



**Testimony of the Hon. Thomas H. Andrews
President and CEO of United to End Genocide
U.S. House of Representatives Committee on Foreign Affairs
“Spotlighting Human Rights in Southeast Asia”
July 9, 2014**

Thank you, Mr. Chairman for convening this important hearing. It is an honor for me to participate. Thank you also for the leadership that you have provided in bringing what has been an inconvenient truth about Burma to the attention of Congress and the public: the systematic abuse, discrimination and assault on members of minority communities - from the Rohingya ethnic minority in the west; to the Kachin and Shan ethnic minority states to the east; to Muslims who are finding themselves threatened and under attack in communities throughout Burma.

I have travelled extensively in Burma since important reforms took place three years ago – reforms that followed the application of clear, consistent pressure from the international community, led by the United States – reforms that led to the movement of Nobel Peace Laureate Aung San Suu Kyi from house arrest to parliament.

And while Burma’s reforms must be recognized, and we have done so consistently, the brutal reality that I discovered in my travels is inconsistent with the pervasive good news narrative about Burma and its movement forward to democracy, justice and the rule of law. The policy of the U.S. government needs to reflect this reality.

Mr. Chairman, I believe that the disturbing conditions and trends in Burma require a reassessment and recalibration of U.S. – Burma policy. There are two disturbing trajectories in Burma: the growing evidence of abuses or the failure to protect civilians by the military dominated government; and an increase in rewards and engagement by the U.S. government. The United States has lifted sanctions and made high level diplomatic and military visits. It now has plans to provide further economic rewards while pursuing steadily higher engagement over the coming months from the Assistant Secretary and Lt. General level up to the scheduled visit by the Secretary of State in August and another visit by President Obama in November.

Mr. Chairman, actions speak louder than words. The administration has expressed concerns about disturbing developments in Burma. It also pledges that administration officials will press their Burma counterparts on human rights issues. But the fact is, administration action – or inaction – undermines whatever concerns it might express privately or publicly. Action is the language that the leaders of Burma most understand.

We urge the administration and Congress to not only condemn the disturbing trends that are clearly evident in Burma but hold the government and military leaders of Burma fully accountable. At a minimum, this should include establishing a moratorium on any further concessions and rewards – such as diplomatic and military visits and eligibility for General System of Preferences (GSP) trade benefits - until specific urgent issues are addressed – including:

- The restoration of health care services in Rakhine State that were interrupted by the expulsion of Doctors Without Borders;
 - Allowing the UN Office of the High Commissioner for Human Rights to open and fully staff an office that has full access to all areas of the country;
 - Denouncing hate speech and actions that further marginalize ethnic minorities and inflame ethnic tensions and holding accountable those who are responsible;
 - Allowing credible independent investigations into the violence in Rakhine State that includes the international community; and
 - Providing a full accounting of military abuses in Kachin and northern Shan states.
- In addition, the United States should make it clear that any future bi-lateral meetings between President Obama and President Thein Sein will depend on President Thein Sein taking credible steps to fulfill the promises that he made to President Obama during his visit to Burma in November of 2012 and reiterated in President Thein Sein’s visit to the White House in 2013.
- The United States government should update the “Specially Designated Nationals” (SDN) list to include individuals responsible for the upswing in recent hate-speech, fear mongering, and ethnic violence.
- Engagement between the militaries of the United States and Burma should be strictly limited until the conditions cited in HR 4377, the “Burma Human Rights and Democracy Act of 2014”, introduced by Congressman Chabot, are fully met. These include the government of Burma:
- Establishing civilian oversight of the armed forces and addressing human rights abuses by the Burmese military;
 - Taking steps to establish a fair and inclusive process to amend the Constitution of Burma, including the full participation of the political opposition and ethnic minority groups;
 - Amending the constitution and laws to ensure civilian control of the military and that the Burmese military has taken substantial and meaningful steps to divest itself from ownership of commercial businesses;
 - Promoting peace agreements or political reconciliation and addressing the resettlement and humanitarian situation of displaced persons;
 - Ensuring the Burmese military is improving its human rights record, taking steps to withdraw forces from conflict zones, and implementing a code of conduct.

There are those who argue for patience, that reform takes time. But, the fact is for millions in Burma things are getting decidedly worse, not better, as respect for human rights deteriorates and the danger of a massive loss of life gets worse.

As we have seen, strong and consistent pressure on those in power in Burma works - it made reform in Burma possible. To abandon pressure despite deteriorating conditions is to abandon those who continue to suffer in Burma because of their ethnicity and religion.

Marching to Genocide – The Plight of the Rohingya

Two months ago this Committee passed a Congressional Resolution on Burma, H. Res. 418, sponsored by Jim McGovern (D-MA), Joe Pitts (R-PA), Trent Franks (R-AZ), and Chris Smith (R-NJ). It addressed the living hell that hundreds of thousands of Rohingya are subjected to every day in Burma.

During debate on the floor of the House, led by you, Mr. Chairman, Ranking Member Engel, Chairman Chabot and Congressman McGovern, photos I had taken of Rohingya camps and communities in Rakhine State were prominently displayed.

My travels in Burma included meetings with patients and their families who had been informed that doors of the medical clinics that they depended on would no longer be open. This was not because the medical care was not available - more than five hundred health care professionals and support staff from Doctors Without Borders were in Rakhine State and they were ready, willing and able to provide that desperately needed care. Indeed, Doctors Without Borders was the principle source of health care for the Rohingya ethnic minority community. In what was tantamount to a death sentence for untold numbers of people, the government of Burma ordered them out of Rakhine State at the end of February. The suffering that followed was not because of anything that members of this minority had done, but because of who they are - their ethnicity and the god who they prayed to. This, Mr. Chairman, is unconscionable and outrageous.

It has been estimated that within two weeks of the government's expulsion of Doctors Without Borders, at least 150 Rohingya died including more than 20 pregnant women experiencing life-threatening deliveries. Last year, Doctors Without Borders provided more than 400,000 health care consultations and over 2,900 emergency referrals in eight townships in Rakhine State. While the government has claimed it can fill the gap, it has nowhere near the needed capacity and Rohingya, fearing for their safety, often refuse to visit the limited government health officials and facilities that are available.

I saw the empty clinics firsthand in Rakhine situated next to villages and families in desperate need of care.

