



1444 N Street, NW, Suite A2  
Washington, DC 20005  
Tel: (202) 234 8022  
Fax: (202) 234 8044  
[info@uscampaignforburma.org](mailto:info@uscampaignforburma.org)  
[www.uscampaignforburma.org](http://www.uscampaignforburma.org)

U.S. House of Representatives  
Committee on Foreign Affairs  
Subcommittee on Asia and the Pacific  
Hearing: "An Unclear Roadmap: Burma's Fragile Political Reforms and Growing Ethnic Strife"  
Thursday, September 19, 2013

Testimony of Jennifer Quigley  
Executive Director, U.S. Campaign for Burma

---

Mr. Chairman, Ranking Member, and Members of the Subcommittee,

I would like to thank you for the opportunity to speak today about the current state of political reforms and human rights concerns in Burma. Between July 2011 and April 2012, Burma's President Thein Sein surprised the international community when he began a dialogue with Aung San Suu Kyi, leader of Burma's democracy movement, and agreed to ease some of the restrictions on political parties, paving the way for Aung San Suu Kyi's by-election victory in April 2012. Thein Sein released several hundred political prisoners and began ceasefire negotiations with ethnic minority groups. Many governments, including the Obama Administration, responded quickly to what it perceived to be an astonishing pace of reforms in the country, rushing to lift sanctions in an attempt to encourage more reforms and profit from Burma's untapped economic potential and resources.

The human rights community and Burma's ethnic minorities were skeptical of the motives of the Burmese Government and cautioned governments not to lift sanctions too soon. After all, the Burmese Government had not released all political prisoners, the political prisoners who had been released, were released conditionally, under threat they could be re-imprisoned to serve the remainder of their long prison sentences and the repressive laws used to imprison democracy and human rights activists remained. The military showed no signs of reform, in June 2011, shortly after the old military regime transformed itself into a nominally civilian government; they attacked the Kachin Independence Army ending their 17 year ceasefire. The attacks against the Kachin continued despite calls for a ceasefire by President Thein Sein. Constitutional barriers to democratic rule, national reconciliation, independence of the judiciary, and civilian control over the military are firmly in place.

Once governments began to suspend or lift their economic sanctions in April 2012, the pace of reforms slowed dramatically. With the exception of token political prisoner releases that immediately proceed or follow President Thein Sein's travel abroad or visits from Heads of State to Burma, to garner international good will, little political reform has taken place. Primary focus was placed on securing economic benefits from foreign investment and trade. In Rangoon and Mandalay, Burma's largest cities, there was optimism around the economic benefits of foreign investment and trade but in rural and ethnic minority areas, land confiscation has become pandemic. Farmers and entire communities are being forced off their land by government officials, the military, or their business cronies in anticipation of lucrative foreign investment partnerships in extractive sectors, plantation agriculture, special economic zones, and industrial parks. The Burmese Parliament has passed two laws that legalize land confiscation, the Farmland Law and the Vacant, Fallow and Virgin Land Law taking away people's ability to legally fight for their land rights.

The Burmese authorities desire to benefit from more foreign investment has led to the breakdown of ceasefires with ethnic minorities. The Burmese military broke the ceasefire with the Shan State Army – North in March 2013, attacking them, forcing civilians to flee, using villagers as forced labor, as human shields and land mine sweepers, all in an effort to clear out an area that the Burmese government had signed a deal with a foreign company to build a hydropower dam. The Burmese Army continues to break ceasefires, calling into question the sincerity of the Burmese Government's commitment to national reconciliation.

Shortly following the euphoria of Aung San Suu Kyi officially becoming a Member of Parliament and the proclamations to lift sanctions, Burma's human rights situation turned from bad to worse. In June 2012, on the western coast of Burma, in Arakan/Rakhine State, violence broke out between the Rakhine Buddhists and Burmese security forces on one side and Rohingya Muslim on the other. In the course of a few days, the violence displaced 100,000 people, the vast majority of whom were Rohingya Muslims who remain still today in squalid internally displaced persons (IDP) camps. Government authorities and Rakhine worked together to physically destroy the buildings in the emptied Muslim communities in Sittwe, ensuring that IDPs could not return. Meanwhile, the army dug pits and dumped the bodies of Rohingya people in mass graves outside IDP camps near Sittwe and throughout the state. Burmese authorities destroyed mosques, conducted mass arrests of Rohingya Muslims and blocked humanitarian aid to displaced Rohingya Muslims. The violence against Rohingya continued to be fueled by hate speech throughout Burma, including by government officials. Alarming, many people throughout Burma, including prominent members of Burma's democracy movement, participated in promulgating hate speech against the Rohingya and demonstrated support for military authority in Arakan/Rakhine State. On July 11, 2012, President Thein Sein told UN High Commissioner for Refugees (UNHCR) Antonio Guterres that the "only solution" for the anti-Muslim conflict is to deport Rohingya to other countries or to confine them to UNHCR refugee camps. "We will send them away if any third country would accept them," he said. Such language is directly reminiscent of the Nazi's 1930's recommendation that the "solution" for Germany's Jewish "problem" was for other nations to take the Jews off Germany's hands. The UNHCR promptly rejected Thein Sein's proposal, saying that Rohingya could not be refugees in their own nation. Later that same day, President Obama issued waivers lifting the financial and investment sanctions on Burma.

