

<b>Institution:</b> Queen Mary University of London		
<b>Unit of Assessment:</b> 18 Law		
<b>Title of case study:</b> Countdown to Annihilation: Shifting the global discourse on the genocide of the Rohingya		
<b>Period when the underpinning research was undertaken:</b> 2012-2018		
<b>Details of staff conducting the underpinning research from the submitting unit:</b>		
<b>Name(s):</b> Prof Penny Green Dr Thomas MacManus  Alicia de la Cour Venning	<b>Role(s) (e.g. Job title):</b> Chair of Law and Globalisation Research Fellow/Senior Lecturer in State Crime Researcher	<b>Period(s) employed:</b> Sept 2014–Present Sept 2014–Present  Sept 2014-Oct 2015
<b>Period when the impact occurred:</b> Sept 2014-2020		
<b>Is this case study continued from a case study submitted in 2014?</b> N		
<b>1. Summary of the impact</b>		
<p>The impact of Prof Green and Dr MacManus' research derives from analysing and articulating the precise nature of the persecution experienced by the Rohingya at the hands of the Myanmar state. The primary impact of this research has been in the widespread adoption of the term 'genocide' (as opposed to 'ethnic cleansing', or 'intercommunal violence') as the primary descriptor of Myanmar's state crimes against the Rohingya. The main beneficiaries of the research are those making the case for genocide:</p> <ul style="list-style-type: none"> <li>• the UN and international justice mechanisms – specifically Republic of The Gambia legal team at the International Court of Justice (ICJ)</li> <li>• Rohingya civil society and advocacy campaigns</li> <li>• the global mainstream media and</li> <li>• sections of the UK Government.</li> </ul>		
<b>2. Underpinning research</b>		
<p>The International State Crime Initiative (ISCI) is a research centre working to expose, document, explain and resist state crime. For this project, its research team (Prof. Penny Green, principal investigator and lead author of reports; Dr Thomas MacManus, postdoctoral researcher (now Senior Lecturer) who led fieldtrips and co-authored reports; and Alicia de la Cour Venning, researcher and co-author of reports) [3.1, 3.2] conducted two phases of detailed ethnographic fieldwork and undertook, what remains, the only systematic, empirical academic analysis of Myanmar's state crimes against the Rohingya in order to determine whether genocide was taking place.</p> <p>The first phase (mid-October 2014 to mid-February 2015), funded by the ESRC Urgent Grant scheme, was carried out predominantly in central Rakhine State, but also in Yangon and Bangkok (Thailand). The second phase (October-November 2017) was conducted in the Rohingya refugee camps in Bangladesh to where those from Northern Rakhine State had fled <i>en masse</i>.</p> <p>In total, the team conducted over 250 formal interviews with key individuals from perpetrator (Rakhine Buddhist) and victim (Rohingya Muslim) communities, and with local civil society and political actors, before analysing the data using state crime theory. Interviews in the first phase were designed to elicit the experiences and perceptions of both perpetrator and victim communities.</p> <p>The challenges addressed included; (a) Governments and UN bodies were keen to avoid a determination of genocide against the Rohingya, despite the evidence, arguably to exempt themselves from the Genocide Convention's obligations to prevent and punish genocide; and (b) genocide is commonly misrepresented in many popular and legal representations as a spectacularised moment of mass killing, rather than a process.</p>		

Drawing on the theoretical framework of genocide theorist Daniel Feierstein, ISCI measured the persecution of the Rohingya against Feierstein's six stages: (1) stigmatisation (and dehumanisation); (2) harassment, violence and terror; (3) isolation and segregation; (4) systematic weakening; (5) annihilation; and (6) symbolic enactment, involving the removal of all traces of the victim group from the country's collective history. The first phase of the research and analysis [3.1, 3.2, 3.3, 3.4] found that:

- The Myanmar state had engaged in a systematic process of genocide
- The Rohingya had suffered the first four of the six stages of genocide and had also been violently harassed, terrorized and slaughtered.

This led ISCI to argue in October 2015 that the Rohingya were at a serious risk of annihilation. This fear was vindicated in October 2016 and, particularly, in August 2017, when the Myanmar state launched an intense assault on the Rohingya involving mass killings, the razing of over 350 Rohingya villages, mass rapes, enforced starvation, and mass forced evictions. This resulted in over 800,000 Rohingya fleeing Myanmar to Bangladesh in just two months – the world's fastest exodus since the Rwandan genocide.

