



**Testimony of the Hon. Thomas H. Andrews  
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US House of Representatives Committee on Foreign Affairs  
Subcommittee on Asia and the Pacific  
“An Unclear Roadmap: Burma’s Fragile Political Reforms and Growing Ethnic Strife”  
September 19, 2013**

Mr. Chairman and Members of the Committee:

Thank you for holding this important public hearing. Despite the well publicized reforms in Burma that led to the election of Aung San Suu Kyi to Parliament, there is a disturbing reality there that has remained largely obscured from public view. It is imperative that Congress and the American people are aware of this side of the Burma story and that current U.S. policy toward Burma be closely examined in light of it. This hearing is an important and timely step in this direction.

Earlier this summer I travelled to Burma to get a first-hand look at conditions there. I discovered that there are many thousands of people there who are facing hatred, discrimination and violence not because of anything that they have done but because of who they are and the God they pray to.

United Nations officials and independent human rights groups have documented direct state complicity in ethnic cleansing and severe human rights abuses, the blocking of humanitarian aid and incitement of anti-Muslim violence.

I travelled to Rakhine State in the west of Burma where I visited eight IDP camps and spoke with dozens of desperate internally displaced people. I travelled to the central and northern area of Mandalay and the city of Meiktila where I visited neighborhoods and met with many people and families who live in fear and desperation. And, I met with many in the capital city of Rangoon, where fear and intimidation is on the rise in Muslim communities.

Throughout my travels I heard stories of systematic discrimination, isolation and blanket oppression where every aspect of life of members of the Muslim minority is controlled. People described living in constant fear of violence within their communities and intimidation by authorities. The right to move from one village – or even one street – to another, the right to earn a living, to get married, to have more than two children and even the right to live with one’s own family was often dependent on the permission of authorities and most often only after the payment of bribes.

I found that hate speech – a precursor of genocide – is prevalent in Burma. Fueling it is a systematic, well organized and well funded campaign of hatred and bigotry known as “969”. It follows a well established pattern:

- 1) Campaign organizers arrive in a village, distributing DVDs, pamphlets and stickers that warn Buddhists that their religion and their country were in peril as Muslims seek to eliminate both and establish a Muslim caliphate;
- 2) Villages are invited to a special community event to hear a message from venerable Buddhist monks about how they can protect their families, nation and religion;
- 3) Radical nationalist monks arrive at the designated time and deliver fiery hate-filled speeches warning that Muslims are plotting to destroy Buddhism and take control of the nation. Villages are encouraged to support the movement by signing petitions, and displaying “969” stickers on their homes and businesses. They are encouraged to only patronize those who displayed the stickers and boycott any Muslim owned or operated business.

The hateful rhetoric of these radical Rakhine monks and the “969” campaign is ominously reminiscent of the hateful propaganda directed at the Tutsi population and their sympathizers in the lead up and during the Rwandan genocide. Demanding the expulsion of all Rohingya from Burma, these monks urge the local population to sever all relations with not only the Rohingya, but also with what are described as their “sympathizers”. Labeled as national traitors, those Buddhists who associate with Rohingya Muslims also face intimidation and the threat of violence.

Mr. Chairman, I discovered a highly flammable toxic mix of conditions in Burma that can explode into massive violence and genocide unless action is taken to stop it.

The Rohingyas are one of the most persecuted minorities in the world. They were effectively stripped of their citizenship in 1982 through the discriminatory Citizenship Law. There has been little political will to repeal the law as widespread prejudice against Rohingya prevails. The government has long restricted their rights to freedom of movement, education and employment.

Government restrictions on humanitarian access to the Rohingya community have left tens of thousands in dire need of food, adequate shelter, and medical care.

