

2006 ANNUAL REPORT OF THE UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

Countries Named as CPCs by the Department of State

Burma

Serious human rights abuses perpetuated by Burma's military regime continue to be widespread, including systematic and egregious violations of religious freedom. According to the State Department's 2005 Country Reports on Human Rights Practices, the Burmese government's extremely poor human rights record deteriorated in the past year, with increasing hostility directed at ethnic minorities, democracy activists, and international humanitarian agencies. Since its inception, the Commission has recommended that Burma be designated a "country of particular concern," or CPC. The State Department has followed this recommendation and consistently named Burma a CPC.

The military junta that governs Burma, the State Peace and Development Council (SPDC), monitors the activities of all religious organizations through a pervasive internal security apparatus. In the past year, the SPDC moved the country into a position of further isolation by transferring the capital from Rangoon to a remote provincial city of Pyimma, telling diplomats that they could reach the new government capital only by fax. The government imposes restrictions on certain religious practices, controls and censors all religious publications, has supported, allowed, or instigated violence against religious minorities, and, in some areas of the country, has forcefully promoted Buddhism over other religions. Ethnic minority Christians and Muslims have encountered the most difficulties in recent years.

The SPDC remains locked in a decades-long conflict with the pro-democracy opposition in the cities and armed groups of ethnic minorities in the countryside. The military junta continues to be suspicious of all organized, independent religious activity, in part because some clergy and followers of Buddhism and members of minority religions are politically active in opposition to the regime. This includes persons from among the ethnic minorities, for whom religion is often a defining feature. There have been some attempts in recent years to reach peace accords with armed militias and produce a "Seven-Step Roadmap to Democracy," but these efforts have not produced an improvement in the overall conditions for human rights, including religious freedom, in Burma. In fact, renewed attacks on ethnic villages have resulted in additional human rights abuses, including killings, rapes, forced labor, communal violence, displaced persons, and forced renunciations of faith. Because opposition political parties have been excluded from the roadmap process, religious leaders suspected of supporting the National League for Democracy (NLD) or those critical of SPDC policies have been harassed, arrested, and detained.

Members of minority religious groups, especially Muslims and Christians, face serious abuses of religious freedom and other human rights by the military that

continued in the past year. In some localities, military commanders have forcibly conscripted members of ethnic and religious minorities for forced labor. Those who refuse conscription are threatened with criminal prosecution or fined. Those who do not carry out their tasks have been shot or beaten to death. Christians and Muslims have been forced to engage in the destruction of mosques, churches, and graveyards and serve as military porters. They reportedly have also been forced to “donate” labor to build and maintain Buddhist pagodas and monasteries. In January 2006, military forces destroyed a fifty foot cross on a hillside in Chin State and forced Christians to erect Buddhist shrines in its place.

Tensions between the Buddhist and Muslim communities has resulted in outbreaks of violence over the past several years, some of it instigated by Burmese security forces against ethnic minority Muslims. In 2003, Buddhists attacked shops, restaurants, and homes owned by Muslims in Irrawaddy Division. In 2004, at least seven Muslims were killed and two mosques destroyed in Mandalay. In January 2005, two Muslims were killed and one Buddhist monk severely injured in communal violence in Rakhine (formerly known as Arakan) state. Police and soldiers reportedly stood by and did not halt the violence against Muslims until Muslims started to fight back.

In addition to violence, overt discrimination against Muslims, particularly ethnic Rohingya Muslims, is widespread and severe. The government has denied citizenship to Rohingya Muslims on the grounds that their ancestors allegedly did not reside in the country prior to British colonial rule. Without citizenship, Rohingya face restrictions on their freedom of movement. They also may not be able to own property legally or reside in certain townships or attend state-run schools beyond the primary level. Since 1988, the government has permitted only three marriages per year per village in the predominantly Muslim parts of Rakhine. Enforcement of this policy widened in the past year. In June 2004, the UN Committee on the Rights of the Child expressed concern over the situation among Rohingya children, particularly with regard to the denial of their right to food, health care, and education, as well as to their ability to survive, develop, and enjoy their own culture and be protected from discrimination.

Muslims reported difficulties in constructing new mosques or re-building those previously destroyed. In 2002, authorities in Rakhine state destroyed 13 mosques, halting only in response to international pressure. Local authorities reportedly replaced the mosques with government owned buildings and Buddhist temples and have refused to issue the necessary permission for mosque construction on other sites. In July 2005, authorities forced the closure of a Muslim school on the grounds that its teachers had tried to convert children to Islam by offering private courses. Additionally, in Rangoon, eight Muslims were arrested for holding prayers at the home of a local imam. They remain detained, pending trial. Authorities also forbid ceremonies for Eid al-Adha in Rangoon.

Christian groups continue regularly to experience difficulties in obtaining permission to build new churches, as well as to hold public ceremonies and festivals and import religious literature. Authorities have reportedly denied permission for the construction of new churches since 1997 in certain parts of Chin state. Similar

restrictions are reportedly imposed in the capital of Kachin state and among Protestants in Karen state. In Rangoon in 2001-2002, authorities closed more than 80 Protestant house churches because they did not have proper authorization to hold religious meetings. Few of these churches have since been reopened. Additional reports of church closings in Rangoon have been received within the last year.

