

WHAT COULD CHANGING CONFLICT DYNAMICS MEAN FOR THE RISK OF MASS ATROCITIES IN BURMA?

Conflict Scenario Discussion

SUMMARY REPORT APRIL 2024



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COVER: Internally displaced Rohingya in a camp near Sittwe, Rakhine State, Burma. *Courtesy of Paula Bronstein Getty Images Reportage for the US Holocaust Memorial Museum Photo.*

List of Acronyms

AA	Arakan Army
ERO	Ethnic Revolutionary Organization
NUG	National Unity Government
PDF	People's Defense Force
SAC	State Administration Council
UN	United Nations
USAID	United States Agency for International Development

INTRODUCTION

In March 2024, the United States Holocaust Memorial Museum's Simon-Skjodt Center for the Prevention of Genocide hosted a private roundtable discussion on potential conflict scenarios in Burma/Myanmar. The discussion explored plausible trajectories of the conflict over the next six months, and whether these paths may lead to increased risk of mass atrocities for civilians. The convening included researchers, policymakers, and civil society representatives and discussed the following questions:

- What are the plausible scenarios in which the conflict could evolve in the coming six months?
 - What would these changes mean in terms of the mass atrocity risks to civilian populations?
 - Are there specific regions/areas in Burma where civilians may be at especially high risk?
- What particular developments should policymakers monitor?
- What potential resiliencies exist to mitigate growing or changing mass atrocity risks, and what strategies should US policymakers use to support them?
- What are the policy options available to US policymakers?

The discussion took place under the Chatham House rule. This report summarizes key topics from the conversation without attribution.

BACKGROUND

Civilians across Burma are currently suffering from mass atrocities. The Museum's Early Warning Project¹ has identified three ongoing episodes of mass killing in the country:²

- 1) the military junta's killing of civilians suspected of opposing its rule (since the military's coup in February 2021, the military – or State Administration Council (SAC) – has targeted civilians perceived as challenging its authority, killing thousands and arresting tens of thousands);³
- 2) the state-led mass killing against the Rohingya (the State Department determined that the military's attacks on the Rohingya amount to crimes against humanity and genocide);⁴
- 3) and the decades-long episode of state-led mass killing against ethnic minority groups, particularly in the country's east (the UN Independent International Fact-Finding Mission on Myanmar, for example, found evidence of the military's war crimes and crimes against humanity against civilians in Kachin and Shan States).⁵

Mass atrocities committed by the Burmese military have long predated the post-coup conflict.⁶ Since February 2021, the SAC has continued its well known pattern of targeting civilians. As with pre-coup conflicts, many attacks have occurred in ethnic minority areas.⁷ Throughout the conflict, Burma's military has conducted operations against ethnic armed organizations in Karen, Karenni, Chin, Shan, and Kachin states, and the Sagaing and Magway regions⁸ - attacks that often target civilians in these areas.⁹ Renewed fighting in Rakhine State between the military and the Arakan Army (AA) is threatening thousands of civilians, including Rohingya civilians who have suffered genocide and other mass atrocities in recent years.¹⁰ The military routinely engages in collective punishment,¹¹ attacking civilian targets and forcing thousands in minority areas to flee.¹²

PLAUSIBLE SCENARIOS IN WHICH THE CONFLICT COULD EVOLVE IN THE COMING SIX MONTHS AND POTENTIAL RESPONSES

Scenario 1: Opposition groups continue to make battlefield advances and control greater amounts of territory

While participants generally viewed a total military defeat of the SAC as improbable, they presented an alternate scenario in which opposition groups continue to make battlefield advances and control greater amounts of territory as the most likely scenario to occur within the next six months. In this scenario, participants anticipated significant risks to civilians, particularly if the SAC lacks the troops and resources necessary for conventional warfare and instead engages in a terror campaign intended to undermine support for opposition groups. Participants reported increased use of airstrikes against civilian targets by the military, which have inflicted significant harm on civilians.¹³ They also expected that over the next six months, fighting in urban areas will continue to increase, heightening risk to civilians.