The authorities in Burma do not want you to hear what I am telling you this afternoon. After being blocked by security forces at roadside checkpoints from visiting IDP camps, I told officials that I was a former Member of Congress who was in communication with many former colleagues who were eager to learn about conditions in Burma. This is what I wrote to friends and colleagues from inside Burma soon after I found my way to Muslim minority communities and IDP camps:

*I am travelling to parts of Burma that the government does not want me to see. I now realize why. Yesterday I saw burnt out buildings and destroyed Mosques, met with those who had to literally run for their lives after watching their homes and everything that they had worked for destroyed. They now live in abject poverty in makeshift camps wanting desperately to return and rebuild their village but also utterly terrified. Many told me that yes, they are scared of the mobs and the escalating anti-Muslim fear mongering and poison that fuels the violence. But, they fear Myanmar security forces and police even more.*

*I have been running into plenty of these security forces. They have stopped, harassed and followed me. Military intelligence agents have interrupted meetings with courageous people willing to tell me their story. Three of these agents followed me yesterday to a meeting of an extraordinary Buddhist monk who saved hundreds of Muslims from a mob by providing them shelter in his monastery. The agents sat in the back of the monastery hall taking notes.*

*Even more than the anger I have felt over what I have observed, I have been deeply moved by the courage of the people here – starting with those who have been willing to translate, drive and guide me. They feel so strongly about the need to get this story out that they have been willing to put themselves and their families at great risk - as are the people who are willing to meet with me despite the intimidating stares of government agents.*

*There have been several difficult moments. My guide got a call from his wife as we talked to residents of a camp for Internally Displaced Muslims – a living hell that they aptly describe as a prison. She was alarmed, telling him that the police had just left their house, a warrant had been issued for his arrest and a search for him was underway. With apologies he immediately went into hiding. Later I was stopped and surrounded by several security forces shortly after passing their compound. They let me pass only after I showed them the photos in my camera and trashed those that they did not want to leave the country. Yesterday, at what I thought was a secret meeting at the home of a family in a village wracked by violence, a neighbor came by to warn us that military intelligence agents were waiting across the street. I had four agents following me for the remainder of the day.*

*These are only some of the obstacles to learning and documenting the truth here. This is the untold story of Burma – one that is not part of the sunny narratives that dominate much of the media and official briefings. It is one that desperately needs to be told.*

Nor am I alone in my experience. The United Nations Special Rapporteur for Human Rights in Burma, Tomas Quintana, traveled to Burma a few weeks ago and was confronted by an angry crowd that prevented him from visiting IDP camps in the town of Meikthila. As Quintana said:

*“The fear that I felt during this incident, being left totally unprotected by the nearby police, gave me an insight into the fear residents would have felt when being chased down by violent mobs during the violence last March, as police allegedly stood by as angry mobs beat, stabbed and burned to death some 43 people.”*

I was told that the population of the provincial capital Sittwe was once fairly evenly divided between Rohingya Muslims and Rakhine Buddhists. Now, all Rohingya have been moved out of the city to camps with the exception of one ward, Aung Mingalar. Over 5,000 Muslims have been living there since violence broke out in June of 2012. Last month, hundreds of Muslims were moved from the Aung Mingalar quarter to the IDP camps. While the government claimed the relocation was voluntary, my guide and translator reported that those displaced were very unhappy about leaving, worrying that they will lose their support system including access to food. His home and family have been moved to Aung Mingalar but he remains confined in an IDP camp in Sittwe and is prohibited from leaving, even to visit his family.

I attempted to visit Aung Mingalar but was turned away by guards who control the movement of anyone wanting to enter or leave. Quintana was able to get in. He observed:

*“The severe restrictions on freedom of movement in Muslim IDP camps and villages remain in place. I visited Aung Mingalar, the only remaining Muslim ward in Sittwe, where a large number of people are living in a confined space, with the periphery marked out with barbed wire and guarded by armed police...The police and army have now taken charge of security in Rakhine State. Although there are legitimate security concerns which the police and army are addressing, I have received many serious allegations of the disproportionate use of force in dealing with large crowds of Muslim protestors. The latest incident saw live ammunition used to disperse a crowd of Muslims in Sittwe, with two killed and several injured. Security forces need to stop the use of excessive force.”*

In short, what I observed, and what others like Quintana continue to observe, is a dangerous mix of isolation, intolerance and impunity.

The United Nations’ Special Rapporteur also cited the impunity of security forces and the lack of justice for the Rohingya:

*“Sittwe and in particular Buthidaung prison are filled with hundreds of Muslims men and women detained in connection with the violence of June and October 2012. Many of these have been arbitrarily detained and tried in flawed trials. I met the State Chief Justice and urged for the respect of due process of law. The use of torture and ill treatment, including some cases of death, during the first three months of the June outbreak, needs to be properly investigated and those responsible held to account.”*

In November 2012, United to End Genocide sounded the alarm on “ominous warning signs of genocide” calling on the Obama administration to take strong and immediate steps to stop the systematic violence and attacks against the Rohingya Muslim ethnic population of Rakhine State in western Burma.

