine State, Myanmar, 15 October 2019.
252 IRI telephone interview with RSP P9, Yangon, Myanmar, 3 June 2019.
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261 IRI telephone with interview with RSP P6, Yangon, Myanmar, 4 June 2019.
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290 IRI telephone interview with FT.ROH.AMG.02, Sittwe, Rakhine State, Myanmar, 9 October 2019.

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292 IRI telephone interview with R.BTD.02, Yangon, Myanmar, 10 September 2019.

293 IRI telephone interview with R.MYB.05, Yangon, Myanmar, 23 September 2019.

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301 IRI telephone interview with R.MYB.03, Yangon, Myanmar, 11 September 2019.

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303 IRI telephone interview with R.NDN.04, Yangon, Myanmar, 19 September 2019.

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320 IRI telephone interview with R.MIN.01, Yangon, Myanmar, 14 November 2019.

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324 IRI telephone interview with R.NDN.03, Yangon, Myanmar, 19 September 2019.

325 IRI telephone interview with FT.ROH.AMG.01, Sittwe, Rakhine State, Myanmar, 8 October 2019, and IRI telephone interviews with R.AMG.02 and R.AMG.04, Yangon, Myanmar, 12 and 23 September 2019.
326 IRI telephone interview with R.AMG.02, Yangon, Myanmar, 12 September 2019.
327 IRI telephone interview with FT.ROH.AMG.01, Sittwe, Rakhine State, Myanmar, 8 October 2019.
328 IRI telephone interview with R.AMG.04, Yangon, Myanmar, 23 September 2019.
329 IRI interview with FP_KII_01, Sittwe, Rakhine State, Myanmar, 17 June 2019.
330 IRI interview with FT.ROH.BMY.04, Sittwe, Rakhine State, Myanmar, 17 September 2019.
331 IRI telephone interview with R.HND.04, Yangon, Myanmar, 24 September 2019.
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351 IRI telephone interview with RSP P8, Yangon, Myanmar, 4 June 2019.
352 IRI telephone interview with R.MYB.01, Yangon, Myanmar, 10 September 2019.
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354 IRI telephone interview with FT.RAH.BTD.02, Sittwe, Rakhine State, Myanmar, 7 January 2020.
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358 IRI telephone interviews with FT.ROH.AMG.01 and R.MIN.02, Sittwe and Yangon Myanmar, 8 October – 14 November 2019.
359 IRI telephone interview with R.HND.01, Yangon, Myanmar, 12 September 2019.
360 IRI telephone interview with FT.ROH.AMG.04, Sittwe, Rakhine State, Myanmar, 15 October 2019.
361 IRI interview with FT.ROH.BMY.01, Sittwe, Rakhine State, Myanmar, 16 September 2019, and IRI telephone interview with R.TDW.03, Yangon, Myanmar, 18 September 2019.
362 IRI telephone interview with R.TDW.03, Yangon, Myanmar, 18 September 2019.
363 IRI telephone interviews with FT.ROH.MBN.02 and FT.ROH.MBN.03, Sittwe, Rakhine State, Myanmar, 17–18 December 2019.
364 IRI telephone interview with FT.ROH.MBN.03, Sittwe, Rakhine State, Myanmar, 18 December 2019.
365 IRI telephone interview with R.NDN.01, Yangon, Myanmar, 13 September 2019.

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376 Given the significant parallels that exist between Kaman and Rohingya communities, it is worth distinguishing why Rohingya face additional targeted discrimination. Both communities suffer from anti-Muslim discrimination and often lack documentation, and Kaman communities in central Rakhine have similarly suffered prolonged interment in camps alongside Rohingya. As members of an officially recognised ethnicity, Kaman should be entitled to citizenship; that so many have difficulty in obtaining documentation is a symptom of a deeper vein of Islamophobic prejudice that affects Muslims throughout Myanmar. Nevertheless, evidence from this report suggests that movement restrictions are significantly more relaxed for Kaman communities than they are for Rohingya, with Kaman living in southern Rakhine stating that there were few administrative restrictions on their movement. Kaman are also generally more likely to have citizenship or the necessary documentation to apply for citizenship and are not required to register as Bengali on their citizenship applications. The vast difference in size between the Rohingya and Kaman populations (approximately 1.5–1.6 million Rohingya in Myanmar and Bangladesh compared with an estimated 45,000 Kaman in Myanmar) suggests that as a relatively small Muslim population, Kaman suffer to a large degree because of their perceived religious and cultural proximity with Rohingya rather than any targeted discrimination of the Kaman community itself.

377 With the exception of individuals travelling between Maungdaw and Buthidaung who are required to obtain an NVC, not a Form 4.

378 See ***Section V: Community Experiences of Formal Movement Restrictions***.

IRI

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