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Critical Reflection

Following the Myanmar Roundtable jointly organized
by swisspeace/KOFF and the Federal Department of
Foreign Affairs of June 17, 2013 on

Presentation of the Report of the Inquiry Commission on the Sectarian Violence in Rakhine State

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August 2013

INTRODUCTION

On August 17th 2012 Myanmar's President Thein Sein established an investigative commission to inquire into the causes, nature and possible responses to the communal violence that rocked the country's northwestern Rakhine State in June and October 2012. Half a year later, on the 8th of April 2013, the Inquiry Commission on the Sectarian Violence in Rakhine State released its findings and recommendations in a publicly-available report.¹

Despite the considerable attention that the international community has been directing towards the violence in Rakhine State, the Commission's report received scant coverage in Western media. Partly in response to this oversight, on June 17th 2013 swisspeace and the

Swiss Federal Department of Foreign Affairs (FDFA) invited Professor Kyaw Yin Hlaing of the Myanmar Peace Center (MPC) and former Secretary of the Inquiry Commission to present the key findings and recommendations of the Commission's report. In a roundtable that brought together representatives of Swiss-based governmental and civil society organizations, Professor Kyaw Yin Hlaing (on telephone from Myanmar) described the process through which the Commission was set up, the way in which it carried out its investigation, and the recommendations it presented to President Thein Sein's cabinet. Professor Kyaw Yin Hlaing's presentation was followed by an open discussion session as well as by comments from Ms. Claudine Haenni Dale, the Swiss FDFA's Human Security Advisor based in Myanmar.

Although the report has been criticized by several human rights organizations for misrepresenting the situation in Rakhine State², the Swiss FDFA

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¹ The original report was available in Burmese. An English translation of the Executive Summary was made public on the 29th of April 2013. An English version of the report was released in July 2013.

² See, for example, Amnesty International Statement, April 30, 2013, accessed at:

<http://www.amnesty.org/en/news/myanmar-government-report-will-not-stop-cycle-buddhist-muslim-violence-2013-04-30>

and swisspeace considered it important to provide a space in which to discuss the Commission's work, the report's findings as well as the concerns they have raised. Despite its flaws – many of which were openly discussed at the session – the Commission and its report represent the first of their kind in a country which, until recently, was amongst the most secretive and opaque in the world. The Commission thus represents a new effort from the Naypyidaw government in terms of transparency, a development which itself deserves attention from those seeking to support an inclusive and democratic transition in Myanmar. Moreover, as actors committed to dialogue and conflict resolution, swisspeace and the Swiss FDFA consider it necessary to have as wide and varied a discussion as possible in order to nourish the analysis of the still precarious situation in Rakhine State. Understanding the perspectives of pivotal players and constituencies remains an essential part of sound conflict analysis.

Thus, without taking a position on the validity of the report's findings and remaining conscious of the fact that this report was written in a manner conducive to government buy-in for the implementation of its recommendations, this commentary seeks to document some of the key points and discussions raised at the roundtable.³ The first section provides background information on the process through which the Commission was established and the ways through which it carried out its mandate. Following that, the Commission's findings pertaining to the root causes behind the 2012 violence are discussed before taking a closer look at the key recommendations it puts forth to deal with the volatile situation in Rakhine State. Based on the roundtable discussion, the commentary ends with a reflection on the strengths and weaknesses of the report as well as on the opportunities and challenges the Commission and its report now face.

³ The views expressed in this paper do not necessarily represent the opinion of the Swiss government, swisspeace or the CSS/ETH Zurich.

THE RAKHINE COMMISSION OF INQUIRY: A FIRST FOR MYANMAR

Since 2010 Myanmar has set out on a multipronged effort to reform its political and economic systems. Opening up politics after sixty years of military rule, breathing life into a decrepit economy all while seeking to navigate multiple peace processes to end the country's long-running armed ethnic conflicts represents a colossal task for President Thein Sein's government. It also entails major transformations for Myanmar's society. Since June 2012, however, another alarming challenge has come to threaten the fragile transition processes, as what started as communal violence between Rakhine and Rohingya communities in the northwestern state of Rakhine has spread across the country, evolving into a growing Buddhist-Muslim confrontation. Violence has flared up in the central region of Mandalay and northern Shan State. Most recently, violent incidents have even been reported in cosmopolitan Yangon, the commercial hub of Myanmar.