President Thein Sein had earlier proposed what amounts to the ethnic cleansing of the entire area where Rohingya citizens have been settled for generations. He went so far as to request assistance from United Nations to remove all Rohingya people from Burma or be sent to camps within the country [[Democratic Voice of Burma](#)]. While he has since modified how he speaks about the Rohingya, the actions of the Burmese military speak volumes about the failure of his government to provide the protection – and recognize the fundamental rights – of this besieged ethnic minority.

The dire conditions faced by the Rohingya people have pushed thousands to flee on overloaded boats. It is believed that more than 35,000 Rohingya have fled Burma by sea and Refugees International estimates 785 Rohingya have drowned since October 2012. More will likely try as the rainy season ends in October. Matt Smith of Fortify Rights International says, “We’re likely to see tens of thousands of more asylum seekers take to the sea in coming months.”

Burma has a long and disturbing record in dealing with other minority ethnic and religious groups as well. In the past year alone, the Burmese army has bombed civilian areas in Kachin State and continued to block international aid from reaching thousands. In March, the UN Human Rights Council cited concerns about abuses in Kachin State citing and “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.”

Even as government official laud the push for a national peace conference with various ethnic groups, violence and abuses have increased in Kachin State over the last two weeks. Trusted sources recently told me of killings of civilians there by Burmese military forces, forced labor on the front lines of the Burmese army (forced portering of munitions and rations in northern Shan State), soldiers entering villages and destroying property, and the gang rape of Kachin women.

The Burmese government also continues to block humanitarian aid to those in need. On September 7<sup>th</sup> – just two weeks ago – the UN reported its first aid delivery in two years to the key town of Laiza in Kachin state. While an improvement from nothing, the aid was limited in scope and failed to reach many other areas in desperate need.

Mr. Chairman, your willingness to look behind the good-news narrative of Burma is extraordinarily important for several reasons. The most important was described to me by a political operative who works with political party officials, MPs and others engaged in government and politics in Burma. After describing what I had seen, he explained that the issue of the Rohingya and Muslim minorities was a “political landmine” in Burma. Prejudice against the Muslim minority, particularly the Rohingya Muslim minority is so pervasive, he explained, that politicians are very eager to avoid the subject altogether – and certainly not defend minorities under attack. Defending the Muslim minority, I was told, would invite attack and ridicule by political opponents who would only be too eager to defend Burma and Buddhism from radical Muslims.

This frankly means that the only source of genuine pressure on the military dominated government of Burma – particularly when it comes to the plight of the Muslim minority community – is from the outside. And, the single most important source of that pressure is the United States. Everyone I spoke with strongly agreed with this observation.

As I testified last year before this committee:

*“Our recognition of progress in Burma must be prudent and clear-eyed because the fact of the matter is, a great deal has not changed in Burma. The United States has played a key leadership role in generating and sustaining the international pressure that has been instrumental in making the changes that we are witnessing in Burma possible. To abandon this leverage prematurely would be to jeopardize the movement forward that we have seen and condemn those who continue to suffer in Burma more of the same.”*

Mr. Chairman and Members of the Committee, I am afraid that more of the same is the rule for significant numbers of citizens of Burma who continue to be brutalized at the hands of the military and military dominated regime.

The Administration’s “calibrated engagement strategy” must be re-examined in light of these conditions. This re-examination should include the pace at which sanctions have been lifted without substantial progress by the Burmese government. It was good that President Obama acted with an Executive Order to maintain sanctions on the trade of gems, one of the most notorious sectors in terms of links to human rights abuses. It was unfortunate, however, that the sanctions up for annual renewal under the Burma Freedom and Democracy Act were allowed to

lapse. The sad reality is that there are no conditions for the re-imposition of sanctions should there be no significant improvements.

These steps to relax pressure on the regime are sending a dangerous message. The U.S. is sending yet another dangerous message as the Pentagon's increases engagement with the military of Burma without any requirements for reform or benchmarks to measure that reform. Abuses – tied both directly and indirectly to the military – continue apace without any demands for accountability or change.

