

**Statement of
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Chairman Salmon, Ranking Member Sherman, and distinguished Members of the Subcommittee, thank you for the opportunity to appear before you today to testify on the important issues of democracy, the protection of human rights, and forging sustainable peace in Burma. I would also like to thank the Committee for its leadership in supporting and promoting U.S. engagement with Burma in a way that encourages the Burmese to continue down a path of democratic reform. I look forward to working further with you and other Members of Congress to help Burma achieve a prosperous, peaceful, full-fledged democracy.

The Burmese government has undertaken a number of noteworthy reforms since 2011, but significant challenges remain. The country has opened to a considerable degree, but it will take time and a lot of hard work for Burma to overcome its many governance, political, social and security challenges. Success is not guaranteed. A successful and durable transition from decades of authoritarian military rule will depend in part on the government's continued and expanded engagement with civil society, ethnic groups, and the political opposition to build trust and foster national reconciliation. It will also depend on future constitutional amendments to rectify the military's disproportionate representation and improve the people's ability to elect the leaders of their choice. Additional measures are sorely needed to protect the rights of all the people of Burma, including members of ethnic and religious minorities. In addition, continued economic development, combined with improved education and health care, are all essential to ensuring that Burma stays on the road to reform and democracy.

During his trip to Burma in November 2014, President Obama underscored the high priority the United States places on Burma's elections next month and on the constitutional changes that will move Burma more fully towards representative

democracy. He made clear that the U.S. wants to see free, fair and inclusive elections, and that we are willing to help the Burmese people and government achieve that goal. This is the message that all U.S. officials – from Secretary Kerry on down – have consistently conveyed. I recently visited Burma and met with political leaders, international observers, and a wide range of civil society representatives. I came back with a renewed respect for the determination of the Burmese people as well as a deeper grasp of the complexities of the situation and the challenges ahead for the next government.

Elections

The United States has been working with Burmese and international stakeholders for a credible, transparent, and inclusive electoral process not just on election day but during the whole process – the campaigning, the vote counting, post-vote politicking, the negotiations that may be necessary to form a new government, and of course, to ensure the adherence of key Burmese institutions to the outcome.

The 2015 elections are an important milestone in Burma’s political transition away from dictatorship, but what will be even more critical is that the next government solidifies the political and social gains made and continues to push for additional reform. Many important but difficult decisions have been deferred until after the election, meaning that the new government will have to face up to them. The more legitimacy that the new government has in the eyes of the Burmese people and the international community, the more support it will have in meeting these challenges.

Even if the elections on November 8 are closely monitored and pass muster in the eyes of international observers, we all recognize that the political playing field in Burma is not yet an even one. Structural and systemic impediments to a truly inclusive and democratic process include: a large number of dedicated seats for the military in the parliament; constitutional restrictions on political participation; the limited independence of key state institutions; discrimination against minority ethnic or religious groups; and decades of strife with ethnic minorities.

However, despite these and other flaws, opposition parties are vigorously contesting seats in every district. Democracy icon Aung San Suu Kyi and her National League for Democracy party, as well as many ethnic minority parties, are actively campaigning against ruling party candidates. And while the United States does not support any particular party or candidate, we have pushed for the opposition parties to be able to operate freely and safely. For the first time in memory, no one actually knows who is going to win. This means that the

government and people of Burma have an opportunity in this election to demonstrate their commitment to building democratic institutions and processes. If the elections are credible, they can mark a significant step forward.

It is precisely because we want Burma’s reform process to succeed that we will not turn a blind eye to shortcomings at any point during the electoral process. The United States, along with many others in the international community, has been closely monitoring the elections preparations and the campaign period, and will scrutinize the polling and vote-counting as well. The success of the elections will be determined by the extent to which the people of Burma have confidence in the process and believe the results reflect their collective will.

We are disappointed and concerned at the disenfranchisement of approximately 750,000 Rohingya – "white card" holders who were entitled to vote in previous elections. We remain concerned over the disqualification of 75 parliamentary candidates, many for failing to meet citizenship and residency requirements, including virtually all Rohingya candidates and most Muslims. We have made clear to the government and to the major political parties that these decisions are at odds with the democratic principle of inclusivity – something that is vital in a multi-ethnic, pluralistic union.

The Government of Burma has made a serious effort to improve the administration and transparency of the electoral process. The Union Election Commission (UEC) diversified its membership to include ethnic representatives and made significant efforts to engage openly with civil society on election preparations. It has been holding regular meetings with stakeholders, extending formal invitations to the diplomatic community and international observers to monitor the elections, clarifying rules on media accreditations for covering the elections, displaying the national voter list multiple times to give voters the opportunity to review and submit corrections, and launching a mass media voter education campaign.