Without doubt, the most severe violence occurred in Rakhine State in June and October 2012. With several hundreds dead and over one-hundred thousand displaced, the only factors keeping further violence at bay seem to be the strict implementation of martial law and the physical segregation of the two most-affected communities: Muslim Rohingya and Buddhist ethnic Rakhines.

Events in Rakhine have also drawn much international attention, with the plight of the stateless Rohingya minority – prime victims of the violence – having become a key cause for concern for international governmental and nongovernmental organizations.

In response to these developments, the Rakhine Commission of Inquiry was established on August 17th 2012 under a Presidential Executive Order. Its key mandate was to investigate the root causes of communal violence in Rakhine State and to recommend measures to prevent further violence and promote communal harmony. Specifically, the Commission was tasked to examine the following eight areas: a) investigate the root causes that led to the disturbances of peace and security; b) verify the

extent of loss of life, property and other collateral damage; c) examine the effort to restore peace and promote law and order; d) outline means to provide relief and implement resettlement programmes; e) develop short- and long-term strategies to reconcile differences; f) establish mutual understanding and promote peaceful coexistence between various religious and ethnic groups; g) advise on the promotion of the rule of law; h) advise on the promotion of social and economic development.⁴

The 27-member Commission was composed of prominent historians, social scientists, legal experts, religious and civil society leaders and businessmen. The commissioners thus represented a broad section of society. Leaders of Muslim communities were also included in the Commission although none among them were Rohingya representatives.

The Commission drafted its report after carrying out extensive survey and archival research on Rakhine State. Commissioners and their research support teams conducted fieldwork during 10 visits to 11 affected townships in Rakhine. On those fieldtrips, the teams collected reports and information from a wide range of people, including civil servants, religious and civil society leaders, business owners and the public. The teams also conducted focus groups discussions and interviews. Altogether, the Commission was able to conduct 2,000 interviews, 1,200 with Buddhist Rakhines and 800 with Rohingya (or what the report terms as “Bengalis”⁵). Data collection was carried out under challenging conditions, namely because of intercommunity tensions and ongoing violence, language obstacles and difficult access to remotely-located communities. In particular, mistrust and resentment among both groups interviewed rendered the Commission’s work difficult. Rakhine interviewees saw the Commission as being, from the outset, biased in

favor of Rohingya. The Commission also reported at times needing the intervention of Muslim or Rohingya leaders from outside of Rakhine in order to be able to interview Rohingya of their choice in Rakhine.

The final report was handed to President Thein Sein on the 8th of April 2013 and made public on the 29th of April 2013. Publication was withheld until after the Buddhist New Year given concerns that the report could negatively stir up emotions among certain sections of the population. This notwithstanding, President Thein Sein welcomed the report and, on the 23rd of March 2013, established the Central Committee for Implementation of Stability and Development in Rakhine State (CCISD). The CCISD is headed by Vice-President Sai Mauk Kham and has been tasked with implementing the report’s recommendations.

MAKING SENSE OF THE VIOLENCE: THE COMMISSION’S ANALYSIS

Rakhine State has an estimated population of 3.83 million comprising several ethnic and religious groups. The two largest groups are the ethnic Rakhine – at approximately 60% of the population – and the Rohingya, comprising roughly 40% of the population. Conflict between these two groups has been at the heart of the violence in Rakhine State, although other, smaller communities have also been affected. According to the Commission report, in order to understand today’s violence we need to look at both the history of Rakhine-Rohingya relations and at new political dynamics unleashed by the opening up of political and public space in Myanmar.

The Commission report argues that mistrust and violence between the majority Rakhine and the minority Rohingya have deep historical roots. The report points to the colonial origins of these tensions as British land and economic policies introduced in the 19th century changed the demographic and economic relations in the State. From this period onwards, large numbers of South Asian laborers and entrepreneurs began settling in Rakhine including, the report maintains, populations today comprising Rohingya communities. The rapid population growth of what Rakhines still consider foreign/

⁴ Inquiry Commission on the Sectarian Violence in Rakhine State: Final Report, Yangon, 29 April 2012, p.12

⁵ Note that the terminology used to refer to the Rohingya is politically charged in Myanmar. The term “Rohingya” is rejected by ethnic Rakhines and the central state as it is associated with granting official or “Taing-Yin-Tha” minority status to this community. The term “Bengali” is instead used as it fits into a narrative in which Rohingya are (illegal) immigrants from the Bengal region in today’s Bangladesh, and would qualify as “Bengali-Myanmar” citizens similarly to “Chinese-Myanmar”, “Indian-Myanmar” and “Nepali-Myanmar” citizens.

immigrant communities, perceived large differences in terms of social norms, traditions and religion as well as the economic success of a few Rohingya entrepreneurs fuelled inter-communal resentment among the Rakhine majority. These sentiments were compounded by the high population density of Rakhine State and associated competition over land.