Participants identified civilians in Rakhine state, especially Rohingya civilians, as particularly vulnerable given the current conflict dynamics.¹⁴ The AA may attempt to capture Sittwe, the capital of Rakhine state, in the coming months.¹⁵ If such an offensive occurs, the junta may respond with indiscriminate shelling campaigns, attacking civilian targets in an effort to slow or stop the progress of the AA. There are alarming reports of forced conscription of Rohingya by both the SAC¹⁶ and the AA.¹⁷

If opposition groups continue to make military gains, participants expected that opposition groups would also continue to influence local governance structures. In Chin state for example, where representatives ratified the Chinland Constitution and established the Chinland Council in December 2023, various Chinland Defense Forces are gaining control of township level administration.¹⁸ Participants shared how the groups are establishing essential services, including judicial systems. In Karenni State, for example, local governance structures are steadily consolidating. Exercising local governing authority in a proper manner will require time and external assistance. Participants emphasized that the emergence or strengthening of regional governance structures does not necessarily indicate a problematic fragmentation of the nation and could prompt new conversations about a future federated union of Burma. Participants encouraged the international community to support different entities as they discuss the groundwork for a federated union, as whether local governance structures are strong, responsive, and respect human rights will determine if they mitigate or increase potential risks to civilians.

In this scenario, the status of the Bamar population, and the extent to which they are willing to share political power with other ethnic groups, may indicate whether the trend towards federalism is sustainable. Participants shared that while discussions on federalism are happening, these discussions are dominated by the National Unity Government (NUG) or the National League for Democracy; other actors in the country are pushing for more inclusive discussions.

In general, the fragmentation versus the unity of resistance groups may determine the level of stability offered in this scenario.

Scenario 2: Neither SAC nor opposition groups make significant gains, and each continues to control territory.

Participants discussed scenarios involving both the SAC and resistance groups controlling territory, with neither making significant gains on the battlefield. Participants discussed in particular the possibility of a ceasefire and generally agreed that, because the public is unlikely to stop resisting until the SAC is no longer

in power, the conflict would likely persist. Any ceasefire, unlikely as it may be, would be temporary and/or limited in geography.

Participants suggested that conflict may cease in parts of the country but continue elsewhere. For example, if the AA is successful in gaining control of all of Rakhine State, they may choose to stop fighting and the SAC may not have the resources to continue its assaults in that region.

Participants stated that an end to fighting, if limited to only certain areas of the country, would not necessarily serve broader peacebuilding goals as the SAC would then be able to consolidate military power in other areas of the country, placing civilians in those areas at greater risk of mass atrocities.

Participants concluded that the international community should not push for a ceasefire at this time and that the timing of any cessation should be determined by Ethnic Revolutionary Organizations (EROs) and People's Defense Forces (PDFs).

Participants urged the international community to focus on supporting emerging pockets of effective governance throughout the country, ensuring they are functional and able to adequately protect human rights. Participants reported that many PDFs have expressed support for a civilian-led government and vowed to disband once the military is unseated. They urged the international community, specifically the United States, to engage with these organizations and begin planning for future governance.

Scenario 3: The SAC militarily defeats the opposition, or makes significant battlefield advances.

This scenario was described as follows in a pre-discussion paper, but participants did not address it as a likely scenario. If, under this scenario, the SAC makes battlefield gains, it may be through its use of scorched earth tactics.¹⁹ A military victory in terms of control over more territory in the country may also mean ongoing mass atrocities committed by military forces against those perceived to oppose them. Experts consulted indicated that even in areas under SAC control where there is no active conflict, civilians still face arbitrary arrest, detention, torture, and extrajudicial killing; in the case of SAC victory, these crimes may continue even when fighting ceases. This scenario may also include ongoing conflict in areas where the military would be unable to take full territorial control.

This scenario would be possible if the military continues to have some access to funds and weapons, those in its ranks are unmoved by threats of accountability, and military leadership does not pursue an exit strategy. As some experts note, the military has endured and rebounded from setbacks in the past.²⁰ Historically, the military has also been effective in some conflict zones in instilling fear among civilians through its brutal tactics, thereby hindering sustained effective resistance. The nature of the resistance movement today, and its recent advances, may mean that this general scenario is less likely.

Scenario 4: The state collapses

Participants briefly discussed the possibility of a scenario of total state collapse. Some noted that, as Burma currently has no functioning central government, some form of state collapse has already occurred. Given the minimal discussion of this specific scenario during the convening, its plausibility and implications for mass atrocity risk remain uncertain.

