



BURMA

Key Findings

Political reforms in Burma have not improved legal protections for religious freedom and have done little to curtail anti-Muslim violence, incitement and discrimination, particularly targeting the Rohingya Muslim minority. Police failed to intervene effectively and the government has taken inadequate steps to address the underlying causes of sectarian violence or hold individuals fully accountable. State-sponsored discrimination and state-condoned violence against Rohingya and Kaman ethnic Muslim minorities also continued, and ethnic minority Christians faced serious abuses during recent military incursions in Kachin state. Based on these systematic, egregious, ongoing violations, USCIRF continues to recommend that Burma be designated as a “country of particular concern,” or CPC, in 2014. The State Department has designated Burma a CPC since 1999.

Background

The Burmese government in the past year took steps welcomed by both the United States and the international community that included releasing political and religious prisoners and allowing increased freedoms for the media and civil society groups. Nevertheless, constitutional changes failed to lift the prohibition on Aung Sang Suu Kyi running for President. The Burmese government was either unable or unwilling to curtail societal actors engaged in abuses against religious minorities or military units engaged in armed conflicts in ethnic minority areas. Ongoing negotiations with ethnic minority groups failed to produce meaningful results and military incursions continued in Kachin state. These issues, along with continued anti-Muslim discrimination and violence, raise questions about whether planned 2015 elections will speed Burma’s democratic trajectory and its integration of ethnic minorities.

Legal reforms are still needed to provide protections for religious and ethnic minorities. Rohingya

Muslims continue to be denied citizenship and face strict controls over their religious activities and family lives, including a new two-child proposal in northern Rakhine (Arakan) state. Reportedly, the military continues to limit religious worship in Kachin state as part of its military operations. Issues of justice remain vital concerns for many religious and ethnic minorities, as military officers who ordered or participated in forced labor, rape, intimidation, killings, and destruction of religious sites continue to escape accountability and, in some cases, are now local political leaders. The government also continues to censor religious publications, prohibits the import of Bibles and Qu’rans in indigenous languages, and retains legal authority to close unregistered Christian churches and seminaries.

Coordinated communal violence against Muslim communities escalated in the past year and spread beyond Rakhine (Arakan) state. Over the past two years, such violence has resulted in over a thousand deaths, the destruction of over ten thousand homes, mosques, and schools, and the displacement of nearly 250,000 people, who often are denied adequate food and medical supplies. An estimated 180,000 Rohingya Muslims continue to live in displacement camps and many are trafficked to Thailand, Malaysia, or Bangladesh, where they face additional discrimination, detention, squalid conditions, and death.

Religious Freedom Conditions 2013–2014 Anti-Muslim Violence

In March 2013 and for several months after, Burma saw the worst spate of anti-Muslim violence in over a decade. Violence and human rights abuses that started against the Rohingya Muslim minority in the town of Meiktila spread to other Muslim communities. The initial violence reportedly was sparked by an argument in a gold shop and the retaliatory killing of a Buddhist monk. Over three days, armed mobs,

including some Buddhist monks, burned more than 1,500 homes, destroyed more than a dozen mosques and three schools, and left more than 100 people dead and several thousand displaced. In April 2013, a Buddhist mob overran the Muslim community of Okkan in Yangon state, burning mosques and homes and killing two people. At least 100 homes were also destroyed in nearby villages of Yadanakon, Panipin, Chaukthe and Thekon. The Okkan riot reportedly began when a Muslim girl accidentally knocked over the alms bowl of a Buddhist monk. In May 2013, violence broke out in Laisho, Shan State after allegations that a Muslim man killed a Buddhist woman. Over two days, mobs burned and looted Muslim shops, homes, and religious sites; at least 1,400 Muslims took shelter at a Buddhist monastery until police and army units restored order.

In August 2013, local Buddhist monks and villagers in Htangan village, in the Sagaing Region, burned down a mosque and Muslim business in retaliation for

reportedly participated in anti-Muslim violence during the past year, no member of the police or other security units were held responsible. Individuals who incited violence against Muslims, including Buddhist monks and leaders of the “969” anti-Muslim movement, also were not held accountable.