Reinforcing the Government of Burma’s efforts, as my colleague Jonathan Stivers from USAID will explain, the United States is providing more than \$18 million in elections assistance to strengthen Burma’s democratic institutions; to support civil society, political parties and the media; and to assist the government to conduct the elections. For example, we support the National Democratic Institute’s (NDI) work with the People’s Alliance for Credible Elections (PACE), a domestic election monitoring organization, to build their capacity to conduct election observation, advocate for electoral reform, and develop an integrated nationwide electoral observation plan. The United States is also working with the

International Republican Institute (IRI) to help political parties develop their platforms and campaign skills and support voter education.

With funding from the United States, the International Foundation for Electoral Systems (IFES) is providing technical assistance to the UEC on strategic planning, international standards, voter registration, advance voting, polling procedures, integrity measures, and the electoral legal framework. With donor support, IFES has also helped the UEC digitize, centralize, and update the national voter list.

Burma's 2015 electoral campaign period officially began on September 8, and campaigning has been vigorous but peaceful so far. This is a contested election – over 6,100 candidates representing 93 political parties have registered with the UEC. The media is actively covering the campaigns and the parties are working hard to get out the vote.

During my visit in September, I flagged three areas of continued concern: (1) observers should monitor early voting on military compounds, just as they are monitoring all civilian and military polls on election day; (2) the responsibilities and authorities of special security personnel at polls should be made clear in advance; and (3) any suspension of polls in areas of flooding or conflict should be decided in consultation with the political parties according to agreed criteria. I told all of the government officials with whom I met, including the Chairman of the UEC, that addressing these issues is key to making the election credible, transparent, and inclusive. Conversely, if the conduct of these elections does not meet the expectations of the people of Burma or the international community, it will undermine Burma's democratic reform effort, set back Burma's growing international role, and make it more difficult for the United States to continue the positive trajectory of our relationship with Burma. The conduct and results of these elections will fundamentally shape our engagement with the Burmese government in 2016 and beyond.

Human Rights

Equally important for us is that the Government of Burma continue to make progress on its respect for human rights, including on the protection of members of vulnerable ethnic and religious minority populations in Burma, such as the Rohingya. We continue to raise our concerns with the Government of Burma at the most senior levels. We have made clear that progress on human rights issues remains critical to Burma's democratic transition, the advancement of relations with the United States, and Burma's growing international role. In January, senior

U.S. civilian and military officials, including Ambassador Derek Mitchell; the State Department's Bureau of Democracy, Human Rights, and Labor Assistant Secretary Tom Malinowski; Department of State's Bureau of Population, Refugees, and Migration Assistant Secretary Anne Richard; and Deputy Commander of the Pacific Command Lt. General Anthony Crutchfield discussed the U.S. government's human rights' concerns at the second U.S.-Burma Human Rights Dialogue. We have stressed that a stable and peaceful Burma depends on the protection of all individuals' human rights and national reconciliation involving all ethnic and religious groups. A fundamental responsibility of any government, particularly a democratic government, is protecting the rights of all its people, regardless of race, religion, or other considerations.

We remain deeply concerned about the discriminatory conditions facing members of religious and ethnic minorities, especially continued persecution of the Rohingya population in Rakhine State. We have reiterated that the government has a responsibility to continue to ensure that humanitarian organizations have unfettered access to all vulnerable communities in areas affected by outbreaks of violence; internally displaced persons can return to their places of origin in a safe and voluntary manner; and there is a nondiscriminatory, transparent, and voluntary path for citizenship for stateless persons, including members of the Rohingya population, that does not compel them to self-identify against their will.

We have raised our concerns about the passage of the four "race and religion" laws that are not consistent with the government's commitment to the protection of human rights. We have made clear that the international community is troubled by the rise of divisive religious hate speech, which along with these new laws threaten to undermine the government's own efforts to promote tolerance, diversity, and national unity. We are actively engaged in ensuring that policymakers in Burma fully grasp the potential for these developments to undermine their credibility, the reform process, and our ability to provide the long-term support that they want.

Although restriction on freedom of expression and association remain, the gradual lifting of these restrictions and the expansion of political space to discuss and debate freely has given rise to multiple voices. That is overall a very welcome development, but some of these voices have encouraged disunity in the country, exposed deeply entrenched prejudice against members of ethnic and religious communities, particularly the Rohingya, and created barriers between communities that were previously peaceful. The politicization of religion and dangerous spread of hate speech could potentially fray community relations further and lead to

intercommunal violence, including around election day. This remains one of the hardest challenges for the Government of Burma to address.