In response, the ISCI team returned to the Rohingya camps in Bangladesh in October and November 2017. It interviewed 70 Rohingya survivors and humanitarian actors in the field. The information gathered during both research phases is unique in its depth, breadth and texture. As a result of the meticulous data collection and application of theoretical analysis, the research provides strong evidence of genocide against the Rohingya. [3.2]

### 3. References to the research

[3.1] Macmanus, T., Green, P., & De la Cour Venning, A. (2015). *Countdown to annihilation: Genocide in Myanmar*. International State Crime Initiative. <http://gmro.qmul.ac.uk/xmlui/handle/123456789/25375>

[3.2] Green, P., MacManus, T., & de la Cour Venning, A. (2018). Genocide achieved, genocide continues: Myanmar's annihilation of the Rohingya. <http://statecrime.org/data/2018/04/ISCI-Rohingya-Report-II-PUBLISHED-VERSION-revised-compressed.pdf>

[3.3] MacManus, T., Green, P., & de la Cour Venning, A. (2017). Los rohingya del estado de Rakhine (Myanmar): la evolución de un proceso genocida. *Revista de Estudios sobre Genocidio*, 12, 9-33. <http://revistas.untref.edu.ar/index.php/reg/article/view/71>

[3.4] Green, P. (2017). The Challenge of state crime. In Carlen, P. & Ayres Franca, L. (Eds.) *Alternative Criminologist*. Routledge.

#### *Outputs as reference points for further research*

'Countdown to annihilation: Genocide in Myanmar' has been cited 85 times (according to Google Scholar:

<https://scholar.google.com/scholar?oi=bibs&hl=en&cites=2361915450002988609>)

and 'Genocide Achieved, Genocide Continues: Myanmar's Annihilation of the Rohingya' has been cited 16 times

<https://scholar.google.com/scholar?oi=bibs&hl=en&cites=17179000388202803142>)

#### **Evidence of the quality of the research**

[EQR.3.1-3.4] Green, P. [PI]. (2014-2015). Rapid Descent into Genocide in Myanmar [ES/M006786/1]? ESRC. Urgent Mechanism Research Grant. GBP160,504.

[EQR.3.1,3.2] (downloaded by ~7,000 and 1,600 unique IPs respectively: Google analytics)

#### *Independent Recognition of impact by ESRC*

The ISCI project was a finalist in the 2018 ESRC 'Outstanding Impact in Society' competition, which recognised that the 'Research raised worldwide awareness of the persecution of Rohingya Muslims in Myanmar's Rakhine State and highlighted possible stages in a process of genocide'.

<https://esrc.ukri.org/news-events-and-publications/impact-case-studies/research-raised-international-awareness-of-persecution-of-rohingya-muslims-in-myanmar/> [5.4].

#### 4. Details of the impact

The research findings were disseminated through two seminal, evidence-based reports [3.1, 3.2] and intense engagement with the UN, civil society organisations, global media (television, radio, newspaper and documentary film interviews) [5.2], and policy actors, including three UK parliamentary panels and 10 All-Party Parliamentary Groups (APPG) meetings, three UK Foreign and Commonwealth Office Briefings, and five submissions to international and UK government inquiries [5.1].

##### **Influencing the United Nations and informing International Justice**

The UN, its Human Rights Council and other core agencies, refused to make a determination of 'genocide' up to the reporting of the UN Fact Finding Mission (FFM) on Myanmar in 2018.

- a) ISCI's research significantly influenced offices of the UN, which had avoided any 'genocide determination' at first, including Special Rapporteurs see, for e.g. Tomas Ojea Quintana's preface [3.1] and the FFM [5.5, 5.10] to recognise the persecution of the Rohingya as 'genocide'.
- b) The FFM was created to establish the facts of the human rights violations in Rakhine State. The mission briefed the UN Security Council's 8381st meeting on 24 October 2018, reporting that 'genocidal intent can be reasonably inferred'. MacManus and Green delivered a detailed briefing to the FFM panel in London 15 December 2018 and continued to advise them, at their request, throughout their investigation. ISCI's research informed and is cited anonymously in two FFM reports [5.10]. Christopher Sidoti, member of UN FFM, wrote to ISCI:
 