The Obama Administration's waivers sent a strong message; meeting human rights conditions and addressing concerns of ethnic minorities are no longer a requirement for receiving US investment and relaxing sanctions. In September and early October 2012, the US lifted restrictions on international financial institutions assistance to Burma and invited the Burmese military to observe the prestigious Cobra Gold joint military exercises in February 2013. Seemingly emboldened by the international community's prioritization of Aung San Suu Kyi and the partial release political prisoners over anti-Muslim policies and human rights abuses against ethnic minorities, the Burmese government ramped up restrictions on the Rohingya. In late October 2012, Burmese security forces and Rakhine Buddhists carried out an ethnic cleansing campaign against the Rohingya Muslims resulting in countless deaths, hundreds of women raped, the displacement of an additional 40,000 people and destroyed villages. The following month, President Obama waived the majority of the Burmese import ban and became the first US President to visit Burma.

With nearly all sanctions lifted and little to no repercussions from the international community to the ethnic cleansing of the Rohingya, the Burmese authorities ramped up their crackdown on activists and ethnic and religious minorities. Less than two weeks after President Obama visited Burma, during the night, police attacked nearly 100 land rights protestors, farmers and their supporters including Buddhist monks, who had their land confiscated and farms destroyed by a joint government – foreign investment copper mine, burning them with white phosphorous, a chemical agent. In December 2012 and January 2013, the Burmese military escalated its attacks against the Kachin, launching air strikes and shelling in Kachin State. On January 25, the Paris Club of creditor nations announced its intention to clear nearly \$6 billion of Burmese debt, constituting 60% of Burma's total debt.

In addition to the lack of a robust response from the international community to allegations of ethnic cleansing and crimes against humanity against religious and ethnic minorities, the Burmese government's decades-long promotion of Buddhist Nationalism, anti-Muslim propaganda, divide and rule strategy, and system of impunity created an environment that fostered anti-Muslim violence. Between February and August 2013, anti-Muslim violence that had previously been isolated to Arakan/Rakhine state spread throughout Burma, with violence occurring in 23 townships across the country. In one particularly vicious incident, in Meiktila Township in central Burma, Physicians for Human Rights documented the massacre of 32 students by Buddhists and local authorities after hunting them down during the night. An MP, the police commissioner, security forces, and hundreds of Buddhists watched on as a group of men calculatingly murdered the students one-by-one. The pits where the students' bodies were burned had been pre-dug, indicating the planned nature of the attack. Contrary to some assertions that the violence was spontaneous, patterns have emerged to suggest there is organization behind the attacks. The participation and complacency of security forces during the attacks, coupled with a lack of justice and accountability for any authority figures involved in the attacks, strongly indicates a need for an international independent investigation into crimes against humanity and the system of impunity to determine who is responsible, the culpability of government, and access to judicial remedy. Without international action, anti-Muslim violence and discrimination will likely continue unabated.

In total, more than 250,000 people have been displaced and more than 10,000 homes destroyed in the last two years. We are concerned the majority, if not all, of those displaced, particularly the Rohingya, will never be allowed to return home but will be forced to live in ghetto like conditions in IDP camps. We have received reports that Kachin IDPs in Government controlled areas have been approached to sign documents agreeing not to return to their land. Both the Rohingya and Kachin IDPs originate from areas that can provide lucrative foreign investment opportunities, adding another level of concern to how the international community must avoid exacerbating the existing human rights crises. Continued neglect of the human rights and ethnic conflict will prove detrimental to any chance for national reconciliation and genuine democracy in Burma.

The United States must change the way it approaches Burma policy. US government policies should incorporate and reflect the needs of the most persecuted populations in Burma. The Burmese government has demonstrated that they relent to international demands before we relax sanctions not after. It would be a mistake to continue to offer 'carrots' without first demanding concrete reforms in advance. Military to military relations should not proceed until the Burmese military demonstrates a genuine interest in reform by stopping all attacks throughout the country in both ceasefire and non-ceasefire areas. Training junior officers and soldiers on human rights does not address the main problem, that soldiers are committing human rights abuses on the orders of their military and political leaders. The Burmese military wants a relationship with the US military and the legitimacy and prestige the relationship conveys, ethnic minority communities want the US to use this interest as leverage to attain concrete genuine reform.

This applies to trade benefits as well. The US should not grant Burma, Beneficiary Developing Country status under the Generalized System of Preferences (GSP) until the Burmese Government makes concrete progress in addressing child labor, including child soldiers, forced labor, inadequate labor laws and protections, and land confiscation and rights. We should not allow thousands of products from Burma to be imported to the United States duty free if they were produced on confiscated land, or connected to human rights abuses, forced labor, labor violations or child labor.

Ethnic cleansing, crimes against humanity, torture, sexual violence, extrajudicial killings, and forced displacement are taking place in Burma. Domestic attempts at investigation, including the Rakhine Commission Report, have no call for justice or accountability, nor has the Burmese government provided adequate attempts at stopping violence or holding leaders accountable. It is time for the international community to establish an international independent investigation into ethnic cleansing and crimes against humanity. Without international pressure, human rights abuses will continue unabated.