The first step in lending legitimacy to the Burmese military took place last year when military officers from Burma were allowed to observe the joint U.S.-Thai military exercises known as Cobra-Gold. Over the last two months, U.S. defense legal experts have traveled twice to Burma to meet with Burmese military officers. And last month the first bilateral meeting of Defense Ministers in over 20 years took place when U.S. Secretary of Defense Chuck Hagel met his counterpart from Burma on the sidelines of the ASEAN Defense Ministers meeting in Brunei.

While the Obama administration argues that these initial steps will help encourage reform, it is dangerous to provide ever increasing legitimacy to a military responsible for countless human rights abuses before there is accountability and change. Where there is progress there should be reward. But where there is back-sliding there must be consequences. Further relations between our militaries must be based on standards of conduct. Business as usual should not be allowed to continue if these standards are not met.

Given the ongoing killing of civilians, restriction of humanitarian aid and gross violations in Kachin State, the severe plight for Rohingyas in Rakhine State, broader anti-Muslim violence, widespread displacement caused by pandemic land grabbing, reversible reforms, dominance of the military over civilian authorities and remaining political prisoners; the U.S. government should insist that the Burmese government make substantial progress in key areas including:

- Ending gross violations of international human rights law and humanitarian law, including an end to attacks on civilians in all regions, and the provision of meaningful access for international human rights monitors;
- Keeping its pledge to allow the UN High Commissioner for Human Rights to establish an office in Burma and fully investigate conditions there;
- Entering into meaningful collective nationwide negotiations that lead to a political settlement with ethnic minority groups; these should include negotiations over the grievances of ethnic nationalities including demands for constitutional decentralization/

federalism, power-sharing, a fair federal fiscal system and the rights of individual minorities including religious, cultural, and linguistic rights;

- Implementing constitutional changes that enable a civilian government to hold the military accountable, including reform of the judicial system to ensure independence and enabling the provision of legal mechanisms to hold perpetrators of human rights violations accountable;
- Drawing upon public participation and civil society input, establishing institutional reforms that will effectively hold perpetrators of human rights violations accountable for their crimes according to all relevant international legal standards;
- Allowing humanitarian access to people in areas of conflict; including unhindered access for humanitarian agencies;
- The unconditional release of all remaining political prisoners and the repeal of laws that prohibit basic freedom including freedoms of assembly, speech and press;
- Establishing the rule of law, including the creation of an independent judiciary with the proper training to fairly and transparently adjudicate cases;
- Ensuring the transparency of all revenues from taxation and the natural resources sector; and
- Fully implementing ILO Commission of Inquiry directives to end forced labor.

**If Burma fails to meet these criteria, U.S. government should:**

- Renew the lapsed sanctions provided for under the Burmese Freedom and Democracy Act to send a strong signal to the Burmese government and add pressure on the Burmese Army to cease hostilities in ethnic areas;
- Re-impose the ban on investment, retroactive to July 2012, when the restriction were lifted;
- Restore the export restrictions on financial services, reverting the conditions of the general license issued on April 17, 2012, which makes exceptions for not-for-profit activities in basic needs, democracy building, and good governance, education activities, sporting activities, non-commercial development projects directly benefiting the Burmese people and religious activities.



In addition, the US should support the establishment of an International Commission of Inquiry to investigate the recent violence in Arakan state and central Burma as well as abuses in other parts of the country including Kachin and Shan states.

Mr. Chairman and Members of the Committee, I understand the desire to declare Burma a success story. I've been working on Burma for decades and want nothing more than to see true democratic transformation and an end to human right abuses. But, success isn't marked by removing sanctions – it's marked by lasting change for the people of Burma who have endured endless suffering under a brutal military regime. We must choose our next steps wisely. Let us reward genuine progress, but let us not condemn the people of Burma – particularly those living in ethnic minority states – to the consequences of a long oppressive military regime that is suddenly freed of accountability and consequences for its behavior.

Again, thank you for holding this extremely important hearing. I am hopeful that it will be an important step toward a re-examination and re-setting of U.S. – Burma policy.

I am more than happy to answer any questions.