Among the Chin and Naga ethnic minorities, there are credible reports that government and military authorities made active efforts to convert Christians to Buddhism. The State Department's 2004 *Annual Report on International Religious Freedom* reported that under the guise of offering free education, local officials have separated children from their parents, with the children instructed to convert to Buddhism without their parents' knowledge or consent. However, Christian groups reported that these measures decreased in the past year. In Chin state, there are continued reports that government authorities offered financial and career incentives to ethnic Burman Buddhist soldiers to marry Chin Christian women. Among Naga Christians, refugees leaving Burma report that members of the army, together with Buddhist monks, closed churches in local villages and attempted to force adherents to convert to Buddhism.

In addition to building permits, the government of Burma continues to discriminate against members of minority religious groups in education, publishing, and access to public sector services and jobs. In public schools nationwide, all students are required to recite a daily Buddhist prayer. While some Muslim students are permitted to leave the room during this time, some schools require non-Buddhist students to recite the prayer.

The SPDC shows public preference for Theravada Buddhism; however, even the majority Buddhist religion is not immune from government repression. According to the State Department's 2005 human rights report, members of the Buddhist "sangha" are subject to a strict code of conduct that is reportedly enforced through criminal penalties. Monks are not allowed to preach political sermons or make public views critical of SPDC policies. Military commanders retain jurisdiction to try Buddhist monks in military court for "activities inconsistent with and detrimental to Buddhism." Over the past several years, monks and nuns have been defrocked or imprisoned, and an estimated 300 monks and novices remain incarcerated.

The government also prohibits all monks from being members of a political party. Since the 1990s, some Buddhist monks have been active in the pro-democracy movement, resulting in the imprisonment of more than 100 Buddhist monks for advocating democracy and encouraging dialogue between the government and pro-democracy forces. The number of Buddhist clergy in prison for supposed political activity has risen since May 2003, when the Burmese government organized an attack on the motorcade of Aung San Suu Kyi and placed her in "protective custody." Travel restrictions, including an overnight curfew, remain in effect at several monasteries.

In March 2005, Senator Gordon Smith introduced S. Res. 91, a resolution to urge the European Union (EU) to maintain its arms embargo on China. The resolution cited Commission findings on the role of the Burmese military in perpetuating religious and ethnic conflict in that country, in which China has played a role as a key supplier of weapons materials. The resolution, using language suggested by the Commission, also recommended greater cooperation between the EU and the United States to bring “a permanent and verifiable end to the ongoing proliferation by state and non-state owned entities and individuals of the People’s Republic of China of munitions materials, and military equipment and trade in such items involving countries, such as Burma and Sudan, whose armies have played a role in the perpetration of violations of human rights and of humanitarian law against members of ethnic and religious minorities.”

In 2005, Commission staff met with exiled Burmese ethnic and religious leaders, including Buddhists, Christians, and Muslims, and with members of congressional and international delegations that visited Burma.

In addition to recommending that Burma be designated as a CPC, the Commission has recommended that the U.S. Government should urge the government of Burma to:

- halt the arrest and detention of persons solely on the basis of religion or belief and immediately and unconditionally release any person who has been detained for the peaceful exercise of the right to religious freedom, including an estimated 300 Buddhist monks and novices;
- publicly and officially order security forces to end violations of religious freedom, including compulsory contributions by non-Buddhists to the construction of pagodas, the closure of churches and mosques, the destruction of religious shrines and symbols, the instigation of communal violence against Muslims, the forcible promotion of Buddhism among ethnic minorities, and forced renunciation of belief;
- end policies of forced eviction from, followed by the confiscation and destruction of, Muslim and Christian properties, including mosques, churches, religious meetings points, schools and cultural centers;
- end policies that discriminate on the basis of religion in land use, education, allocation of land, job promotion, marriage, access to government services, citizenship, freedom of movement, and marriage, and invite international technical assistance to help draft laws that conform to international legal standards on these matters;

- end the use of forced labor and the use of children and members of religious minorities as porters or military labor, and actively enforce its own Order 1/99 (May 1999) and Order Supplementing 1/99 (November 2000), which instruct SPDC officials and military commanders to refrain from employing forced labor of civilians, except in emergencies;
- accept the recommendations of UN General Assembly Resolution A/C.3/60/L.53 on the Situation of Human Rights in Burma, adopted by the General Assembly in November 2005, which includes the granting of unimpeded access to both the UN Special Rapporteur on Burma and the UN Secretary General's Special Envoy on Burma;
- allow unrestricted access of independent human rights monitors and humanitarian aid organizations to all parts of Burma;
- ratify core international human rights instruments, including the International Covenant on Civil and Political Rights; and
- immediately and unconditionally release National League for Democracy Chairman Aung San Suu Kyi and engage in meaningful dialogue with the democratic opposition leading to a peaceful transition to civilian rule.