

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 2006 Country Reports on Human Rights Practices, the Burmese government's extremely poor human rights record worsened 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. 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 forcibly promoted Buddhism over other religions. Ethnic minority Christians and Muslims have encountered the most difficulties in recent years. In the past year, SPDC policies have continued to isolate Burma from the international community, multi-lateral organizations, and its neighbors.

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. Some clergy and followers of Buddhism and members of minority religions are politically active in opposition to the regime. The military junta continues to be suspicious of all organized, independent religious activity. This includes persons from among the ethnic minorities, for whom religion is often a defining feature.

The SPDC maintains a policy promoting the predominance of the Burman ethnic group, which has included state support of Buddhist leadership that remains loyal to the current regime, coupled with efforts to minimize the influence and presence of other religious groups.

As a part of Burma's "Seven-Step Roadmap to Democracy," the National Convention, an assembly that meets periodically as part of the process to nullify the 1990 elections and draft a new constitution, met twice in the past year. The National Convention is made up of representatives from the military government, militia groups that have signed cease fire agreements with the government, political parties that are sanctioned by the regime and do not oppose its policies, and some ethnic groups. Opposition parties and ethnic groups critical of the current regime remain excluded from the Convention and the peace process. The National Convention has met several times since 2003 but has yet to produce a draft constitution. However, neither the National Convention, nor intermittent attempts to arrive at peace agreements with armed militia groups, have produced an improvement in the overall conditions for human rights and religious freedom in Burma. In fact, renewed government 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. Beginning in December 2005, during a renewed campaign of violence in Karen State, SPDC forces raided several villages, destroying churches and homes of Karen villagers. More than 25,000 people were internally displaced during this campaign alone.

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In the past year, members of minority religious groups, especially Muslims and Christians, continued to face serious abuses of religious freedom and other human rights by the military. 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 50-foot cross on a hillside in Chin State and forced Christians to erect Buddhist shrines in its place. During the same month, the SPDC forcibly confiscated 15 acres of land in Chin State for construction of a Buddhist Monastery. The Chin Christian landowners received no compensation.

Tensions between the Buddhist and Muslim communities have 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 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 February 2006, violent clashes erupted between Muslims and Buddhists in Rakhine and local authorities were hesitant to respond. During the violence, at least three people reportedly died in the riots and three mosques were destroyed. Authorities have prevented local efforts to rebuild the mosques.

In addition to violence, overt discrimination against Muslims, particularly ethnic Rohingya Muslims, is widespread and severe. The government has denied citizenship to Rohingya Muslims, who number approximately 800,000 in Burma, 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. Refugees report that some Rohingya are restricted from owning property legally, residing in certain townships, or attending 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 state. Muslims also report

difficulties in obtaining birth certificates for newborns. Enforcement of such policies 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 Buddhist children to Islam by offering private courses. In August 2006, Muslim sources in Rakhine state reported that border security forces issued an order requiring the closure of five mosques, four madrassas, and 18 pre-madrassas. At the end of 2006, only two madrassas had been permitted to reopen. Authorities in northern Rakhine state also stepped up arbitrary “inspections” of mosques. Congregation members reportedly were forced to destroy a total of nine mosques in the region when religious leaders failed to produce operation permits during inspection procedures.

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 1994 in certain parts of Chin state. Similar restrictions are reportedly imposed in the capital of Kachin state, in some localities in Karen state and among Catholics and Baptists in Karenni state. In all these areas, Christians are required to obtain a permit for any gathering of more than five people outside of a Sunday service. Permission is regularly denied, or secured only through bribes. In Rangoon in 2001-2002, authorities closed more than 80 Protestant house churches because they did not have proper authorization to hold religious meetings. Authorities refused to grant applications to obtain such authorization. Few of these churches have since been reopened. Additional reports of church closings in Rangoon and Mandalay have been received within the last year. In February 2006, authorities in Rangoon issued a ban on the Phawkkhan church, which had been in operation



A young monk in Burma

for over twenty years. In October 2006, a Christian orphanage in Chin State was reportedly forced to close.