According to a government spokesperson, Doctors Without Borders was thrown out of Rakhine State for two principle reasons: First, they reported treating some 20 people for gunshot and other wounds near a location where the UN reported a massacre of 40 people to have taken place in January 2014 – a massacre that the government denies ever occurred. And second, Doctors Without Borders hired Rohingya as staff where they were treating Rohingya patients.

A few weeks after the doors of Doctors Without Borders clinics were closed, attacks by local Rakhine Buddhists caused over 700 other foreign aid workers to evacuate. Their return has been slowed by government restrictions and the requirement of approval for return by a local committee that includes clearly biased Rakhine officials.

Approximately 140,000 Rohingya were placed in large isolated camps for Internally Displaced Persons or IDPs after the violence that destroyed entire villages and neighborhoods in 2012. The reality behind these camps is that those who live there are not only displaced – they are now living where the government clearly intends them to be confined indefinitely, totally isolated and under the control of government security. They have aptly been described as concentration camps where virtually every aspect of their lives is controlled. In addition to those living in the camps, approximately one million two

hundred thousand Rohingya live in Rakhine State. While their homes and villages have not been torched in ethnic violence, they too live in fear and under the yoke of government control and the systematic denial of what we would consider fundamental rights.

Rohingya face official restrictions on their freedom of movement, who they can marry, how many children they can have, access to education, and construction of religious buildings.

The human rights advocacy group Fortify Rights recently published a report based on leaked government documents detailing abusive “population control” measures. The group asked the question “Can the central government in Naypyidaw really be blamed for unrest in far-flung Rakhine State?” and came up with the answer, “The latest developments suggest the answer is yes and paint a dark picture of state-sponsored persecution”.

This persecution and the conditions of life in what have been referred to as open air prisons and concentration camps have led tens of thousands of Rohingya to risk their lives at sea. The UN Refugee Agency estimates that some 80,000 Rohingya have fled by boat since 2012. Of those, hundreds, if not thousands are believed to have drowned. Those who make it to surrounding countries, Thailand, Malaysia, or Bangladesh often fall victims to human traffickers who imprison them or force them to work on rubber plantations or as sex workers until family members pay large ransoms. This spring I met with some of the lucky Rohingya who had just taken the perilous journey to Malaysia. And, I visited the families of some who were anything but lucky. According to their parents, they remain captive in the jungle prisons of their human traffickers who are demanding that their families pay thousands of dollars for their release.

The U.S. State Department’s annual Trafficking in Persons reports cited treatment of Rohingya refugees in Thailand and Malaysia as among the reasons those countries’ designations were downgraded this year. The plight of the Rohingya remains a domestic, regional, and international one.

Within Burma, several pieces of legislation have been introduced into the Parliament of Burma that seek to further restrict the rights of the Rohingya, other Muslims, and other religious minorities. One proposed law, already published in draft form, would restrict religious conversions by requiring those seeking to change their religion to gain permission from panels of government officials. Further proposed laws seek population control measures and curbs on interfaith marriage. This legislation has become an organizing tool or weapon for radical nationalist monks who have allegedly collected more than three million signatures at anti-Muslim rallies held throughout the country.

The campaigns of hatred against Rohingya and other Muslims have been well organized and paired with the distribution of pamphlets and DVDs and boycotts of Muslim shops. Extreme nationalist Buddhist monks like Ashin Wirathu, the self-proclaimed “Buddhist Bin Laden”, have played to popular fears, calling Muslims “dogs” and “African carp” who “breed quickly...are very violent and they eat their own kind.” Such dehumanization, use of hate speech in well organized campaigns, denial of basic health care, and history of persecution against a specific people are all known precursors to genocide. Mr. Chairman, there is no place on earth where there are more known precursors to genocide than in Burma today.

Further details on the existence of precursors to genocide are included in a report by my organization, United to End Genocide, titled “Marching to Genocide in Burma” which I am including with my testimony for the record.

Anti-Muslim Violence

While the plight of the Rohingya in western Burma is the most egregious and urgent, anti-Muslim campaigns stretch to the rest of the country as well, threatening further violence and abuses. The infamous, so-called “969 movement” of extremist Buddhist monks has travelled throughout the country holding anti-Muslim rallies and organizing boycotts of Muslim businesses. This was first indicated through the use of “969 stickers” and has more recently taken on the slightly more subtle but equally pervasive use of Buddhist flags.

Just last week, rumor and allegations led to violent clashes between Buddhists and Muslims in Mandalay in central Burma. The very same Ashin Wirathu used Facebook to spread allegations of a Buddhist woman raped by Muslims, to call upon the Buddhist masses to seek their own justice, and to incite violence with the claim that “Muslims ‘armed to the teeth with swords and spears’ were preparing a jihad against local Buddhists.” The ensuing violence left several people injured and two men killed, one Buddhist and one Muslim.

This violence struck me on a very personal level as I learned that one of the men killed, U Soe Min, was someone I had the privilege to meet when I visited Mandalay last year. U Soe Min was among a group of Muslim leaders I met with who were seeking to promote peace and harmony in Burma. He warned of the growing storm clouds of hatred and intolerance in Mandalay and Burma.

Unfortunately, this violence was not without precedent. In March 2013, Buddhist mobs with local police officers complicit, attacked mosques and Islamic schools in the town of Meiktila in central Burma killing some 40 people including at least 20 children and four teachers. The former UN Special Rapporteur for Human Rights Tomas Quintana has reported that “police and other civilian law enforcement forces have been standing by while atrocities have been committed before their very eyes, including well-organized ultra-nationalist Buddhist mobs.”

I am disturbed by similar reports I’ve received from the ground that police have failed to act to protect Muslims from Buddhist crowds in Mandalay.

A pattern of impunity and failure to protect on the part of the Burmese government has left an environment ripe for the instigation of violence by extremists. Rather than countering the dangerous speech and actions of Wirathu, President Thein Sein has stepped up to defend and praise Wirathu as a “son of Buddha”.

Broader Abuses against Ethnic Minorities

In addition to the documented systematic persecution of the Rohingya, the central government and army have been directly implicated in systematic abuses against other minority groups throughout the country. Burma has a long disturbing record in dealing with minority ethnic and religious groups. Within the past two years, the Burmese army has bombed civilian areas in Kachin state, systematically tortured civilians, and continues to restrict international aid. Over 100,000 people remain displaced in Kachin state. In March, the UN Human Rights Council cited concerns about abuses in Kachin and Rakhine states and “remaining human rights violations including arbitrary detention, forced displacement, land confiscations, rape and other forms of sexual violence, torture and cruel, inhuman and degrading treatment, as well as violations of humanitarian law.”