DEVELOPMENTS THAT POLICYMAKERS SHOULD MONITOR

The Vulnerability of the Rohingya

Participants expressed concern about the ongoing vulnerability of the Rohingya. Participants reported uneasiness among the Rohingya population in Rakhine state over the current situation, as both the Rakhine and the SAC participated in the genocide against them. They explained that when Rakhine state was controlled by the SAC, the freedom of movement of Rohingyas was severely restricted. Participants stated that, in the past, AA leadership has indicated that Rohingya refugees would be allowed to return to Rakhine. However, it is unclear if this is possible as the AA has allowed the area to be repopulated. Participants urged the international community to consider how Rohingya refugees, nearly one million people, will be impacted in any scenario.²¹

Participants emphasized the vulnerability of the Rohingya, noting that online hate speech has been targeting the Rohingya.²² Participants reported that, as conflict intensifies around Sittwe, many civil society organizations have fled to other AA controlled areas or other parts of the country. These organizations were the backbone of aid delivery to IDPs, both Rakhine and Rohingya, and in their absence it is unclear how aid will reach these communities. Participants emphasized that both the SAC and AA have harmed Rohingya civilians in the ongoing conflict—villages have been used as battlegrounds and the SAC has conducted indiscriminate shelling campaigns in the region. Additionally, participants shared that Rohingya in Rakhine state have been targeted for forced recruitment by the SAC under the enforcement of the conscription law.²³ Rohingya have also faced intense pressure from the AA to join their forces.²⁴

Possibility of Interethnic Conflict

In areas not controlled by the SAC, the severity and nature of mass atrocity risks facing civilians may depend on the extent to which there is interethnic conflict. Whether resistance groups remain united, support a federal system, and respect the protection and rights of communities beyond their own constituents may determine the prospect of targeted violence against civilians in these areas in the future. Participants noted that the SAC would try to weaponize or take advantage of any interethnic conflict; the SAC's forced conscription of Rohingya to fight the AA, mentioned above, is but one example.²⁵

Regional Considerations

Participants provided insight into the concerns of countries neighboring Burma. They reported that regional actors are becoming anxious about further fragmentation in Burma and the so-called “collapse of the center.” Participants stated that the former central government in many ways has already collapsed and cannot easily be rebuilt, but they acknowledged that grassroots governance initiatives do not resonate with regional actors. Participants encouraged resistance groups to work collectively to form a coherent policy that addresses these concerns.

Participants described the Thai initiative for cross-border assistance as an attempt to rebuild “the center” and acknowledged that it is likely supported by other regional actors.²⁶ Participants expressed concern that Thailand's initiative would empower the SAC to manipulate access to humanitarian assistance. Participants noted that many in Burma's civil society will welcome Thailand's initiative as it seems to advance the delivery of aid necessary for assisting vulnerable populations; however, if the approach strengthens the SAC by conferring legitimacy, those same populations may be threatened. They stated that, though there are many questions regarding implementation of this initiative, the international community should give Thailand the opportunity to positively shift policy while keeping in mind the concern about legitimizing the SAC.

POTENTIAL RESILIENCIES TO MITIGATE GROWING OR CHANGING MASS ATROCITY RISKS

Rohingya/Rakhine Connections

Participants identified several points of resilience for the Rohingya. They reported that youth organizations generally have taken a more inclusive approach to the Rohingya. Rakhine and Rohingya student groups, for example, have strong ties to one another. They urged the international community to support these efforts. Participants emphasized that any solutions must come from the Rohingya and Rakhine communities. They encouraged the United States to engage with civil society organizations in both communities to facilitate dialogue that decreases interethnic tension and mitigate risk of mass atrocities. Additionally, participants highlighted the importance of cross-border support to civil society organizations between groups in Rakhine State and those in refugee camps in Bangladesh as an opportunity to build resilience.

Civil Society Organizations

Participants emphasized the work of civil society organizations in Burma. These organizations are facilitating interethnic dialogue and delivering services to impacted communities. Participants noted that civil society organizations in SAC-controlled areas need additional support, particularly legal support to respond to frequent detentions and extrajudicial killings. Participants called for the US to engage more deeply with civil society organizations and to invest in their work as a way of building resilience within communities and protecting vulnerable populations.