Tensions came to a head during the tumult of World War II. In 1942 widespread communal violence between Rakhine and Rohingya resulted in heavy losses for both communities. Many people were also forced to leave their homes and settle in other parts of the state. The most serious massacres took place in Northern Rakhine where relations remain the worst to this day. The report goes on to explain how contending narratives and collective traumas of the 1942 violence have been passed down from generation to generation, socializing new generations of Rakhine and Rohingya into hating each other. Mutual distrust and animosity have in turn bred and been deepened by segregated living: beyond some interaction in the market place, there are few instances of social exchange between the two communities. Such segregation has allowed historical animosities and prejudices to endure well after the colonial period.

Between the 1950s and 1970s communal violence was relatively low. Short-lived, unsuccessful episodes of armed Rohingya rebellion during this period primarily served to propagate the belief – still widespread among Rakhines today – that Rohingya seek a separate, Islamic state in Northern Rakhine and that they do so with the support of extremist groups in Pakistan, Bangladesh and elsewhere.

Since the 1970s tensions have been escalating. Rakhine perceptions of rapid Rohingya population growth (purportedly due to high birth rates and illegal immigration) and of increasing Rohingya (informal) acquisition of land are identified in the report as some of the key factors behind deteriorating relations. Anxieties over Rohingya expansionism have been exacerbated by what is perceived as growing Rohingya assertiveness in promoting their identity and rights. In particular, Rohingya demands to be granted the status of *Tang-Yin-Tha* – an officially recognized indigenous group of Myanmar – have generated anger in Rakhine State and beyond.

Against this troubled backdrop, the report identifies Myanmar's recent political opening as a second key factor for understanding the June and October 2012 violence. With the opening of political space, local political and community leaders have been able to stir up community grievances for their own political advantage. The report in particular examines the role of the Rakhine Nationalities Development Party (RNDP) – the largest party in the Rakhine State parliament – in mobilizing Rakhine constituencies through anti-Rohingya and anti-Muslim discourses. This was especially prominent during and after the Myanmar 2010 general elections. The report, however, also flags the response of Muslim leaders (many of whom it claims are not Rohingya) in calling upon Rohingya to act against the Rakhine. Such inflammatory discourses have stoked up grievances and fears leading to violence across the region. Whereas in the past the military state intervened before communal rioting could break out, new political freedoms as well as the state's unwillingness to intervene heavily-handedly have left self-interested political elites free to exploit local fears.

Adding to these two, core explanatory factors – historical animosity and political liberalization – the report also draws attention to the economic underdevelopment of Rakhine State. The State's peripheral location, its lack of infrastructure (and consequent remoteness of certain localities, especially in the north of the State) and the lack of economic opportunities to guarantee sustainable livelihoods have all aggravated tensions between communities. The report places special emphasis on the low educational levels of the local population, pointing to findings on the predominantly low educational background of individuals most often involved in acts of violence. Such individuals, the report concludes, are more easily swayed by opportunistic and extremist political rhetoric.

KEY RECOMMENDATIONS: MOVING BEYOND MARTIAL LAW

Based on its analysis of the key factors behind the 2012 violence and, in particular, what it identifies as the fears and concerns of afflicted communities, the Commission report puts forth a list of recommendations to both address the current situation in Rakhine State and prevent

future outbreaks of violence. The recommendations are grouped into four main clusters relating to security and the rule of law, economic development, humanitarian needs and community reconciliation. Recommendations related to the media – a key catalyzer in violence escalation – are also put forth.