Much has been said by the Government of Burma about ceasefire agreements and national efforts to reconcile with various ethnic groups. The unfortunate truth is that the talks have stalled and the ceasefire agreements are largely hollow as fighting and abuses continue.

Last month marked three years since the restart of fighting between the Burmese army and Kachin rebels. In that time, torture and rape have been rampant in Kachin and northern Shan states. A report by Fortify Rights last month documented systematic use of torture and other cruel, inhuman, and degrading treatment or punishment (“ill treatment”) of more than 60 civilians by Myanmar authorities from June 2011 to April 2014. The report concluded that the abuses constituted war crimes and crimes against humanity.

Similarly, a report by the Women’s League of Burma has documented more than 100 cases of rape committed by Burma’s army since 2010, mostly in Kachin and northern Shan states, and found that the military is using sexual violence as a tool against ethnic communities.

I was in Kachin state visiting internally displaced persons on the day that Aung San Suu Kyi was voted into parliament in April 2012. Even as those promising ballots were being submitted, tens of thousands remained under siege, with artillery shells literally dropping at the very same time. It is a stark reminder of the dark side of developments in Burma that cannot be ignored even as we want to celebrate the positive reforms that have been made.

Problems with Reform

In addition to these disturbing developments, the promised reforms of Burma’s undemocratic and repressive political system remain unfulfilled. Those who have long held power have made it clear that they have every intention to maintain an undemocratic and unaccountable political system that will allow them to continue their tight grip on Burma and its people.

As a result, it is highly unlikely that Aung San Suu Kyi will be allowed to run for president in 2015. Twenty-five percent of seats in the Parliament will still be guaranteed to unelected military appointees and more than 75 percent of parliamentary votes will be needed to amend the constitution. As a result, constitutional changes will require the approval of Burma’s unelected and unaccountable military. Human rights activists and groups like Human Rights Watch have further noted backsliding on press freedoms, new instances of land-grabbing, and continued corruption and control of the economy by cronies at the highest levels.

When President Obama became the first sitting U.S. president to visit Burma in November of 2012, President Thein Sein made 11 commitments to deepen democracy and protect human rights. Six months later, as a further reward for this spirit of reform, President Obama welcomed Thein Sein to the White House, where Thein Sein reiterated his dedication to those 11 commitments. Since that pledge, only one of those commitments has been fulfilled, three have been virtually ignored, and efforts on the rest are mixed at best. Some progress has been made on a few of President Thein Sein’s commitments, such as access for the International Committee of the Red Cross to prisons and procedures to release political prisoners. But, restrictions to prisons remain and new or re-arrests of political prisoners continue to be made. Other commitments, including international humanitarian access to conflict-affected areas, the opening of an Office of the UN High Commissioner for Human Rights, and decisive action in Rakhine State have been blatantly ignored.

Conclusion

The United States cannot ignore the acute risk of genocide in Burma's Rakhine State, nor the broader anti-Muslim violence that has spread across the country, nor the ongoing serious human rights abuses against ethnic minority groups. Nor can it dismiss the government of Burma's backsliding on democratic reforms and protections of the fundamental rights of the citizens of Burma.

As bad as conditions are, they are getting particularly worse in Rakhine State. And, I fear that they will get even worse as the 2015 election season arrives and political forces appeal to the worse of human nature – fear and prejudice – as they scapegoat those who are most vulnerable. This has the danger of spreading to other Muslim communities, as we have seen recently in Mandalay. The voices of those like U Soe Min who are trying to speak the language of peace and reconciliation are, unfortunately, a small and beleaguered number. I heard over and over again, in my conversations with civil society in Burma, the voices of the international community are much needed, and those of the United States perhaps most of all.

Mr. Chairman, please do not underestimate the importance of Congressional attention and action. When the pictures of the Rohingya I met were displayed on the floor of the House of Representatives, I was able to look on from Burma. And I was not alone. The spokesman for President Thein Sein was asked directly about the Rohingya Resolution and the statements made on the House floor. He and other leading voices in the Government of Burma want the international legitimacy accorded with closer relations with the United States. They want the economic benefits of U.S. investments and special trade arrangements and the security benefits of closer relations to the U.S. military. But they must realize that such remaining rewards cannot and will not come while the conditions described in my testimony continue to deteriorate.

How much suffering will millions in Burma need to endure for the United States and other members of the international community to demand accountability of the government and a reversal of repressive and lethal policies and practices? When will the United States insist that President Thein Sein of Burma fulfill the unkept promises that he made to President Obama in November of 2012?

Mr. Chairman, it is time for change in U.S. - Burma policy. The U.S. Congress has played an important role in helping to bring a hidden and brutal reality to light. We look to you now to insist on action.

Thank you, again, for holding this important Congressional hearing and for the opportunity to participate. I will be happy to answer any questions.



MARCHING TO GENOCIDE IN BURMA:

**FUELED BY GOVERNMENT ACTION AND A SYSTEMATIC CAMPAIGN OF HATE
AIDED AND ABETTED BY THE DIVERTED EYES OF THE WORLD**

Hon. Thomas H. Andrews

Daniel Sullivan

March 24, 2014

**UNITED TO END
GENOCIDE**

ABOUT THE AUTHORS

Thomas H. Andrews is President and Chief Executive Officer of United to End Genocide and former Congressman from Maine. He is long-time advocate of democracy and human rights in Burma. Tom has worked closely with the National Coalition Government of the Union of Burma, facilitated the creation of the European Burma Network and served as General Secretary of the Nobel Peace Laureate Campaign for Aung San Suu Kyi. Tom is a Senior Advisor to the National Democratic Institute for International Affairs, chaired by former U.S. Secretary of State Madeleine Albright.

Tom was elected to the Maine House of Representatives in 1982, the Maine Senate in 1984 and the United States House of Representatives in 1990. He has worked to promote democracy and human rights throughout the world including Indonesia, Cambodia, Yemen, Algeria, Serbia, and Ukraine among many others.