POLICY OPTIONS FOR THE UNITED STATES

Participants identified multiple approaches for the US government and others to help protect civilians at risk of mass atrocities. Participants noted that their suggestions are in accordance with the Burma Act.²⁷ The Act emphasizes atrocity prevention and support for early warning systems, which participants viewed as particularly important given the expected increase of junta attacks in resistance-controlled areas.

Degrading the SAC's Capacity to Harm Civilians

Participants discussed additional areas for US funding and programmatic support to prevent and mitigate atrocities. As the Burmese military faces record levels of defection and low morale, participants encouraged the United States to establish programs related to demilitarization and defection.²⁸ They described this approach as seizing an opportunity to erode the military's capacity to commit mass atrocities. Participants also suggested supplying communications equipment as an impactful prevention priority, and urged more support for demining and mine identification projects.

Expanding Humanitarian Assistance

Humanitarian assistance is a significant component of USAID's Burma portfolio, the vast majority of which is cash assistance.²⁹ This is supported by agriculture projects intended to address civilian needs by ensuring food and products are available at markets.³⁰ USAID has developed a three year democracy and governance strategy that emphasizes resistance, representation, and responsiveness.³¹ These programs reduce harms associated with ongoing crimes and mitigate future mass atrocities by instituting reforms that support human rights and international norms.

Participants shared requests from partners from Burma that the US provide additional humanitarian assistance funds to local leaders and civil society organizations administering to the needs of the people, as these groups are better positioned to reach impacted communities. This would enable actors and organizations to demonstrate their capability in democratically delivering for their constituents, building trust within their community. In particular, participants suggested greater US support for resistance governance structures, which would assist in aid delivery as well as other necessary services and protection for civilians. Participants encouraged the US to improve coordination and dialogue among various EROs, civil society organizations, and political entities.

Avoiding Fragmentation Among the Resistance

Participants emphasized the importance of cohesion building among the resistance. They urged the United States to avoid actions that cause fragmentation, including requests that groups engage with the SAC or its affiliates. Fragmentation may lead to interethnic conflict, or encourage EROs to only advance the rights and protections of their immediate constituents and not other groups. Participants acknowledged inter-resistance conflict as a significant challenge but emphasized that a critical mass of actors are operating in good faith and pursuing a transformation of the Burmese political paradigm. Research conducted over the past two years indicates that the public is experiencing historic levels of national solidarity, suggesting that despite some political elites and EROs pursuing their own interests, the public is united behind a vision of political transformation.³²

Supporting Inclusion Among Emerging Leaders

Participants emphasized the importance of including marginalized groups in discussions about the future of the country. They reported that women of all ethnic groups are often overlooked and excluded from leadership. Participants called for programming that ensures the voices of women and others who have traditionally been excluded from decision making processes are heard and protected.

Participants named generational differences as a potential obstacle to future cohesion. They noted that the younger generation of leaders is often more progressive and has a more inclusive approach to political and social issues than older generations who, especially among EROs and the NUG, tend to be more conservative. Participants recommended the international community support strong cross-generation communication efforts and the intentional inclusion of youth, particularly Rohingya youth, in dialogue. An inclusive next generation of leadership may reduce the risk of interethnic violence and be a bulwark against mass atrocities in the future.

ENDNOTES

¹ The Early Warning Project’s Statistical Risk Assessment uses publicly available data and statistical modeling to produce a list of countries ranked by their estimated risk of experiencing a new episode, or onset, of mass killing. This report aims to help identify countries where preventive actions may be needed.

² By our definition, a mass killing occurs when the deliberate actions of armed groups in a particular country (including but not limited to state security forces, rebel armies, and other militias) result in the deaths of at least 1,000 noncombatant civilians in that country over a period of one year or less. According to the definition, the civilians must also have been targeted for being part of a specific group. Mass killing is a subset of “mass atrocities,” which we define more generally as “large-scale, systematic violence against civilian populations.”

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¹⁴ San Thai Shin, “Rohingya trapped in the middle of Myanmar’s escalating conflict,” The New Humanitarian, March 19, 2024, <https://www.thenewhumanitarian.org/analysis/2024/03/19/rohingya-trapped-middle-myanmars-escalating-conflict>.

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