Much emphasis is placed on the need to enforce the rule of law through security-sector, administrative and educational reform. On the security front, the Commission urges the government to maintain a strong military presence in the region (calling for a doubling of forces) for the next six to twelve months. Given ongoing tensions, the likelihood of fresh clashes remains high. Moreover, the report considers that the more ethnically-neutral *Tatmadaw* (Myanmar Armed Forces) is better placed to maintain law and order than the Rakhine-dominated local security forces. Further security-related recommendations include the strengthening of the military's capacities in the region, not least to better secure the border with Bangladesh from where many Rohingya are said to illegally immigrate. This last recommendation highlights the delicate security dynamics with Bangladesh, which have equally influenced the capital's response to violence in Rakhine State. The report also calls for the reform of local security forces including the NaSaKa border security force, a significant recommendation considering the large number of Rohingya allegations of human rights violations committed by the NaSaKa.

Human rights training for local security forces is also part of the Commission's calls for greater respect of human rights, including those of the hundreds of thousands of Rohingya still considered "illegal immigrants" and thus lacking citizenship. In parallel, existing discriminatory policies and practices – which the Commission significantly points out not only affect stateless Rohingya but also several citizens of South Asian descent – are to be eliminated, with the counter-productive effects of family restrictions imposed on Rohingya being particularly criticized.

The report also encourages the government to urgently review its citizenship policies as applied in Rakhine State, recommending it expedite citizenship granting to those Rohingya who "qualify" for citizenship. The report does not, however, call for a review of the restrictive 1982 Citizenship Law.

When it comes to the humanitarian situation, the report's recommendations seek to address overcrowding, access to safe shelter, clean water and sanitation as well as schooling in the IDP camps where hundreds of thousands of Rohingya have sought refuge from the violence.

In addition to longer-term recommendations on economic development and sustainable livelihoods, the Commission stresses the need for concerted efforts towards community reconciliation. It calls for the active involvement of community and religious leaders from both communities, for the establishment of dialogue platforms and for the development of joint-educational programs targeting youth in order to build bridges across the younger generations. The report notes the psychological damage caused by the recent violence on children, flagging as a priority the treatment of trauma so as to inhibit the development of further hatred and fear. To deal with these challenging yet indispensable recommendations, the Commission calls for the establishment of a Task Force composed of moderate leaders from both communities. It also calls for the establishment of a Truth Finding Commission to further investigate the root causes of the community violence.

Finally, the Commission also indirectly makes recommendations to international organizations and NGOs working in Rakhine state. The report flags the widespread, negative view held by many ethnic Rakhines of the international community, seen as discriminating against Rakhines in the distribution of aid and the recruitment of local staff. This perception has further inflamed tensions and rendered humanitarian work difficult. The report thus suggests that international governmental and non-governmental organizations should try to guarantee that as broad a section of the local population views their operations as impartial, independently of whether these operations are indeed impartial or justifiably according differentiated attention based on need.

ROUNDTABLE DISCUSSION: A STEP IN THE RIGHT DIRECTION?

With the Commission's core findings and recommendations as background, this last section seeks to summarize the discussion that

took place among participants at the Swiss FDFA/ swisspeace roundtable. Roundtable participants discussed the strengths and weaknesses of the report as well as the potential opportunities and challenges contained within the Commission's work. Where relevant, this section also brings in other international responses to the Commission's report in order to complement the points raised at the roundtable discussion.

As argued at the roundtable, when discussing the merits and flaws of the report, it should be kept in mind that the Commission remains an official entity established by Presidential decree, thus implying certain constraints. Even though, as it was flagged at the roundtable, the Commission was given full independence to act according to its mandate, and notwithstanding the unexpected choice of Commission members, which included civil society representatives, outspoken critics of the government and several Muslim leaders⁶, the margin of maneuver that such a Commission could have (be it in Myanmar or in other, comparable contexts) carried some limitations.

Many of these limitations were tied to the fact that the current government is not monolithic; not all state actors are in favor of reforms in Rakhine State nor consider interventions to safeguard the life and rights of Rohingya desirable. The Commission consequently had to tread a fine line and engage in delicate balancing acts in order to put forth potentially high-impact recommendations without crossing the boundaries of the socially and politically acceptable. Advancing analyses and recommendations that could upset influential members of state and society would have ultimately been counterproductive. The fact that the report's release was postponed until after the Buddhist New Year due to fears of inflaming passions is itself indicative of the considerations Commission members had to take into account when drafting the report. At the end of the day, the government may have felt it could not be seen as supporting the Rohingya. A key question facing the commissioners was therefore how to write a report that could achieve maximum impact under the present circumstances. The strategy adopted was not to ask for the

impossible, but to ask for what was, for now, possible to achieve.