Dan Sullivan is the Director of the Policy and Government Relations at United to End Genocide. Dan manages the organization's conflict analysis and development of policy recommendations related to Sudan, Syria, Libya, Democratic Republic of Congo, Burma, and prevention of genocide and mass atrocities. He also plays a leading role in outreach to the U.S. administration and Congress and coordination with international non-governmental organizations and civil society groups.

Previously Dan worked for Human Rights First, the Brookings Institution and the Albright Stonebridge Group, where he assisted former Secretary of State Madeleine Albright in her role as co-chair of the Genocide Prevention Task Force.”

ABOUT UNITED TO END GENOCIDE

United to End Genocide is the largest activist organization in America dedicated to preventing and ending genocide and mass atrocities worldwide. The United to End Genocide community includes faith leaders, students, artists, investors and genocide survivors, and all those who believe we must fulfill the promise the world made following the Holocaust – “Never Again!”

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MARCHING TO GENOCIDE IN BURMA: FUELED BY GOVERNMENT ACTION AND A SYSTEMATIC CAMPAIGN OF HATE AIDED AND ABETTED BY THE DIVERTED EYES OF THE WORLD

EXECUTIVE SUMMARY

United to End Genocide completed a four week fact-finding mission to Burma on March 16, 2014. What we discovered was alarming. Nowhere in the world are there more known precursors to genocide than in Burma today. Hundreds have been killed with a death toll mounting daily, tens of thousands have fled under the most hazardous conditions, and 140,000 have been forced into horrible, overcrowded camps where they face severe restrictions and are denied basic necessities including medical care.

Deteriorating conditions have put Burma on a downward trajectory that could end in the world's next genocide without immediate action by the United States and the international community.

One hundred and forty thousand Rohingya Muslims live in conditions of segregation, marginalization and desperation in Internally Displaced Persons (IDP) camps. Thirty thousand attempted to flee these conditions last year by boat – a rate that has doubled in 2014 – preferring to be victims of human trafficking or death rather than remain in what many described as brutal “concentration camps”.

An alarming rise in ethnic and religious tensions and systematic human rights abuses are being fueled by well organized and financed campaigns of hatred led by extremist nationalist Buddhist Monks. The government of Burma has been linked to these campaigns, has failed to protect Muslims under attack and is seeking to establish even more repressive laws against Muslims.

During United to End Genocide's visit, the government abruptly terminated all services by the only provider of health care for hundreds of thousands of Rohingya Muslims living in Rakhine State – the Nobel Peace Laureate organization Doctors Without Borders. The death toll from this decision mounts daily with no end in sight.

United to End Genocide's President Tom Andrews met with dozens of Rohingya and their families whose lives depended on these services. Many were waiting to die. Andrews' recounted his experience: “I was followed by children in each of the eight camps that I visited housing 90,000 Rohingya. Hello! Hello! Hello!” they shouted as they ran to follow me. But their bright faces belied the suffering that surrounded them and that their older siblings, parents and grandparents described in heartbreaking detail. Hopelessness, resignation, fear, anger, frustration and bitterness were all evident: ‘Your country is our only hope’ I was often told. ‘If you will not help us, please bomb these camps. End this, please.’”

The international community – and particularly the United States – is in a strong position to alter the course of these events. But, it is failing to do so.

Few within Burma are willing to stand up to repressive government policies or speak out against campaigns of hate and bigotry. But it is clear that government, business and military leaders of Burma value international legitimacy and the opportunities that the opening to the international community has generated. With that comes leverage which can alter the calculations of Burma's governing and military elite away from the current trajectory of repression, hatred and violence.

What is required is the will to exercise that leverage. But that requires attention and recognition of what remains hidden behind the persistent rosy narrative of Burma's progress, other world events and indifference to the plight of those in the cross-hairs of the warning signs of genocide.

United to End Genocide is therefore launching a public campaign calling for immediate action by President Obama and the U.S. Congress. It is reaching out to its 500,000 members, its network of allied organizations and human rights advocates, Members of Congress and all men and women of conscience to act now to stop the march to genocide in Burma.

We call on President Obama to take the following immediate steps:

1. Demand that President Thein Sein act immediately to protect the Rohingya Muslim ethnic minority from further attacks.
2. Demand that the government of Burma rescind the order expelling Doctors Without Borders from Rakhine State and allow the organization's 500 staff to reopen all of its health clinics and services which provide the only life-saving care and medicine to which hundreds of thousands of Rohingya have access.
3. Demand that there be a credible investigation of the violence against Muslims – that includes international investigators – and that those found responsible be held fully accountable;
4. Suspend official government-to-government functions including meetings between military leaders until the above-mentioned concerns are addressed. Stop the movement of closer military-to-military relations between the United States and Burma until basic standards of behavior are met. Rescind the invitation of the Burmese Defense Minister to Hawaii for the ASEAN meeting of Defense Ministers April 1-3.
5. Update the targeted sanctions list of Specially Designated Nationals to include anyone responsible for perpetrating violence and announce consideration of renewal of U.S. sanctions and continued suspension of trade benefits under the Generalized System of Preferences.

We call on the U.S. Congress to immediately pass the bi-partisan HR 418, now pending before the House Foreign Affairs Committee: "Urging the Government of Burma to end the persecution of the Rohingya people and respect internationally recognized human rights for all ethnic and religious minority groups within Burma".

BURMA'S MARCH TO GENOCIDE:

Nowhere in the world are there more known precursors to genocide than in Burma today. The deteriorating conditions observed by United to End Genocide have put Burma on a trajectory to mass violence.

Former U.S. Congressman and United to End Genocide President Tom Andrews and United to End Genocide Policy Director Dan Sullivan just returned from Burma after spending nearly a month on a fact finding mission. Mr. Andrews had conducted a similar mission last summer. The trip included visits with citizens, local civil society leaders, Buddhist monks, Muslim leaders, government officials and international and local experts from the troubled Rakhine state in the west to the sites of anti-Muslim violence in central Burma.

As a group dedicated to monitoring the warning signs of genocide and mass violence throughout the world, what United to End Genocide saw and heard was deeply troubling.

The government's decision to prohibit the delivery of the life saving services of Doctors Without Borders in Rakhine State – which was made and implemented while United to End Genocide was in Burma – is a clear example of “deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part”. This Nobel Peace Laureate organization is the only provider of vital health care services for hundreds of thousands of desperate men, women and children. This decision is a death sentence for many of the people United to End Genocide visited.

These and other serious human rights abuses occur in the context of organized campaigns of hatred by community leaders and extremist nationalist Buddhist Monks and long-standing central and state government policies of discrimination and repression.

