

# **REPORTERS WITHOUT BORDERS**

**FOR FREEDOM OF INFORMATION**

## **BURMA**

### **Crisis in Arakan State and New Threats to Freedom of News and Information**

#### **Introduction**

On 28 May 2012, Ma Thida Htwe, a 27-year-old Burmese woman, was raped and killed by a group of men in the town of Kyaukphyu in the western state of Arakan.

A few days after the murder, photographs of the victim were circulated on Facebook. In early June, shots of three men named and identified as the perpetrators of the gang rape were also published. Subsequently, these photos were widely shared on the social network before being published by a Burmese media organization.

News about the crime circulated on the Web before being published and broadcast by the media. The speed with which it spread illustrates the growth in Internet freedom in Burma.

From the start, however, details of the religious and ethnic backgrounds of the victim and the perpetrators have influenced the way this tragic incident has been viewed, with the media highlighting the fact that the victim was a Buddhist Rakhine and the alleged perpetrators were Rohingya Muslims. This has had the effect of heightening ethnic tension, turning the Internet into a virtual battleground.

In this tense atmosphere, a bus carrying 10 passengers identified as Rohingyas was stopped by an angry crowd in the town of Taungup on 3 June. The occupants were killed and two days later photos of their bodies were circulated in the public media. Some even branded them as "Kalar", a pejorative term for Rohingyas and Bengalis living in the west of Burma.

The incident triggered an outbreak of violence. Clashes and vandalism spread throughout the state, including the capital Sittwe. More than 50 people were killed and more than 2,500 houses and religious buildings set on fire, and more than 30,000 people forced to flee their homes.

For the first time since he took office, President Thein Sein declared a state of emergency in Arakan

on 10 June, authorizing troops to take effective control of the region and restore law and order, by force if necessary.

The media coverage of the communal violence, as well as the steps taken by the government in response to the way the events have been reported, represent new threats to freedom of news and information in Burma.

Although the crisis is not yet over and it is too early to draw the necessary conclusions to bring about an improvement, Reporters Without Borders and the Burma Media Association, in a preliminary assessment, are concerned that the news may have been deliberately manipulated, perhaps in a premeditated fashion, in order to fan the current crisis.

### **Foreign media hamstrung by lack of access and partisan sources**

While Burmese news organizations were present in, or were able to get to, the towns where the early clashes took place, including the attack on the Rohingyas on the bus, foreign news agencies only arrived after 8 or 9 June, two days before the state of emergency was declared.

According to one agency journalist who asked to remain anonymous, reporters were in a precarious position and pressure from the local population was so strong that they had to return to Rangoon to be able to file their stories and photographs safely.

“Safety conditions for reporters changed after the state of emergency was declared by the Burmese president on 10 June,” said the regional manager for one agency. Reporters were able to follow the security forces, who tolerated their presence but offered no real protection.

This foreign news agency official added: “Burmese society’s ideological perceptions obviously influenced the Burmese reporters and stringers employed by foreign media. When they were sent into the field, they may on some occasions have allowed themselves to be influenced by their perceptions and thereby affect the quality of the reports they were filing.”

A Burmese from Arakan state told Reporters Without Borders in Paris: “The Burmese services of foreign media organizations are subjected to three types of pressure: from the Burmese authorities with whom they deal directly, from parties, associations or organizations supporting them, and internal pressure stemming from their own teams’ difficulties in distancing themselves from the conflict.

“I am often asked by foreign media organizations to give interviews. But in the case of this conflict, those same organizations have been unwilling to put in writing the information I gave them, although it was first-hand. News organizations have quickly realized that it is a sensitive subject, and some have been forced to ‘moderate’ their coverage.”

The crisis is also a highly sensitive subject outside Burma. On 15 June, troops from the Border Guard Bangladesh prevented journalists from talking to residents of areas where Rohingyas had taken refuge.

Explaining this constraint on access to information, a BGB officer [told the newspaper \*New Age\*](#): “We have been instructed by the foreign ministry to ensure that international organisations and NGOs are not allowed to use the recent incidents to embarrass the government.”

Ten days after the state of emergency was declared and a lull in the violence was repeatedly announced, the Arakan Rohingya Union issued an appeal for the region to be opened to the international media, saying many victims and refugees felt a sense of isolation.