Like the United States, Burma is a union, and it would be a tragedy if, in the face of tremendous effort being made to forge political and ethnic unity, the country was divided along racial and religious lines. We have emphasized that democracy is more than just the rule of the majority – it must protect the rights of the minority as well. The U.S. Embassy in Rangoon supports community-based initiatives that promote religious tolerance and respond to rumors and hate speech, including promoting interfaith dialogue between communities. It is encouraging to hear reports of government authorities and community leaders engaged in preventing and controlling potential outbreaks of violence.

We provide humanitarian assistance to members of vulnerable communities in Burma, including Rohingya in Rakhine State, along the Thailand-Burma border, and other areas affected by violence in Burma. Over the past year, the U.S. government has provided more than \$50 million for vulnerable Burmese, including Rohingya, in Burma and in the region. These programs continue to provide life-saving humanitarian assistance to internally displaced persons, refugees, and asylum seekers in health, nutrition, water, sanitation, and hygiene.

We closely monitor irregular migration flows from Rakhine State and urge countries in the region to take proactive steps quickly to save the lives of migrants and asylum seekers. We are working with countries in the region to degrade the smuggling and trafficking networks and to ensure that migrants are received in accordance with international standards and humanitarian workers have unrestricted access to all people in need.

We have made clear to the Government of Burma that it must take steps to address the root causes of the crisis, with attention to long-term, sustainable durable solutions and the protection of human rights, including for the Rohingya. Our ambassador to Burma and embassy staff continue to urge local and central authorities to take concrete steps to improve conditions for members of minority populations by continuing to permit internally displaced persons to return to their homes, allowing freedom of movement and access to basic services and livelihoods, and considering longer-term strategies to address the plight of Rohingya. To support peaceful coexistence between Rohingya and Rakhine communities, we will be providing assistance in livelihoods, skills training, and other forms of support to returning internally displaced Rohingya and surrounding Rakhine communities. We are also coordinating with other international partners,

including Norway, Australia, and Turkey, who have offered to provide support for the returned communities.

Peace Process

Burma is also making progress towards ending the longest running civil conflict in the world, but much work remains. We congratulate the Government of Burma and the eight Ethnic Armed Groups on their signing of a multilateral ceasefire agreement. For the government and the signatories, it is now essential the agreement be implemented in full to build trust and ensure benefits for all people who have been affected by the longstanding violence. Dialogue among all parties will ensure continued progress toward national trust-building and lasting peace. We urge all parties to continue to engage with each other and civil society representatives in the spirit of unity and compromise, particularly in the process to finalize a political dialogue framework and the conduct of the political dialogue itself.

The United States will support and closely follow the implementation of this agreement. We recognize that some groups were not able to sign, but welcome their commitment to continue discussions within their communities and with the government about the necessary conditions for signing at a future date. In this critical phase, we encourage all parties to continue their engagement with each other in the same spirit of unity and compromise that enabled this important first step. We also expect both signatories and non-signatories who continue to pursue peace through dialogue be allowed to do so without exception or threat of penalty.

We remain concerned about ongoing violence in Kachin and Shan States, which threatens the trust built throughout this process. It is essential that all parties cease hostilities and allow humanitarian assistance to flow to all those in need without exception or delay.

We are committed to remaining actively engaged in the peace and national reconciliation process. Flexibility in U.S. engagement with Burma is critical to effectively support ceasefire monitoring and the subsequent national political dialogue. This may involve expanding our assistance to all parties to the ceasefire agreement and political dialogue process – including representatives of ethnic armed groups and the Burmese military – to sustain agreements and further prospects for reconciliation and peace. Our engagement, along with that of many others in the international community, underscores our expectation that all parties will abide by the terms and commitments inherent in the ceasefire agreement and,

we hope, will reassure all parties of our support for the process. A united Burma at peace that adheres to the principles of equity, democracy, and equal rights and justice for all is essential to Burma's success. The United States is committed to support the political dialogue in pursuit of those goals, and will remain committed to the historic process of building peace and national reconciliation in Burma in the months and years to come.

In conclusion, Mr. Chairman, we remain closely engaged in Burma, using our diplomatic and development resources to support the reform process and advance U.S policy goals. Despite the many challenges, we are committed, from President Obama on down, to helping those who are willing and determined to advance the cause of democracy and good government in Burma, as they continue their historic efforts toward a credible, transparent, and inclusive election, respect for human rights, and nationwide peace in Burma.

Thank you for giving me the opportunity to testify today. I am pleased to answer any questions you may have.