A recently released report of the human rights group Fortify Rights reveals the clear intention of government officials that underlie these policies including the desire to prevent births and create conditions to bring about the groups destruction at least in part (see Appendix 2).

Mass atrocities have repeatedly taken place in Rakhine State, including a breakout of violence in January that left some 40 men, women and children massacred as reported by the United Nations. The Government of Burma continues to deny that such killings occurred, despite reports by the UN and the revelation by Doctors Without Borders that it had treated 22 people for stab and gunshot wounds in the area where the massacre is reported to have taken place. This was a principle reason cited by the government of Burma for the expulsion of Doctors Without Borders. Another was that Rohingya were hired as local staff.

One hundred and forty thousand people, most of whom are Rohingya Muslims, live in conditions of total segregation, marginalization and desperation in Internally Displaced Persons (IDP) camps that are aptly described by those who live there as “concentration camps”.

Genocide

“any of the following acts committed with the **intent to destroy, in whole or in part**, a national, ethnical, racial or religious group, as such: (a) killing members of the group; (b) Causing serious bodily or mental harm to members of the group; **(c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part**; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group.”

– UN Convention on the Prevention and Punishment of Genocide

THE UNHEEDED WARNING SIGNS OF GENOCIDE

Genocide and mass atrocities do not happen without warning. There are clear signs that emerge in advance that provide opportunities to take steps to avert disaster – but only if the warning signs are recognized and heeded.

There are clear warning signs of genocide in Burma. They include:

Hate Speech and Dehumanization of the Other

From stereotypes of Muslims as violent and evil to narratives of an existential threat to Buddhist Burman culture, one would be hard pressed to find a level of dangerous speech as prevalent as in Burma today. Prominent nationalist monks like Ashin Wirathu describe Muslims as “dogs” and “African carp” who “breed quickly and they are very violent and they eat their own kind” in rallies and sermons that he conducts in the most volatile areas of Burma.

Organized Campaigns of Hate

Extremist nationalist monks have been touring the country, giving speeches and handing out DVDs with messages stoking popular fears of an existential threat to Burmese Buddhist culture by rapidly multiplying Muslims seeking to rape and force conversion of Buddhist women. Outbreaks of violence have often followed recent visits by nationalist monk leaders like Ashin Wirathu.

Wirathu held events in several towns during United to End Genocide’s fact-finding mission in what many consider the epicenter of hatred toward the Rohingya – Rakhine States’ capital city, Sittwe. There were events also in Thandwe, the site of violence against non-Rohingya Kaman Muslims last October.

Otherwise well-educated and moderate individuals in Burma express racist vitriol and refuse to refer to the Rohingya by name, rather calling them Bengali or “kalar”, the equivalent of the worst racial slurs in the United States.

In many places throughout the country there are ongoing boycotts of Muslim businesses, some still demarcated by the now infamous “969 Campaign” stickers and many more by a more subtle, but no less effective, Buddhist flag campaign marking Buddhist shops and homes. This campaign was on full display in Meiktila, the site of a massacre of Muslims that left over 40 people dead last year, and where tens of thousands remain displaced with many homes and businesses destroyed or taken over by Buddhists.

The Elimination of Independent Observers and Witnesses

Independent observers and witnesses are being denied access to the most volatile and dangerous areas of Burma. More non-governmental organizations (NGOs) are being threatened as protests against “foreigners” in Rakhine State are systematically organized and financed. United to End Genocide met with staff members of NGOs who reported a marked increase in the level of tension and intimidation. “Things are bad and getting worse,” said one who was preparing to travel to northern villages of Rakhine: “I don’t know how much longer I will be here.”

President Thein Sein broke the public pledge that he made to President Obama in November of 2012 to allow the UN High Commission for Human Rights to open a permanent office in Burma with access to Rakhine and other volatile and dangerous areas. Indeed, he has fulfilled only one of eleven pledges made during President Obama’s visit (see Appendix 2).

The Government of Burma continues to deny a United Nations report of a break out of violence in Rakhine State in January that left 40 men, women, and children massacred. Doctors Without Borders reported that it had treated 22 people for stab and gunshot wounds in the area where the massacre is reported to have taken place. This revelation was cited by the government as one of the principle reasons for the expulsion of Doctors Without Borders from Rakhine State. The loss of 500 Doctors Without Borders staff means the loss of 1,000 eyes on the ground.

Increasing Exodus of Rohingya by Boat Face High-risk of Drowning or Human Trafficking

In 2013, the UN estimated that some 30,000 Rohingya fled conditions in Burma by boat. Other observers have estimated the number at 75,000 or even above 100,000, with hundreds, perhaps thousands having drowned. So far this year, tens of thousands more are believed to have taken the same risk. Apart from the risk of drowning, many of those who flee fall into the hands of human traffickers in Malaysia or Thailand, forced to work on rubber plantations or in the sex trade. While very effective at restricting the movement of Rohingya within Burma, the government has shown little effort to prevent the flow of this imperiled population onto this perilous course. “We cannot pass the gate leading to town,” we were told by camp residents, “But the guards are happy to turn the other way if we are heading to sea.”

The Intimidation and Silencing of Political Voices of Opposition

Politicians starting with Aung San Suu Kyi have been largely silent in the face of this crisis. Many fear that they will pay a political price for standing up for Muslims in general and Rohingya in particular. United to End Genocide met with civil society leaders, monks and Members of Parliament who were distressed with the conditions facing Muslims but who cited pressure to remain silent, describing the backlash they faced from extremist elements in the country.

In Sittwe, the capital of Rakhine State, observers described an exodus of more moderate Buddhist Rakhine and warned that containing extremist sentiments would only become more difficult. As protests against Rohingya and international NGOs perceived to favor them increase in size and frequency – featuring uniform posters and t-shirts – Rakhine who might otherwise have declined to participate find themselves under immense pressure to prove their patriotism or risk being perceived as sympathizers and ostracized. Communities in other parts of Rakhine State that chose not to protest reportedly saw an influx of protesters shipped in from the capital Sittwe.

MPs described the political pressure that they were under, particularly as the 2015 election year approaches.

