

Inaccuracies of Fact and History in Gert Rosenthal's Inquiry into the Involvement of the United Nations in Myanmar from 2010 to 2018

In his [Report dated 29 May 2019](#) on the recent Involvement of the United Nations in Myanmar former Guatemalan Foreign Minister Gert Rosenthal says that “he was advised that his lack of specific knowledge or presence in the country might be construed as an asset, given the importance that was assigned by the Secretary-General to an **impartial** [emphasis in text] and independent review.....”. One unfortunate result of this acknowledged lack of experience is that his introductory presentation reflects not only an uncritical acceptance of regime ideology on ethnicity (“135 national races”), but also Rohingya lobbying on their historical origins (“several centuries”) and an activist interpretation of events (“massacre of around 40 Rohingya”). His introductory presentation is accordingly not what I can describe as authoritative and I regret the unwitting public endorsement of myth as reality. This should not however detract from the competence and incisiveness of his commendable recommendations, which the Secretary-General has already accepted without reservation.

Here, for the record, are samples of inaccuracies of fact and history in the Report:

1. Page 4: “...colonial heritage from 1824 (British Burma) to 1948 (Independence)...”. The term “British Burma” was first used, not in 1824, but in 1862 when Arthur Phayre became Chief Commissioner of territories captured during the First and Second Anglo-Burmese Wars and amalgamated into what was called “British Burma”, to distinguish the new Province of India from the rump of the Burman Empire still governed by the Burmese King. Until 1862, Arakan was administered as part of the Bengal Presidency.
2. Page 4: “135 recognized ethnic groups (classified under eight major national ethnic races...”. Myanmar (alone) currently recognizes **135 national races** classified under **eight main ethnic groups**. In the wake of the 2014 Census this arbitrary classification is known to be undergoing re-examination as it contains so many anomalies and inconsistencies. Myanmar is well aware of the need for a reappraisal.
3. Page 4: “...the central role that the Tatmadaw, Myanmar’s army, has played since 1962...”. The Tatmadaw was politically powerful before the coup of 1962 (and the quasi-coup of 1958) and enjoyed virtual independence of budget and operation under U Nu’s administrations since independence in 1948.
4. Page 4: “...ethnic strife revolves around the Muslim minorities...”. The phrase “Muslim minorities” attributes a separate ethnicity to many who insist they are Bamar by race but Muslim only by religion. They say they are “Bamar who happen to be Muslim”. Hence the term “Burmese Muslims” approved in 1941.
5. Page 6: “...population (estimated at approximately 1.4 million people in 2014)...”. An estimated 1,090,000 people in Rakhine State at the time of the 2014 Census declined to be enumerated because they could not register as “Rohingya”. I do not know the source for “1.4 million people”. None is given.
6. Page 7: “...despite the latter [Rohingya] being able to trace their presence in Myanmar back several centuries...”. Very few Rohingya, even if they had the documentation, could trace their presence in Myanmar “back several centuries”. The majority are descended from British-era migrants from the Chittagong region who were known to the British as “Chittagonians”. None of these migrants ever called

themselves “Rohingya” and their descendants only started to call themselves “Rohingya” in recent years, which may be understood if we accept that “Rohingya” simply means “Arakaner”.

7. Page 7: “...the Rohingya are denied citizenship under the 1982 nationality law rendering them stateless since then.” The 1982 Citizenship Law was in fact primarily intended, as [General Ne Win noted in his presentation on 8 October 1982](#), to resolve the issue of “guests” who had settled in Burma. Article 6 of the Law stated that no one would lose their citizenship if this was already held. It was the chicanery of officials in Rakhine State, aided and abetted by the central government, which has made Rohingya resident in the State *de facto* stateless, but generally not elsewhere in Burma.
8. Page 7: “Controversial legislation such as the four laws known collectively as the ‘Race and Religious Protection Laws’...”. The monk U Wirathu of Ma Ba Tha fame is currently reported to be a fugitive from justice, while the four race and religion laws he promoted lie virtually moribund on the statute book. One law, designed to promote monogamy, has so far been invoked only by Buddhist spouses (men and women) against their errant partners, not against polygamous Muslims.
9. Page 7: “...the assault of a Buddhist woman by a Muslim man...” in 2012 was established as the murder of a Buddhist woman by three Kaman (not Rohingya), one of whom was a Buddhist orphan adopted by a Kaman family. All three were convicted of the murder, and the Buddhist orphan Thet Thet died in custody.
10. Page 8: “Another serious incident occurred in January 2014 in northern Rakhine involving the death of a policeman...massacre of around 40 Rohingya...whether 40 or fewer victims, there is enough evidence that there was a violent reprisal...”. There were two serious incidents at [Du Chee Yar Tan reported in January 2014](#) by UN Human Rights Commissioner Navi Pillay. It later emerged that the alleged murder of 8 Rohingya on 9 January 2014 never happened, while the “massacre of around 40 Rohingya” a few days later was a grossly exaggerated report. MSF may well have treated some 22 Rohingya for injuries, but not a single fatality has ever been established, apart from the murder of a Police Sergeant.

One final point. On Page 17 the report says that: “It was not until 2006 that China reluctantly agreed to include in the agenda of the [Security] Council an item on ‘The situation in Myanmar’ due to the deteriorating conditions in the country detected by the then-Special Adviser”. This is not correct. China voted against the proposed inclusion of this agenda item at the Security Council Meeting on 15 September 2006 along with Russia, Qatar and Congo, but as this was a procedural matter, neither China nor Russia could use their veto to prevent discussion. China did not acquiesce in discussion of the item. China and Russia have since blocked all action in the Security Council.

As the poet Thomas Grey has written: “Where ignorance is bliss, ‘tis folly to be wise”. I hope that ignorance is not to become a *sine qua non* of selection for international engagement with Myanmar. The general disregard of the historical context is a deplorable feature of most discussion on Myanmar in international fora and may explain why the international community consistently fails to propose creative solutions to Myanmar’s problems.

Derek Tonkin
20 June 2019