## ARAKAN ROHINGYA UNION

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### **PRESS RELEASE**

#### **Arakan Rohingya Union Calls for Free Media Access**

On behalf of the Rohingya community worldwide, the Arakan Rohingya Union (ARU), calls on the international media to ensure that its reporting of the on-going violence in Arakan (Rakhine) State is balanced, objective, and not subject to the biases of the Burmese media and the Government of Burma (Myanmar). The international media must seek out a wide variety of sources in order to fully understand the situation on the ground in Arakan State. Only by doing so can the international media be credible and independent in its reporting. In this way, the media can play a positive role in bringing the peace to Arakan State.

In this regard, the Government of Burma must give free access to international media outlets in order that they may properly carry out their own independent coverage. Equally, the Government must allow free access to humanitarian and human rights organizations so that they may provide neutral assessments of current conditions.

The ARU calls upon the international community, as well as human rights and humanitarian organizations, to urge President U Thein Sein and the Burmese Government to ensure that independent media has access to all areas in Arakan State immediately.

**Prof. Dr. Wakar Uddin**  
Director General  
Arakan Rohingya Union

## **Attacks on foreign news organizations**

Soon after the start of the crisis, the polarization of a section of the population led to the coverage by some foreign and exile media organizations being questioned. Smear campaigns were launched in the form of public protests and online articles. These often virulent attacks made the job further of reporters and correspondents in the target organizations more difficult.



[Source](#)

Demonstrations against foreign news media were held in front of Rangoon City Hall on 11 June and on 14 June about 20 people gathered outside the British embassy to protest about foreign coverage of the violence in Arakan.

The protesters, who also targeted the organization Burma Campaign UK, accused international news outlets and NGOs of portraying the clashes as a religious conflict. They also favoured the idea that foreign news agencies should support the Rohingyas. These activities heightened the dangers for all reporters in Arakan state.



[Source](#) (4 pictures)

The demonstrators' placards bore such slogans as "International media stop stating this as religious conflict", "Rohingya is not Myanmar ethnicity", "Burma Campaign UK STOP propaganda" and "Respect our sovereignty".

Taking particular issue with the coverage by the *BBC* and the *Democratic Voice of Burma*, which they said was intentionally distorted, they dubbed the two organizations "Bengali Broadcasting Corporation" and "Democratic Voice of Bengali".

In November 2011, the *BBC*, under pressure from Internet users was forced to change a map of Burma that it had published online. It was criticized for not having a photo or representation of the Rakhine ethnic group in Arakan state, while it specified that it had been settled by Rohingyas, illustrated with a photo.





The Rangoon correspondent of the *New York Times*, **Thomas Fuller**, was attacked personally and publicly for a story he wrote on 10 June about the clashes between Rohingyas and Rakhines.

In addition, a malicious online smear campaign was launched against the *Democratic Voice of Burma*, already targeted by demonstrators protesting about foreign coverage of the violence. After publishing several articles on its website and on the Facebook pages of its journalists, the organization received numerous abusive messages by email and in comments on Facebook, including some that were threatening. It was forced to remove many of the comments as a result.

On 9 June, the DVB website -- amongst others -- was the target of a Distributed Denial-of-Service Attack (DDoS) by hackers.



A screen shot of Blink's webpage targeting DVB

According to *DVB*, whose cyber-security expert did an analysis, around 500 Internet users attacked both versions of its website (both the English and Burmese language versions). A group of hackers called Blink claimed responsibility for the attack on their own site and urged other hackers to follow suit, explaining the procedures for participating. Religious slogans could also be read on the site.

## **Government response – control and crackdown**

Unfortunately, in an effort to regulate media coverage and calm the most bellicose Internet users, the government relied above all on threats and reinforcement of its control of the media, returning the newly-expanded media freedoms to the level that existed before the onset of reform in 2011. During a 10 June press briefing covered by the exile newspaper *Irrawaddy*, Rangoon chief minister Myint Swe openly threatened to bring criminal charges against news media “undermining state security or spreading news that could cause disorder” in their coverage of the clashes.

He said they could be prosecuted under Section 5 of the Emergency Provisions Act and Section 505 (b) of the Penal Code. According to Section 5 (j) of the Emergency Provisions Act, actions that “affect the morality or conduct of the public or a group of people in a way that would undermine the security of the union or the restoration of law and order” are punishable by up to seven years in prison or an unspecified fine.

