

BURMA

The State Peace and Development Council (SPDC), the military junta that governs Burma, is one of the world's worst human rights violators. The SPDC severely restricts religious practice, monitors the activity of all religious organizations, and perpetuates violence against religious leaders and communities, particularly in ethnic minority areas. USCIRF again recommends in 2011 that Burma be designated as a "Country of Particular Concern," or CPC, under the International Religious Freedom Act of 1998 (IRFA). The State Department has designated Burma as a CPC since 1999.

BACKGROUND

Religious freedom improvements and democratization are closely linked in Burma, and religious freedom violations affect every religious group. Buddhist monks who participated in the 2007 peaceful demonstrations were killed, beaten, arrested, forced to do hard labor in prison, and defrocked. Buddhist monasteries viewed as epicenters of the demonstrations continue to face severe restrictions on religious practice and monks suspected of anti-government activities have been detained. Muslims routinely experience strict controls on religious activities, as well as government-sponsored societal violence. The Rohingya Muslim minority are subject to pervasive discrimination and a relocation program that has produced thousands of refugees. In ethnic minority areas, the Burmese military forcibly promotes Buddhism and seeks to control the growth of Protestantism through intimidation and harassment.

RELIGIOUS FREEDOM CONDITIONS

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Restrictions on Bhuddists: The SPDC infiltrates and monitors the activities of all organizations, including religious groups, and subjects them to broad government restrictions on freedom of expression and association. The government controls all media, including religious publications and sermons. The SPDC generally promotes Theravada Buddhism, sometimes offering economic inducements to encourage conversion. Understanding the importance of Buddhism in Burma's life and culture is critical to appreciating the significance of the September 2007 protests and the government's harsh reaction. Buddhist monks broadened the scope of the initial protests and began calling for the release of all political prisoners and the initiation of a process leading to democratization. As the protests broadened, the SPDC ordered the military to crack down on the monk-led demonstrations. There were an estimated 30 deaths, although some experts aver a higher number, and at least 4,000 people, an unknown portion of whom were monks, were arrested, with about 500 to 1,000 believed to remain in detention months later. Those detained reportedly were mistreated and tortured.

Following the 2007 protests, the military raided 52 monasteries, detained many monks, and arrested those perceived to be leaders. The monks were then tortured, defrocked, and while some were sent back to their villages, others were charged under vague national security laws, including "creating public alarm;" "engaging in activities inconsistent with and detrimental to Buddhism;" "the deliberate and malicious...outraging of religious feelings;" and "engaging in prohibited acts of speech intended for religious beliefs."

Buddhist and Muslim Tensions: Tensions between Buddhist and Muslim communities have lead to violence, some of it instigated by Burmese forces. The government denies citizenship status to the 800,000 Rohingya Muslims who live primarily in the Rakhine state, because their ancestors allegedly did not reside in the country at the start of British colonial rule. Without citizenship, they lack access to secondary education in state-run schools, cannot be issued government identification cards (which are essential to receive government benefits), and face restrictions on freedom of religion, association, and movement. The government restricts Muslim marriage ceremonies and Muslims also face difficulties in obtaining birth certificates for newborns. Police also often restrict the number of Muslims who gather in one place. Over the past year, the Burmese government organized a campaign to create "Muslim Free Areas" in parts of Rakhine. Military commanders closed mosques and *madrassas* (religious schools), stoked ethnic violence, and built pagodas, often with forced labor, in areas without a Burmese presence. An estimated 300,000 Rohingya Muslims live in refugee camps in Bangladesh, Thailand, and other Southeast Asian counties where they face discrimination, trafficking, squalid living conditions, and forced repatriation.

Restrictions on Christians: Christians in Burma face difficulties obtaining permission to build new churches, hold public ceremonies or festivals, and import religious literature. “House churches” proliferated in the past decade because the government regularly denied permission to build new churches. A 2008 government regulation bans religious meetings in unregistered venues, such as homes, hotels, or restaurants, and Christians claim that 80 percent of the country’s religious venues could be closed by the regulation. In 2009, the SPDC took greater steps to enforce the 2008 regulation. Burmese Christians believe that enforcement of the government’s ban came in response to humanitarian aid Christians provided to Cyclone Nagris victims in May 2008. The SPDC forcibly closed some religious charities providing humanitarian support, particularly those distributing foreign assistance. The SPDC also has started to prohibit Protestants from proselytizing in some areas, particularly in places hardest hit by the Nargis cyclone.

Restrictions on Ethnic Minorities: The Chin, Naga, Kachin, Karen, and Karenni peoples, each with sizable Christian populations in ethnic minority regions, face particularly severe and ongoing religious freedom abuses, with the military in eastern Burma destroying religious venues, schools, hospitals, and homes, killing civilians, promoting conversion to Buddhism, confiscating land, and mandating forced labor. The Burmese military reportedly condones rape as an instrument of war. According to NGO reports, an estimated 100,000 Chin Christians fled to India during the past year in hopes of escaping persecution. The Burmese army attacked Karen villages and forced 2,000 Karen villagers to flee.

RECOMMENDATIONS FOR U.S. POLICY

The U.S. maintains diplomatic relations with Burma, but has not had an ambassador to the country since 1992. In February 2009, Secretary of State Hillary Clinton stated that neither economic sanctions nor “constructive engagement” was working to halt egregious human rights abuses or expand democracy in Burma. The Obama Administration announced the beginning of a “pragmatic dialogue” with Burmese authorities. Assistant Secretary Campbell stated that the United States will not lift existing sanctions until the SPDC makes progress on a number of issues, including nonproliferation, release of political prisoners, and progress towards free and fair elections. The U.S. supports the proposal by the UN Special Rapporteur on Human Rights in Burma that the UN should establish a commission of inquiry to address possible international criminal law violations in Burma.

After the widely discredited 2010 election, in which the main opposition party, the National League for Democracy (NLD), and several ethnic minority groups were not allowed to participate, diplomatic exchanges between the U.S. and SPDC leaders were put on hold. Aung San Sui Kyi, in a message to the World Economic Forum, echoed her party’s position that sanctions should not be lifted yet, and called for renewed and socially responsible investment in Burma. In addition to continuing to designate Burma as a CPC, the U.S. Government should:

- Coordinate sanctions implementation and diplomatic actions with the European Union and other regional allies, particularly democracies in Southeast and South Asia;
- Implement provisions of the JADE Act, particularly banking sanctions, that have yet to be fully applied;
- Continue to provide assistance, including through the State Department’s Economic Support Fund, to empower Burmese civil society groups organizing humanitarian assistance, conducting human rights and religious freedom documentation efforts, and providing public advocacy, leadership, and legal training to Burmese living in and outside of Burma;
- Continue to build international support for the creation of a UN commission of inquiry on Burma to investigate charges including murder, torture, rape, arbitrary detention, widespread forced relocations, forced labor, migration, and renunciations of faith, and other religious freedom abuses; and
- Urge the unconditional release of all persons detained or arrested for the peaceful exercise of religious freedom and reveal the whereabouts of people who are still detained and missing, including an estimated 250 Buddhist monks and others who led or participated in peaceful protests.

Please see USCIRF’s 2011 Annual Report for a more extensive review and recommendations on Burma.