They told how opposition to proposed repressive legislation that would “protect Buddhism” by restricting interfaith marriages between Muslims and Buddhists would put their political careers in jeopardy. President Thein Sein has advanced the legislation in Parliament and it has become an organizing tool of nationalist Buddhists. Three million petition signatures in support of the legislation have reportedly been collected by the monks in rallies across the country. 10,000 Buddhist monks reportedly participated in a conference in January where they not only endorsed the legislation but announced their support for legislation that would restrict Rohingya Muslims from voting.

Looming Triggers of Violence – the National Census and 2015 Election

Highly contested elections are one of the most common triggers of violence related to genocide and mass atrocities. Nearly everyone we spoke with registered a clear sense of rising tensions and a belief that risks of violence would only increase as the 2015 elections approach.

International and domestic observers alike warned about the national census beginning on Sunday, March 30. With an underreported Muslim population in the last census over 30 years ago of around 4%, the latest numbers are sure to show a significant increase that feeds into dangerous narratives about the existential threat of a rapidly growing Muslim population intent on destroying Buddhist culture.

The census does not include Rohingya as one of the ethnic groups that are listed as options for census respondents. The Rohingya have indicated that they will check “other” and specify “Rohingya”. Protests, led by nationalist monks like Ashin Wirathu, have been organized to oppose providing Rohingya with any option for an ethnic identity other than “Bengali” – a pejorative term that reinforces their contention that Rohingya are foreigners.

Beyond stoking anti-Muslim hatreds, the census also risks increasing tensions with ethnic minority groups throughout the country who have decried a lack of consultation from a government known to have

manipulated ethnic categories and tensions for its own advantage in the past.

Restriction of Rights Based on Identity

This element is most starkly seen in northern Rakhine State where a state policy of persecution has limited the rights of Muslim Rohingya to marry, have children, work, move, and gain access to education. While we were in Burma, Fortify Rights released a report based on several leaked government documents laying out how engaged government officials have been in creating and enforcing these policies (see Appendix 2).

Denial of Readily Available Healthcare Causing Great Suffering and a Mounting Death Toll

The Nobel Peace Laureate Doctors Without Borders was thrown out of Rakhine State putting the lives of thousands of Rohingya Muslims in peril. The death toll of this decision mounts daily and is the latest manifestation of the increasing persecution of the Rohingya and a policy of apartheid that threatens to lead to genocide.

Abuse and Repression of Ethnic Minority Groups at the Hands of Burma's Military

Recent reports out of Kachin and Shan states document ongoing widespread cases of rape, torture, and attacks on civilian areas. Such abuses have been met with virtual impunity. Meanwhile, some 100,000 people remain displaced in Kachin State, displaced as recently as October and November 2013. The Burmese government continues to deny unfettered humanitarian access to those in need (see Appendix 2).

Government Policies and Statements that Condone the Actions of those Inciting Hatred and Violence

Hate speech is becoming more pervasive and dangerous in Burma. Well organized gatherings and rallies are held in the most volatile areas that feature the vitriol of radical nationalist monks. Reports of violence often follow in their wake. One of the most incendiary of these monks is Ashin Wirathu who has described himself as “the Burmese Bin Laden”. When asked to comment on Wirathu and his pervasive hate speech, President Thein

Sein defended him as a “son of Buddha” and lashed out at those who criticize him. Last month Thein Sein endorsed and sought to advance legislation to “protect race and religion” which included provisions that would prohibit the marriage of Buddhist women with Muslim men. The legislation has become a rallying cry and organizing tool for extreme nationalist monks and their rallies.

Government Failure to Protect Civilians

The central government and army have failed to provide for the security of those under immediate threat and failed to address the humanitarian crises of what was to be temporary shelters and are now permanent camps for internally displaced persons. The failure of security forces and police to protect Muslims – and their complicity in violent attacks – has been well documented (see Appendix 2).

Muslims we spoke with cited worsening conditions and greater levels of intimidation and fear. Everyone believed that greater violence was inevitable and expressed the strong sentiment that the violence against Muslims would stop if the government and military wanted them to.



“Never Again”? The International Community’s Failure to Act

Caught in the “good-news” narrative of a nation that has undergone significant reforms, including the release of Nobel Peace Laureate Aung San Suu Kyi and her election to Parliament, and seemingly focused on other world events, the world has been quick to declare the transformation of Burma a foreign policy success. In so doing the international diplomatic community has willfully ignored – or failed to adequately address – the warning signs of genocide and mass violence.

Should the conditions cited in this report erupt into mass violence questions will be asked, as they always are, about what the world could have done to stop the killing. Why were the clearly visible warning signs not heeded? Why did the world fail to act, yet again, to stop genocide?

First and foremost, it ignored them. United to End Genocide has begun to consult and brief officials, policy makers and advocates of its findings in Burma. What has been striking is how surprised many are. A Member of Congress responded with shock: “I pride myself in keeping abreast of important world developments,” he said, “but I had no idea that this was going on.”

This is a common response to genocide and mass atrocities: “How could this have happened?” “Why was nothing done?” And, finally: “Never again!”

These responses most often come after the massive loss of human life. While many lives have been lost and hundreds of thousands are at risk in Burma, the good news is that there is still time and opportunity to avert an even greater catastrophe. But the United States and the world must act now.

When informed of who we were and where we were from, many of the Rohingya who we met as we visited their IDP camps told us that the international community – and the United States in particular – was their only hope: “If you will do nothing to help us”, they pleaded, “than please bomb the camps. Please end this!”

WHAT THE WORLD AND THE UNITED STATES CAN DO

The policies of the United States and other governments of the world have failed to alter these dangerous and deteriorating conditions in Burma, despite options and opportunities to do so. A change of course is imperative.

There is little domestic space within Burma to stand up to repressive government policies or speak out against campaigns of hate and bigotry. This has to do with a complex mix of popular fears, opportunistic hate mongering and self-interested political calculations.

But it is clear that government, business and military leaders value international legitimacy and the promise of wealth and prestige that the recent opening to the international community has begun to bring. With that comes leverage which can alter the domestic calculations away from the current trajectory of repression, hatred and violence and towards one of respect for human rights and the prevention of genocide and mass atrocities.