STRENGTHS

In light of these constraints, the following strengths of the report's content were discussed at the roundtable. First, the report's efforts to document the perceptions, fears and anxieties of violence-afflicted populations were seen as a valuable contribution. To many, the report seems to focus more pronouncedly on Rakhine fears despite the fact that Rohingya were the prime victims of the recent and ongoing violence. Nevertheless, understanding the real and imagined concerns of certain segments of the Rakhine population as well as the discourses used to violently mobilize populations is crucial for the basic conflict analysis, if sustainable formulas for peaceful coexistence are to be found. Some political actors are able to exploit a historical Rakhine sense of victimhood and vulnerability tied to fears of Rohingya expansionism (demographic, cultural/religious and economic). Addressing and transforming such perceptions will be a fundamental step towards overcoming violence. Another, related strength of the report is its recognition of the role of nationalist Rakhine parties and leaders in fomenting violence for their own narrow political interests. Although this could be read as an attempt to apportion blame away from the central government, it is nevertheless significant that ethnic Rakhines are identified as partly responsible for violence in the State.

The recognition, albeit weak, of the detrimental impacts of discriminatory regimes imposed on Rohingya is also noteworthy. In particular, several of the report's recommendations call for the overhaul of discriminatory policies and practices, especially those relating to Rohingya economic activity, travel and decisions related to marriage and family planning. The report in addition recognizes that such regimes have not only impacted non-citizens, but citizens of South-Asian-descent more generally. The question of family planning, with Rohingya families in several Rakhine State townships being restricted to a 2-child ceiling by local authorities, has been particularly controversial. The Commission addresses such policies head-on, explicitly recommending against the imposition of any mandatory measures or restrictions on Rohingya

⁶ Though none from the Rohingya community.

families. Along with non-discrimination, the report encourages the government to review the implementation of its citizenship policies and to expedite the citizenship process for those “Bengalis” who qualify for citizenship. Only as equal citizens, the report argues, can members of Rakhine State’s different communities live peacefully side by side. These recommendations, reinforced by calls to respect the human rights of all individuals in Rakhine state, are by far the most progressive of the report. Such recommendations could certainly have gone further. Nevertheless, they need to be considered against the backdrop of sixty years of repressive military rule. Seen from this perspective, the fact that these recommendations could be made and disseminated signals a certain shift in thinking on behalf of the regime as well as a first step in a more encouraging direction.

Roundtable participants also noted the report’s urgent calls to deal with the IDP crisis which has disproportionately affected Rohingya communities. These recommendations were among the few to be commended by Rohingya rights organizations⁷, a fact that further speaks to their far-reaching nature. At the same time, roundtable participants pointed to continued problems of humanitarian access to Rakhine State. Relatedly, while also welcoming the report’s humanitarian recommendations, the UN Special Rapporteur on Human Rights to Myanmar, Tomas Ojea Quintana, has expressed concern over the danger of IDP camps becoming indefinite settlement areas for Rohingya IDPs currently barred from returning home.⁸

WEAKNESSES

Despite these positive signs, the roundtable discussion also pointed to some weaknesses in the report. In particular, some roundtable participants, especially those with humanitarian experience in western Myanmar, expressed

⁷ See “Joint Statement on the Official Report of the Rakhine (Arakan) Investigation Commission”, May 3, 2013, accessed at:

<http://www.burmapartnership.org/2013/05/joint-statement-on-the-official-report-of-the-rakhine-arakan-investigation-commission/>

⁸ OCHR, “Myanmar/Rakhine Commission: ‘Positive Starting Point but Government Must Address Impunity’”, May 1, 2013, accessed at:

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13280&LangID=E>

concern at the report’s failure to identify decades of systemic, government-led and government-sanctioned discrimination against the Rohingya as one of the key causes behind the violence in Rakhine State.