Among the Chin and Naga ethnic minorities, there are credible reports that government and military authorities made active efforts to convert Christians to Buddhism. In 2004, numerous reports emerged alleging that under the guise of offering free education, local officials separated children from their parents, with the children instructed to convert to Buddhism without their parents' knowledge or consent. Some groups reported that these measures decreased in the past year; however, local human rights organizations report that the practice continues. 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. Chin families who agreed to convert to Buddhism were offered monetary and material incentives, as well as exemption from forced labor. In February 2007, a Christian pastor was arrested for writing a letter to General Than Shwe, the chief of the military junta, urging an end to the persecution of Christians. Naga Christian refugees leaving Burma continually report that members of the army, together

with Buddhist monks, closed churches in their villages and attempted to force adherents to convert to Buddhism. In January 2007, a UK-based human rights and religious advocacy organization released a report claiming that an order had been circulated in Rangoon entitled "Program to Destroy the Christian Religion in Burma." The document allegedly originated from the Ministry of Religious Affairs and reportedly instructed citizens to report the activities of Christian evangelists to the authorities.

In addition to denying 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.

Although the SPDC shows public preference for Theravada Buddhism, even the majority Buddhist religion is not immune from government repression. According to the State Department's 2006 human rights report, members of the Buddhist "sangha" are subject to a strict



Pagodas in Bagan, Burma

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, nor are they permitted to join political parties. 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 100 monks and novices remain incarcerated. 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 August 2006, authorities arrested five Buddhist monks and 15 laymen at a monastery in Rakhine state on the charge that they were allowing members of the NLD, the democratic opposition party that won the annulled 1990 parliamentary elections, to meet on monastery premises. At year’s end the 20 remained in prison.

There has been an unprecedented level of action from the UN in recent years concerning the deteriorating human rights situation in Burma. Only days after a meeting between UN Under Secretary General Ibrahim Gambari and Aung San Suu Kyi in November 2006, the government declared that Aung San Suu Kyi’s detention would be extended for another year. In December 2005, the United States initiated a briefing before the UN Security Council to discuss human rights conditions in Burma. In January 2007, nine of the 15 nations represented on the Security Council voted in favor of a U.S.-sponsored resolution calling on the junta to halt persecution of ethnic minorities and political dissidents. However, Russia and China both vetoed the resolution, causing it to fail. Despite allowing Gambari’s November 2006 visit, the UN Special Rapporteur on Human Rights in Myanmar has not been permitted to visit the country since 2003.

In 2006, Commission staff continued to meet with exiled Burmese ethnic and religious leaders, including Buddhists, Christians, and Muslims, and with members of congressional and international delegations that visited Burma. In February 2007, Commission staff participated in a briefing convened by the Congressional Taskforce on International Religious Freedom on religious persecution in Burma, which discussed the political and religious persecution of Christians and Muslims.

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BURMA COMMISSION RECOMMENDATIONS

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

- halt the arrest and detention of persons 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 100 – 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;
- lift restrictions on the construction and renovation of churches and mosques and on printing religious literature, consistent with international standards, and end policies of forced eviction from, followed by the confiscation and destruction of, Muslim and Christian properties, including mosques, churches, religious meeting 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;
- comply with 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;
- invite the UN Special Rapporteur on Freedom of Religion and Belief for an immediate visit and grant her unrestricted access to religious communities and to regions where religious freedom abuses are reported and also allow unrestricted access of other 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.

In addition, the U.S. government should continue to:

- in light of the transnational problems stemming from Burma's serious human rights abuses, press for additional multinational responses, including resolutions at UN bodies, such as the Human Rights Council, General Assembly, and Security Council, and support for the initiatives of ASEAN and its member states, for example, the Inter-Parliamentary Myanmar Caucus, to address these problems where appropriate;
- work to organize a coalition of democratic nations in Asia to construct a roadmap outlining the steps Burma needs to take to address humanitarian and human rights abuses and end economic and political sanctions, a coalition that could replace the moribund Bangkok Process; and
- provide assistance, through the State Department's Economic Support Fund (ESF), that empowers Burmese civil society groups to organize humanitarian assistance, conduct human rights documentation efforts (particularly religious freedom abuses faced by the Muslim and Buddhist communities), and provide public advocacy, leadership, and legal training to Burmese and ethnic Burmese living outside Burma.