The U.S. government has a range of readily available options to act. Among them:

- Issuing a public demand from President Obama to President Thein Sein to restore health care services immediately to Rakhine State by allowing Doctors Without Borders to unconditionally re-open all clinics and restore all healthcare services to those in desperate need;
- Demanding a credible independent investigation – including international observers and partners – into recent violence in Northern Rakhine and holding perpetrators

of violence and those inciting violence with campaigns of hate speech accountable;

- Generating greater public attention on the crises and pressure on those who are responsible. President Obama should begin immediately by speaking up and out against these alarming trends calling on President Thein Sein to act on his long-delayed promises including the opening of a UN Office of the High Commissioner for Human Rights with a full mandate and access;
- Suspending diplomatic and military meetings until immediate concerns are addressed, starting with rescinding the invitation of the Defense Minister of Burma to Hawaii for the ASEAN meeting of Defense Ministers April 1-3;
- Stopping the movement of closer military-to-military relations between the United States and Burma until basic conditions and standards of behavior are met. Adhere to conditions for future engagement such as laid out in the Burma Human Rights and Democracy Act of 2014 (see Appendix 2);
- Update the targeted sanctions list of Specially Designated Nationals to include anyone responsible for perpetrating violence and announce consideration of renewal of U.S. sanctions and continued suspension of trade benefits under the Generalized System of Preferences;
- Announcing the strengthening of the few sanctions that remain on Burma including the long-delayed update of the Specially Designated Nationals (SDN) list;
- Putting Burma on the UN Security Council agenda to address the deteriorating conditions that are already severely impacting the nations of the region, including the refugee crises caused by the growing numbers of those risking their lives to escape Burma.



A CITIZENS CALL TO ACTION

United to End Genocide is issuing a call to its 500,000 members, its network of allied organizations and human rights advocates, Members of Congress and all men and women of conscience to act now to stop the march to genocide in Burma.

They can do so by taking two immediate steps:

1. Sign the petition to President Obama to take action; and,

2. Contact Members of Congress to urge their support of HR 418, now pending before the House Foreign Affairs Committee: "Urging the Government of Burma to end the persecution of the Rohingya people and respect internationally recognized human rights for all ethnic and religious minority groups within Burma."

We are united to end the threat of genocide in Burma.

Dear President Obama:

The government of Burma has ordered Doctors Without Borders, the only source of medical care for hundreds of thousands of the Rohingya ethnic minority, to close its doors in Rakhine State. As you know, this decision is a death sentence for many.

The expulsion of Doctors Without Borders is the latest policy of persecution against the Rohingya population amid long-standing state policies of discrimination. It's part of a series of deteriorating conditions sending Burma on a downward trajectory that could end in the world's next genocide without immediate action.

I am writing to urge you to immediately use the leverage and influence of the US government to protect the Rohingya. You must make it clear to President Thein Sein – protect the Rohingya from further attacks or face economic and diplomatic consequences from the United States and others. Specifically, I am asking you to:

- 1) Demand that Burma immediately rescind the order expelling Doctors Without Borders and allow the organization to reopen all of its health clinics and services;
- 2) Demand a credible independent investigation including international observers and partners into the violence against Burma's Muslim minority and hold perpetrators accountable;
- 3) Rescind the invitation to the Defense Minister of Burma to attend the ASEAN Defense Ministers meeting April 1-3 in Hawaii and suspend official engagements;
- 4) Update the targeted sanctions list of "Specially Designated Nationals" to include individuals responsible for perpetrating recent violence.

Nowhere in the world are there more known precursors to genocide than in Burma today. There are few voices calling for a stop to the killing of the Rohingya, the U.S. must be one of them.

Addendum

EWITNESS TO SUFFERING: AFTERMATH OF THE GOVERNMENT'S EXPULSION OF DOCTORS WITHOUT BORDERS FROM RAKHINE STATE

Former Congressman and United to End Genocide President Tom Andrews released the following statement from Burma immediately following the announcement that Doctors Without Borders was being forced out of Rakhine State by the government of Burma:

“Today’s action by the government of Burma to shut down the health services of Medicines Sans Frontières (MSF) is outrageous.

MSF has been found guilty of telling the truth about attacks against the Rohingya last month. For this, the lives of tens of thousands of desperate people have been put at risk.

The international community cannot turn its back on the latest assault by the government of Burma on the most persecuted and neglected people in the world. Their only crime is their ethnicity and religion.

A strong and immediate response by the U.S. government and the international community is imperative. This is not only a matter of right and wrong but life and death.”

Congressman Andrews travelled to Rakhine State two days after the announcement. What he saw was deeply troubling. The human suffering and death toll in the wake of the expulsion of doctors and other health care has begun. It will continue to rise until the expulsion order is reversed.

Here is part of Congressman Andrews’ eyewitness account:

I travelled to all of the IDP camps in the Sittwe – housing over ninety-thousand men, women and children – over four days. I sought out those whose lives were being impacted by the decision to deny health care for otherwise readily treatable conditions. I met patients, young and old, and

members of their families. I spoke to many near the closed doors of a shuttered Doctors Without Borders clinic. I listened to their stories and took their photos.

They included:

- A one-and-a-half-year-old child suffering from pneumonia who was in the middle of her treatment with two days of medication remaining. Her mother was told to come back to the MSF clinic to check on the condition of the child and receive additional care and medicine. The closure of the clinic makes this no longer possible. As the child coughed, her mother told me that her little girl had blood in her stool and been suffering from fever. The family is at a loss as to what to do.
- A forty-three-year old mechanic with an open wound on his abdomen who had arrived at the MSF clinic on Friday was told that the staff could not help him because the clinic was no longer open. His deteriorating condition was linked to complications of an emergency appendectomy that he had at Sittwe General Hospital. He told me that he would never go back there again. I was told by several who had experience with Sittwe General that, unlike MSF, they had to buy food and also pay bribes for their security. They feared for their lives and the safety of their family and mistrusted those providing treatment. Unable to walk, the man was emaciated and weak. He said he had little hope left and was ready to die. His wife, who sat beside him, wept as she told me how sad and afraid she was for her family.
- A ten-year-old boy was suffering from what MSF doctors suspected was tuberculosis. An outpatient, the boy was receiving daily treatment that included injections, pills and nutritional supplements. He was told to return to the clinic on Monday for observation and

treatment but the clinic was closed. He had two weeks of medication left. His mother said that with no money or property to sell – her husband is unemployed – they have no options and little hope if their son’s condition does not improve on its own.