Under Section 505 (b) of the Penal Code, any action “with intent to cause, or which is likely to cause, fear or alarm to the public or to any section of the public whereby any person may be induced to commit an offence against the state or against the public tranquillity” is punishable by up to two years in prison.

Gen. Tint Swe, the head of the Press Scrutiny and Registration Division (PSRD), usually referred to as the press scrutiny board, told the media that all news reports about the violence in Arakan state would have to be submitted to his department before publication, in effect restoring the old system of prior censorship that had virtually ceased to exist since the start of the year.

### ပြန်လည်စာဖတ်ရန်အတွက် စာပေလောကသားများအားလုံးက အပျိုးသားရေကို အခြေခံသောင့်ရွက် ပိုင်စံရေးသားမှု၊ စီးပွားရေးလုပ်ငန်းရှင်များ

နေပြည်တော်၊ ဇူလိုင်လ ၂၁ ရက်  
ပြည်ထောင်စုအတွက် စာပေလောက  
သားများနှင့် ပတ်သက်၍ အချို့သော  
အချက်အလက်များကို အောက်ဖော်ပြပါ  
အတိုင်းဖော်ပြပါမည်။



### ရန်ကင်းတိုင်းဒေသကြီး အစိုးရအဖွဲ့မှ ဒုတိယအကြိမ် သတင်းစာရှင်းလင်းပွဲပြုလုပ်

ရန်ကင်းတိုင်းဒေသကြီး အစိုးရအဖွဲ့၏ ဒုတိယအကြိမ် သတင်းစာရှင်းလင်းပွဲကို (၂၀၁၁ ခုနှစ်၊ ဇူလိုင်လ ၂၁ ရက်) ရက်စွဲများ သတင်းရှုမှန်း ရန်ကင်းတိုင်းဒေသကြီး အစိုးရအဖွဲ့မှ ပြုလုပ်ခဲ့သည်။ သတင်းစာရှင်းလင်းပွဲတွင် အစိုးရအဖွဲ့ဝင်များနှင့် အစိုးရအဖွဲ့မှ သတင်းစာရှင်းလင်းပွဲကို ပါဝင်ခဲ့သည်။



The government lost no time in carrying out its threats. In fact, when the weekly *Snapshot* (*Hlyat Tabyet* in Burmese) published a photo of the rape victim on 9 June, the PSRD suspended its licence indefinitely the same day. *Irrawaddy* quoted *Snapshot* editor **Myat Khine** as saying that the photo had been circulating online for several days before he published it, and that he could not therefore be accused for fuelling the violence.

He added: “It is very clear that nothing has changed and that we are not getting any closer to democracy.”

The government also failed in its duty to inform the public, remaining silent until it finally gave a news conference on 15 June, five days after declaring a state of emergency in Arakan state. It was only then that it provided the media with information about developments in the crisis and about the 6 p.m. to 6 a.m. curfew imposed in some of the region’s cities.

“We cannot write whatever we want,” Maung Wuntha, a well-known writer and journalist and co-founder of the weekly *Pyithu Khit*, told *Reuters*. “We can only write what the press scrutiny board approves (...) and despite that, we were warned,” he added, referring to warnings about the consequences of coverage regarded by the government as harmful.

### Manipulated information?

Several journalists who have followed the crisis from the outset drew Reporters Without Borders’ attention to the possible manipulation of news and information by different interest groups.

In their view, information has been manipulated in an ad hoc or premeditated manner with the apparent aim of achieving an increased role for the military as the only possible guarantor of public order and security, or undermining support for Aung San Suu Kyi, whose absence on an extended European tour has strangely coincided with crisis. “Being forced by media pressure to take a position on the crisis would obviously be damaging for her,” a Burmese journalist said.



While it is unlikely that a crisis of this kind could have been premeditated, several contradictions and unanswered questions require a thorough investigation into the events that triggered the conflict and the roles played by various community organizations and the Burmese military and government.

How the photo of Ma Thida Htwe's lifeless body ended up online is unclear. Some say a person close to the president posted it on their Facebook page and then removed it after it began to circulate. Similarly, the photos of the three rape suspects also circulated very quickly online, prompting some journalists to wonder how the general public could have such rapid access to such sensitive information. The three suspects were arrested on 30 May, just two days after the rape. Their arrest contradicts claims that the mob that lynched the 10 "Rohingyas" in Taungup on 3 June, five days after the rape, thought they were the rapists.