These concerns echo some of the more serious critiques raised by human rights advocacy groups such as Amnesty International⁹ and the Asian Human Rights Commission¹⁰ in relation to the Commission’s report. These organizations have argued that after decades of discriminatory treatment and the denial of citizenship to Rohingya on the basis of their alleged illegal/foreign status, it should come as no surprise that political liberalization is giving rise to radical anti-Rohingya and anti-Muslim agitation. Human Rights Watch has gone even further by denouncing the June and October 2012 violence in Rakhine State as part of state-led and state-sanctioned “crimes against humanity” and “ethnic cleansing” of Rohingya Muslims in Rakhine state.¹¹

As mentioned in the roundtable, discrimination against the Rohingya is addressed in the analytical section of the report, although this is done timidly, mainly by directly quoting from Rohingya testimonies.¹² The report’s recommendations go on to address these issues more assertively, retroactively identifying them as obstacles to peaceful coexistence and reconciliation. Nevertheless, by underplaying the causal centrality of exclusionary regimes and attitudes, the Commission seems to end up overemphasizing heightened security and rule of law provisions in its recommendations.

Such security recommendations, as argued by the UN’s Tomas Quintana, are especially problematic in light of the report’s omission of any robust recommendations pertaining to impunity and accountability, particularly in relation to the

⁹ See Amnesty International Statement, April 30, 2013, accessed at:

<http://www.amnesty.org/en/news/myanmar-government-report-will-not-stop-cycle-buddhist-muslim-violence-2013-04-30>

¹⁰ See Asian Human Rights Commission Statement, May 23, 2013, accessed at:

<http://www.humanrights.asia/news/alrc-news/human-rights-council/hrc23/ALRC-CWS-23-06-2013>

¹¹ Human Rights Watch, “*All You Can do Is Pray*”. *Crimes Against Humanity and Ethnic Cleansing of Rohingya Muslims in Burma’s Arakan State*, April 2013

¹² See, for example, pp.15-16 and section 5.5.4, p.26 in the English version of the report.

numerous Rohingya allegations of human rights violations committed by state security forces, the *Tatmadaw* included. Without justice and accountability, Quintana argues, it is unlikely that Rohingya will feel (or actually be) better protected under a heavier military presence. Although recommendations for the establishment of a Truth Finding Commission have been welcomed by human rights organizations, these have equally stressed that the report does not go anywhere near enough to adequately addressing questions of accountability and impunity.

Finally, human rights organizations have criticized the Commission for not calling for the revision of the 1982 Citizenship Law, widely perceived as legally underpinning several discriminatory policies and practices. At the roundtable, the Commission's view that that the vast majority of citizenship issues could be (positively) handled within the current legislative framework and would thus not require the inevitably lengthy and potentially unsuccessful passing of new laws was discussed. Although an important consideration, the report's calls for a review of the citizenship status of "Bengalis" in Rakhine State also stresses that only individuals "eligible for citizenship" would be able to successfully integrate into Myanmar society, with repeated suggestions that Rohingya are somehow too different in terms of religion, customs and traditions from all the indigenous *Taing-Yin-Tha* in the country. These statements suggest that the question of who legitimately belongs to the Myanmar nation remains unresolved, with no recommendations put forth on the need to render Myanmar's national identity more inclusive and multicultural.

OPPORTUNITIES

Notwithstanding these and other shortcomings, it was argued at the roundtable that the Commission's work should not be evaluated solely on the basis of its content but, also, based on the process it involved and the tentative precedent it sets for responding to other incidents of violence and human rights violations in the country.

In particular, the roundtable noted that the Commission and the report represent the first of their kind in Myanmar. They also provide the first official account of what is happening in a region

until now strongly marginalized by the center. Viewed from this perspective, the Commission could potentially act as an interesting first trial that paves the way for improved and more independent investigative commissions addressing other sensitive issues in the country. Such commissions could eventually also open up space for dealing with the past mechanisms that are compatible with the local context and culture.

Moreover, with the support of the Swiss FDFA, the monitoring and data gathering work started by the Commission's field research teams has been maintained. The continued operation of these teams serves as an information transfer mechanism allowing information from the grassroots to rapidly reach the presidency. The Commission's investigative teams could thus be described as a pilot for an early warning system, which could be further developed for Rakhine and other volatile regions. Although by no means perfect, this system is still better than solely relying on security intelligence as has been the case until now. The idea of starting a data management center to analyze problems and future scenarios for Rakhine State are now also being discussed within the presidency.