Your team's academic research and your briefing [to] the Fact Finding Mission, in which you provided a clear theoretical framing of genocide, contributed greatly to our deliberations and enabled us to recommend that the individuals heading the Myanmar military should be investigated and prosecuted for genocide against the Rohingya minority [5.5].
- c) Supporting The Gambia's Genocide case against Myanmar - Foley Hoag LLP represented the Republic of The Gambia before the International Court of Justice (ICJ) in a case against Myanmar, alleging violations of its obligations under the Genocide Convention. In consequence of ISCI's analysis of genocide, its expertise was requested by The Gambia's legal team, an MOU was signed, and ISCI has provided access to the evidence it collected for submission to the ICJ [5.11].
- d) Informing the International Criminal Court (ICC) through two pathways to impact: (a) informing the UN FFM [5.10], which directly influences the ICC through recommendations to the UN Security Council; and (b) references in the Amicus Curiae Observations by Guernica 37 submitted to the ICC and referred to as part of the Court's judgement [5.7].

##### **Civil society and advocacy campaigns**

ISCI researchers have supported and influenced Rohingya and Muslim civil society in policy and public advocacy. For example, Tun Khin, President of the Burmese Rohingya Organisation UK (BROUK) [5.9] said that; 'Perhaps most importantly for our advocacy work the research conducted by [ISCI] has given us confidence to talk about the persecution of our people specifically as a genocide' [5.9]. ISCI conducted briefings with (12) NGOs [5.9], contributed to, and edited 10 reports, books and pamphlets, and arranged or participated in 45 workshops/meetings/conferences/panel events, and initiated and submitted to both hearings of the Permanent People's Tribunal [5.9]. NGO leaders have attributed a change in their thinking to the project's work: Prof C R Abrar (Coordinator, Refugee and Migratory Movements Research Unit at University of Dhaka) says: '[your analysis] has been instrumental to my work, including the publishing of a number of articles in Bangladesh's Daily Star, where I refer to the persecution as genocide' [5.9: 2]. Virginia M Moncrieff (Communication with Communities (CwC) Working Group

Coordinator, United Nations) says: '[Countdown to Annihilation report] has deepened my appreciation of what has to be done by the UN to assist and advocate for a traumatized people and of the UN's greater role in negotiating justice for the Rohingya people' [5.9: 4]. Kyaw Win (Executive Director of Burma Human Rights Network (BHRN)) stated that: '[Countdown to Annihilation report] helped us to understand that the persecution of the Rohingya is in fact genocide' [5.9: 5].

### Global Mainstream Media

ISCI researchers engaged extensively with the media to highlight the protracted policy of genocide against the Rohingya [5.3]. For example, the team briefed 50 journalists at BBC World TV and over 150 staff at Médecins Sans Frontières (on 3 occasions in London and Brussels, livestreamed to their international offices) in 2017 and 2019, delivered a keynote to 100 journalists at the Frontline Club and provided numerous outlets with detailed assessments. ISCI's media strategy has generated more than 1,000 media hits, referencing the research, through coverage by over 200 media outlets. As a result, many media organisations including CNN (circulation: 399,000), Nikkei Asian Review (circulation: 3,015,485), LA Times (circulation: 616,606, and TIME began describing the persecution of the Rohingya as 'genocide' and attributed the shift in language in considerable part to ISCI's work. [5.2, 5.3] Sky News Television, who won a BAFTA Award for their Rohingya coverage, said:

The [ISCI] interviews ... formed the backbone of the four-minute piece we compiled, and which ran on Sky News through the day of broadcast Monday 13th November [2017] ... The Prime Minister was moved by our coverage to rewrite her keynote foreign policy speech that evening to devote much of it to the Rohingya crisis and promise of more UK involvement supporting greater international action on the issue.

In the Prime Minister's speech to the Lord Mayor's Banquet that night, Theresa May used the language of genocide when she promised that the UK would 'do everything possible to stop this appalling and inhuman destruction of the Rohingya people' (see

<https://www.gov.uk/government/speeches/pm-speech-to-the-lord-mayors-banquet-2017>) [5.2].

Prominent British journalist, Peter Osborne, said that ISCI's research 'was a major influence in my conceptualisation of the persecution of the Rohingya as genocide and not as ethnic cleansing or anything else' [5.2]. Filmmaker and Academy Award nominee Barbet Schroeder told ISCI that our report prompted him to make *Le Vénérable W.* (2017) (*The Venerable W.*), winner of the Golden Eye at Cannes 2017 [5.2]. The research was also used as evidence to commission Channel 4 Dispatches BAFTA-winning film *Myanmar's Killing Fields*; the Director reported that the film would not have been commissioned without the evidence base provided by ISCI [5.8]. Al Jazeera's film *Genocide Agenda* aims to convey the message that the Rohingya are experiencing a genocide and it featured ISCI research prominently [5.2], as did the Shahida Tulaganova film, *Exiled: The Rohingyas*, which was selected for the 2020 Berlin Human Rights Film Festival.