The Kyaukphyu provincial court sentenced two of the three suspects to death on 18 June. According to the government press, the third suspect took his own life on 9 June.

Finally, an analysis of the origin of the IP addresses used in the DDoS attack on the *DVB* site on 9 June showed that at least 75 of them were in Russia or Singapore. In Russia, the attackers were reportedly located in universities in Moscow, Saint Petersburg and Kaluga, all of which have Burmese students (mostly officers from the Burma's military) studying information technology or nuclear engineering. This concerted attack is unlikely to have been a spontaneous response by Burmese Internet users to *DVB*'s coverage.

## Conclusion

Racism, xenophobia and hate messages – do the Burmese media have too much freedom?

Hanna Hindstrom of *Democratic Voice of Burma* thinks that "there is no doubt that the freedom enjoyed by the nascent media has played a key role in intensifying the religious tension." Specifically, the biased way that certain media, those controlled by the State in particular, covered the rape and the lynching and the fact that they reported the ethnic and religious origins of those involved and referred to the Rohingyas as "Kalars" clearly exacerbated the tension.

Reporters Without Borders and the Burma Media Association recognize the importance of the role played by social media, especially Facebook, and by certain Burmese print, broadcast and online media in extending and even amplifying the crisis.

However, the two organizations caution against any use of these events to justify renewed harassment and censorship of the Burmese news media. The Burmese media do not have too much freedom and there are no grounds for renewed enforcement of the repressive laws which the military introduced in 1962 and which are still in effect. The Printers and Publishers Registration Law, the Electronics Act and the press scrutiny board's directives are not viable ways for preventing xenophobic or racist excesses.

The excesses of certain media during the crisis have highlighted the enormous challenges that the Burmese media are facing as they emerge from 50 years of censorship. Rather than repressive measures, what the media really require is self-regulation. Liberalization of the media needs to be accompanied by the development of an appropriate code of conduct, which only journalists can do, not the government.

The Burmese media saw several repressive laws and the military's draconian censorship relaxed during 2011. The media were progressively exempted from prior censorship and, as a result, critical articles and controversial interviews were published during the campaign for the partial parliamentary elections.

Reporters Without Borders and the Burma Media Association believe that the current reinforcement of government control of the media is a mistake. Maintaining it would constitute a very disturbing step backwards.

We point out that the head of the PSRD, Tint Swe, had announced that it would be disbanded at the end of June.

**In the light of this information, Reporters Without Borders and its partner organization, the Burma Media Association, make the following recommendations:**

**To the Burmese government:**

- 1) The threats of criminal sanctions against journalists and restoration of prior censorship constitute a serious danger for democracy and should be rescinded without delay.
- 2) The proportionality of sanctions and the right to information about matters of public interest must be guaranteed.

To this end, the proceedings against the weekly *Snapshot* must be abandoned and the suspension of its publishing licence must be rescinded.

- 3) Burmese and foreign media must be granted access to Arakan state when they request it. The safety of reporters must be guaranteed when they accompany security forces.

Current developments show that freedom of information should no longer be regarded as just the fruit of the country's democratization but as a factor that contributes actively to it.

- 4) A legal framework for the media, including online media, and protective measures for the media must be drafted before the continuation of the economic reforms.

To this end, the draft "media law" that parliament is supposed to discuss on 4 July should be published without delay and should be the subject of consultation with the different Burmese and international civil society organizations before its adoption.

If the proposed press council had already existed, it could have played a decisive role in moderating coverage of the crisis and reminding the media of the rules of professional ethics and conduct and their duty to provide the Burmese public in its entirety with objective and restrained news coverage.

5) The creation of this press council should be transparent and should be carried out with a great deal of care. No affiliation of any kind with the government would be acceptable. The presence of any government official within the council would not be acceptable either.

### **To the Burmese and international media:**

In the absence of a satisfactory legislative framework offering real protection to all the media, in the absence of institutions such as a Press Council, and given the polarization or inexperience of some journalists:

- 1) News organizations must urgently remind their journalists of the requirements of professional ethics and must organize special meetings on covering the crisis.
- 2) Taking account of the varying levels of human and financial resources available to different media, reporters should be given accelerated special training to prepare them for the security problems they could encounter while covering the conflicts in Arakan state.
- 3) The media community needs to close ranks. Rivalry and competition help to create a healthy environment for the media but excessive antagonism may obstruct news coverage and contribute to confusion about what is actually happening on the ground.

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