- A forty-year-old mason went to the clinic to be treated for chronic lung disease. His difficulty breathing had gotten worse and needed treatment. The treatment began weeks ago and required him to come to the clinic regularly for check-ups and medication. The treatment, including the inhaler that the clinic gave to him, seemed to be working. He was to return the clinic the week I met him but was told it was closed. His pills and inhaler will soon run out. Looking for options he went to the Daiping Emergency Hospital but was told that they can only provide cough medicine, not treatment for the disease. He told me that he is afraid what will happen when his inhaler and pills run out. He is at a loss as to what to do.
- A fifty-five-year-old farmer was being treated for diabetes at the MSF clinic when he was turned away because of its closure on Friday. His right leg had been amputated three months ago and gangrene had set into his left leg. He told me that he had decided that it was better to die than go back to Sittwe General Hospital particularly if MSF would not be there to take care of him afterward. With little hope that MSF clinic would re-open, he and his wife were preparing to return home where they said he would die. The pills that MSF had given him for his treatment would be gone in a few days and he had enough pain medication to last a few days beyond that.

The loss of life because of the loss of health care in Rakhine State is the latest development in a deeply disturbing trend that I have witnessed here in Burma. An increasingly toxic mix of hatred and intolerance is threatening not only the Rohingya, but all Muslims. I have seen a notable increase in tension and fear among the Muslim community in Burma since I visited last June. Indeed, I was informed that some of the

community leaders who I met with last summer had closed down their business and taken their families out of the country. Things were getting worse, not better, I was told.

Meanwhile, staff members of NGOs working in Rakhine State described their increasing level of fear and intimidation. They told of the growing number of well organized and funded protests against the presence of “foreigners” in Rakhine State.

It is clear that the expulsion of Doctors Without Borders is not just about the loss of healthcare. It is about the expulsion of witnesses. When I asked why, I was told that the pressure to eliminate witnesses was growing along with the threat of even greater mass violence. Indeed, large areas in northern Rakhine State are now inaccessible raising fears and speculation about the fate of those who are under threat and in the shadows. If the MSF expulsion is allowed to stand, I was told, more expulsions of NGOs and witnesses will very likely follow.

The warning signs of mass violence are clear. It is imperative that these warning signs be heeded. After nearly four weeks here in Burma, I fear that we could be one incident away from a conflagration of violence and a significant loss of life.



Appendix 1

H.RES.418: URGING THE GOVERNMENT OF BURMA TO END THE PERSECUTION OF THE ROHINGYA PEOPLE AND RESPECT INTERNATIONALLY RECOGNIZED HUMAN RIGHTS FOR ALL ETHNIC AND RELIGIOUS MINORITY GROUPS WITHIN BURMA

Urging the Government of Burma to end the persecution of the Rohingya people and respect internationally recognized human rights for all ethnic and religious minority groups within Burma.

Whereas over 800,000 Rohingya ethnic minority live in Burma, mostly in the western Rakhine state;

Whereas currently, approximately 140,000 Rohingya are internally displaced in central Rakhine state and hundreds of thousands have fled to neighboring countries, including at least 231,000 in Bangladesh, at least 15,000 in Malaysia, and many more in Thailand and Indonesia;

Whereas the Burma Citizenship Law of 1982 has long excluded from approved ethnic groups the Rohingya people, despite many having lived in northern Rakhine state for generations, and has thereby rendered Rohingyas stateless and vulnerable to exploitation and abuse;

Whereas the Rohingya have historically experienced other particularized and severe legal, economic, and social discrimination, including restrictions on travel outside their village of residence, limitations on their access to higher education, and a prohibition from working as civil servants, including as doctors, nurses, or teachers;

Whereas authorities have also required Rohingya to obtain official permission for marriages and have singled out Rohingya in northern Rakhine state for forced labor and arbitrary arrests;

Whereas the Government of Burma has forcefully relocated Rohingya into relief camps, where they lack decent shelter, access to clean water, food, sanitation, health care, the ability to support themselves, or basic education for their children;

Whereas a two-child policy sanctioned solely upon the Rohingya population in the districts of Maungdaw and Buthidaung in northern Rakhine state restricts the rights of women and children, prevents children from obtaining Burmese citizenship, denies Rohingyas access to basic government services, and fosters discrimination against Muslim women by Buddhist nurses and midwives;

Whereas the United States Department of State has regularly expressed since 1999 its particular concern for severe legal, economic, and social discrimination against Burma's Rohingya population in its Country Report for Human Rights Practices;

Whereas the level of persecution, including widespread arbitrary arrest, detention, and extortion of Rohingya and other Muslim communities, has dramatically increased over the past year and a half;

Whereas communal violence has affected both Muslims and Burma's majority Buddhist population, but has overwhelmingly targeted Burma's ethnic Muslim minorities, which altogether comprise less than 5 percent of Burma's population;

Whereas violence targeting Rohingyas in Maungdaw and Sittwe in June and July of 2012 resulted in the deaths of at least 57 Muslims and the destruction of 1,336 Rohingya homes;

Whereas on October 23, 2012, at least 70 Rohingyas were killed, and the Yan Thei village of the Mrauk-U Township was destroyed;

Whereas violence has also targeted Muslims not of Rohingya ethnicity, including riots in March 2013 in the town of Meiktila that resulted in the death of at least 43 Burmese Muslims, including 20 students and several teachers massacred at an Islamic school, the burning of at least 800 homes and 5 mosques, and the displacement of 12,000 people;

Whereas on October 1, 2013, riots involving more than 700 Buddhists in Thandwe township resulted in the death of 4 Kaman Muslim men and the stabbing death of a 94-year-old Muslim woman;

Whereas over 4,000 religious, public, and private Rohingya structures have been destroyed;

Whereas Rohingyas have experienced and continue to experience further restrictions on their practice of Islam, culture, and language; and

Whereas the violence against ethnic Muslim populations, including the Rohingya and other Muslim groups, is part of a larger troubling pattern of violence against other ethnic and religious minorities in Burma:

Now, therefore, be it Resolved, That the House of Representatives:

(1) calls on the Government of Burma to end all forms of persecution and discrimination of the Rohingya people and ensure respect for internationally recognized human rights for all ethnic and religious minority groups within Burma; and

(2) calls on the United States Government and the international community to put consistent pressure on the Government of Burma to take all necessary measures to end the persecution and discrimination of the Rohingya population and to protect the fundamental rights of all ethnic and religious minority groups in Burma.

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FACES OF THE ROHINGYA

**WITHOUT ACCESS TO LIFE-SAVING HEALTHCARE
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