CHALLENGES

Ultimately, how the Commission is judged will largely depend on its impact. President Thein Sein has welcomed the Commission's recommendations and established the Central Committee for Implementation of Stability and Development in Rakhine State (CCISD) headed by Vice-President Sai Mauk Kham. Thus far, however, implementation has been slow. As mentioned at the roundtable, the government has until now not been successful in reaching out to key people on the ground. Moreover, roundtable participants considered current divergences between the central state and Rakhine-based political actors in terms of their willingness to address issues along the lines recommended in the report. Although there might be some agreement on what needs to be done, few local leaders are willing to take the risk of implementing changes, especially with elections scheduled for 2015. There is very little public support for the Rohingya, especially in Rakhine, and leaders are acutely aware of the political risks inherent in being perceived as pro-Rohingya. In fact, roundtable participants learnt

how some of the Commission's recommendations have been taken out of context and used to legitimize policies that further harm Rohingya rights. An example was the introduction of a 2-child policy for Rohingya families in two townships close to the Bangladeshi border only a week after the release of the report. Officials cited the report's family planning recommendations to legitimize their move, despite the fact that the report expressly discourages such policies. Finally, although these events only took place after the Swiss FDFA/swisspeace roundtable, recent threats by influential Buddhist monks against politicians who might oppose a draft law on the "Protection of Race and Religion" outlawing marriages between Muslim men and Buddhist women further illustrates the difficulties facing efforts to improve ethnic and religious inclusion in the country. Vice-President Sai Mauk Kham's Committee will have to struggle with all these obstacles.

CONCLUSION: TWO LOGICS OF NATIONHOOD

According to the Commission, the most urgent priority in Rakhine State is community reconciliation. This may also prove to be the greatest challenge. Given the historical deep-rootedness of animosity, the decades of discrimination and human rights violations and the recent spells of virulent violence, reconciling Rakhine and Rohingya communities will prove a formidable task. As a roundtable participant with experience in humanitarian work in Rakhine state put it, the challenge is essentially that of "re-integrating" Rohingya into a society that has never accepted them. Although the report focuses primarily on violence between Rakhines and Rohingya, it itself acknowledges that Rakhine violence and discrimination have also affected Kamans, an officially recognized ethnic group which also practices Islam. Moreover, when President Thein Sein formed the Commission in August 2012, communal violence was still regarded as a "Rakhine problem". As violence spreads across the country, however, it is becoming increasingly clear that communal violence has evolved beyond the Rakhine-Rohingya cleavage. Targets of the more recent and widespread violence have been Muslims more generally, citizens and non-citizens, "indigenous" and "non-indigenous".

In view of these developments, the roundtable ended with a reflection on the possible need for efforts geared towards reconciliation, in Rakhine and elsewhere, to be accompanied by a profound reflection of Myanmar's identity as a nation. To overcome communitarian violence and ongoing armed ethnic strife, Myanmar's citizens may have to consider what vision of a country will allow Myanmar to successfully accommodate multiple languages, religions, traditions and ethnicities. Only then will conflicts over who belongs and who does not belong into the Myanmar nation subside. As one of Asia's most ethnically diverse countries, the choice between a pluralistically conceived Myanmar and one that belongs to a Buddhist (Burmese) majority will be defining for the country's future. Although the Inquiry Commission Report did not go so far as to call for such a discussion, it did open a small space to start reflecting on these questions.

swisspeace

swisspeace is a practice-oriented peace research institute. It carries out research on violent conflicts and their peaceful transformation. The Foundation aims to build up Swiss and international organizations' civilian peacebuilding capacities by providing trainings, space for networking and exchange of experiences. It also shapes political and academic discourses on peace policy issues at the national and international level through publications, workshops and conferences. Swisspeace therefore promotes knowledge transfer between researchers and practitioners. swisspeace was founded in 1988 as the Swiss Peace Foundation in order to promote independent peace research in Switzerland. Today the Foundation employs more than 40 staff members. Its most important donors are the Swiss Federal Department of Foreign Affairs, the Swiss National Science Foundation and the United Nations.

Center for Peacebuilding (KOFF)

The Center of Peacebuilding (KOFF) of the Swiss Peace Foundation swisspeace was founded in 2001 and is funded by the Swiss Federal Department of Foreign Affairs (FDFA) and 45 Swiss nongovernmental organizations. The Center's objective is to strengthen Swiss actors' capacities in civilian peacebuilding by providing information, training and consultancy services. KOFF acts as a networking platform fostering policy dialogue and processes of common learning through roundtables and workshops.

Critical reflections

In its *critical reflection* publications, swisspeace and its guest speakers critically reflect on topics addressed at roundtables. They both make a note of the arguments put forward during the roundtables and carry on the discussion in order to encourage further debates.