### UK Government

Despite government avoidance of a genocide determination, ISCI succeeded in changing sections of the UK government toward recognition that the violence against the Rohingya constitutes 'genocide'. In the 5 September 2017 UK parliamentary debate 'Violence in Rakhine State', no MP described the persecution of the Rohingya as genocide. In the 17 October 2017 debate, which followed intensive media and public engagement by ISCI, six MPs used the term 'genocide' [5.6]. Sarah Champion MP, for instance, said: '... [ISCI] has called ethnic cleansing a 'euphemism for genocide'.'

ISCI's October 2015 report [3.1], as outlined in its 2 November 2016 letter to the UK government, put the UK and other governments on notice of the 'serious risk' of genocide. The UK Government response stated the current policy that only international tribunal can make determination of genocide, thereby negating the 'prevention' provision of the Genocide Convention. The November 2017 report of the Foreign Affairs Committee inquiry into Violence in Rakhine State and the UK's response [5.1], to which ISCI submitted written evidence, referenced ISCI seven times. For example, it stated that ISCI's evidence:



[...] was particularly striking, alleging ‘compelling evidence of state-led policies, laws and strategies of genocidal persecution stretching back over 30 years’ and that the Rohingya had been subject to ‘invidious campaigns of race and religious hatred reminiscent of those witnessed in Germany in the 1930s and Rwanda in the early 1990s [5.1, p.10].

This report was presented to the House of Commons on 14 December 2017 and featured prominently in a debate in the Commons on 15 March 2018, and in the Lords on 13 September 2018 [5.1].

## 5. Sources to corroborate the impact

[5.1] [Report] Violence in Rakhine State and the UK’s response - Foreign Affairs Committee - House of Commons Rakhine Violence Foreign Affairs Committee report (see reference 8, p6; last paragraph p10; references 32, 36, 38 p10; reference 55, p14; reference 101, p21; reference 110, p24; and link (on p35) to ‘published written evidence’ – ‘International State Crime Initiative, School of Law, QMUL (BUR0010)’ -

<http://data.parliament.uk/WrittenEvidence/CommitteeEvidence.svc/EvidenceDocument/Foreign%20Affairs/Violence%20in%20Rakhine%20State/written/71714.html>

[5.2] [Testimonials] Global Mainstream Media [Corroborator 1]

[5.3] [Press] Selective Media Contributions

[5.4] [Press] ESRC Outstanding Impact in Society 2018 Finalists: <https://esrc.ukri.org/news-events-and-publications/impact-case-studies/research-raised-international-awareness-of-persecution-of-rohingya-muslims-in-myanmar/>

[5.5] [Testimonial] UN FFM (7 Nov 2018). Former Australian Human Rights Commissioner to the UN and UN Fact Finding Mission member [Corroborator 2]

[5.6] [Debate] House of Commons - The Rohingya and the Myanmar Government - Hansard Volume 629 - 17 October 2017 at Column 779 (<https://hansard.parliament.uk/Commons/2017-10-17/debates/85ADE193-5E40-4798-B15F-F916C81CD87D/TheRohingyaAndTheMyanmarGovernment-B5AD-AC286F0F2476>)

[5.7] [Legal doc] Amicus Curiae Observations by Guernica 37 International Justice Chambers (see notes 111 to 116 (inclusive) on p57 and 58)

[5.8] [Media] Channel 4 Dispatches (UK)/PBS Frontline World (US) film Myanmar’s Killing Fields. Video Interview by ESRC of Evan Williams: <https://youtu.be/2xW6CSHik64?t=110> [Corroborator 3]

[5.9] [Testimonials] Civil Society and Advocacy Campaigns (including Tun Khin (President, BROUK) 29 January 2016; Helen Jarvis (Vice-President of the Permanent People’s Tribunal); and Kyaw Win (Secretary, Burmese Muslim Association) 01 February 2016) [Corroborator 4]

[5.10] [Report] Detailed findings of the [UN] Independent International Fact-Finding Mission on Myanmar

[5.11] [Testimonial] Counsel, Foley Hoag, 13 Oct 2020