The Plight of the Rohingya Muslim Minority

Muslims in Rakhine (Arakan) state, and particularly those of the Rohingya minority group, continue to experience the most severe forms of legal, economic, religious, educational, and social restrictions and discrimination. The government denies citizenship to Rohingyas. Without citizenship, Rohingyas lack access to secondary education in state-run schools, cannot be issued government identification cards (essential to receiving government benefits), and face restrictions on freedoms of religion, association, and movement. In some areas, Muslims were allowed to gather for worship

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a rumored rape of a Buddhist woman by three Muslim men. In October 2013, attacks against ethnic Kaman Muslims in the town of Thandwe left at least six people dead and destroyed an estimated 100 homes. The attacks came the day before President Thein Sein visited the region; authorities arrested several members of a local political party. In January 2014, violence in Du Chee Yar Tan village in the Maungdaw township resulted in over 40 deaths. Reportedly, the violence started when ethnic Rakhine villagers killed eight Rohingya they believed were illegal immigrants from Bangladesh. According to UN sources, Rohingya villagers retaliated by killing a police officer, which resulted in both police and mob attacks on Du Chee Yar Tan.

In April 2013, President Thein Sein warned that continued communal violence threatened Burma’s nascent reform process. During the year, the government did hold a few perpetrators (both Muslims and Buddhists) accountable, including 25 for violence in Meiktila and two for violence in Okkan. However, though police

and religious training only during major Muslim holidays. The government recently ordered the destruction of mosques, religious centers, and schools. In his 2013 report, the UN Special Rapporteur on Human Rights in Burma again reported to the UN Human Rights Council on the systematic and endemic discrimination against the Muslim community.

In the past year, Rohingya asylum seekers have been turned away from Bangladesh and Thailand, including being forcibly pushed back to sea by Thai military forces. Untold numbers have died attempting to seek refuge in third countries. About 300,000 Muslim Rohingya live, often in squalid conditions, in refugee camps in Bangladesh, Thailand, and other Southeast Asian countries, and face discrimination, trafficking, and other hardships.

Abuses Targeting Ethnic Minority Christians

In Kachin and northern Shan states, home to large Christian minority populations, the military conducted

new operations, beginning in January 2013. In Kachin State, an estimated 100,000 civilians remain internally displaced from 2011-2013 conflicts, and despite tentative ceasefires, fighting and abuses against civilians continued throughout the year.

The 2013 report of the UN Special Rapporteur on Human Rights in Burma contains evidence of continued religious freedom abuses in Kachin areas, including the targeting of religious venues in military operations, forced labor of church members, restrictions on building places of worship, destruction of religious venues and artifacts, and prohibitions on some religious ceremonies.

Recommendations for U.S. Policy

Despite progress in other areas, serious problems remain regarding religious freedom and related human rights, and it therefore is premature to lift all economic and other sanctions placed on Burma. U.S. leadership is essential to ensuring the full transition to democratic rule, advancing religious freedom, and establishing the rule of law in Burma. In addition to recommending that the U.S. government maintain the CPC designation for Burma, USCIRF recommends that the U.S. government should:

- Enter into a binding agreement with the government of Burma, as defined in section 405(c) of the International Religious Freedom Act, setting forth commitments the government would undertake to address policies leading to violations of religious freedom, including but not limited to the following:
 - releasing unconditionally all persons detained for the peaceful exercise of religious freedom and related human rights;
 - taking concrete steps to end violence against religious minorities, either by state or non-state actors, by investigating and prosecuting individuals who committed or incited violence;
 - ending policies of discrimination against non-Buddhist religious minorities;
 - and lifting all restrictions inconsistent with international standards on freedom of religion or belief;
- Continue to use the leverage of targeted visa bans and the “specially designated nationals” (SDN) list

by the Treasury Department’s Office of Foreign Asset Control (OFAC) until benchmarks set by the UN Special Rapporteur on Burma and various UN resolutions are fully met;

- Renew the designation under the International Emergency Economic Powers Act (IEEPA) for another year, citing specifically the renewal of anti-Muslim violence and the trafficking, discrimination, and denial of humanitarian assistance faced by Rohingya and Kaman Muslim minorities in Rakhine (Arakan) state;
- Work more closely with allies in the region to create a multi-national coordination effort to focus on measures to protect ethnic and religious minorities, including measures to promote the rights of the Rohingya population in Burma and to provide durable solutions for Rohingya refugees outside the country, and promote accountability, for example, by redrafting discriminatory laws, training lawyers and judges, and professionalizing the police force;
- Increase financial and technical support to UN agencies and humanitarian organizations providing assistance in Rakhine (Arakan) state and for Rohingya refugees in Bangladesh and elsewhere in Southeast Asia; and
- Ensure that development projects in ethnic minority areas funded by the World Bank or other international lending institutions are conditioned on non-discrimination in the provision of assistance and take into careful account the impact of planned projects on all communities.