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Policy Brief

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Burma: Implications of Religious and Ethnic Violence

Findings from a Visit of the
U.S. Commission on
International Religious Freedom
(USCIRF)

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give independent policy
recommendations to
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and Congress.

Burma

732 N. Capitol St. N.W.,
Suite A714
Washington, D.C. 20401
Phone: (202) 786-0613
Communications@uscirf.gov

www.uscirf.gov



USCIRF Deputy Director for Policy and Research Scott Flipse visited Burma in May 2013 to assess whether current political reforms have improved religious freedom conditions. He met with religious leaders, elected government officials, representatives of civil society, international humanitarian organizations, political party leaders, and U.S. government officials. He visited the city of Meikhtila, the site of March 2013 sectarian violence between Buddhists and Muslims, and Chin State, an ethnic minority area where there have been numerous reports of serious religious freedom violations targeting the mostly Christian Chin peoples. Though unable to travel to either Rakhine (Arakan) or Kachin States, Dr. Flipse was able to meet with representatives from the Rohingya and Kachin ethnic minority groups along with USAID and UN officials and NGOs working on both humanitarian assistance and peace process initiatives.

Bottom Line Assessment: Issues of religion and ethnicity will shape the trajectory of Burma's political reform before the planned 2015 elections. Burma is currently designated by the State Department as a "country of particular concern" for particularly severe violations of religious freedom, as ongoing political reforms have yet to dramatically improve the situation for freedom of religion and belief. Sectarian and societal violence, anti-Muslim exclusionary campaigns, and military incursions have caused egregious religious freedom violations against Muslims and some ethnic minority Christians. Nonetheless, in areas where the military has retreated from daily governance, the worst human rights abuses have receded in the past year (including many that affected religious communities). Legal restrictions on some religious activities remain in place, but are enforced sporadically, if at all, depending on region, ethnicity, and religious group. The situation of the ethnic minority Rohingya, which intertwines issues of religious freedom and ethnic discrimination, remains a profound humanitarian and political crisis. It threatens to inflame anti-Muslim prejudices in other parts of the country, create large refugee flows in the region, instigate additional sectarian violence and discrimination, and potentially undermine the political reform process.

Religion & Burma's Democratic Trajectory

Burma's transformation is the most significant political event in Southeast Asia in the past decade, but both Burmese and ethno-religious nationalities remain pessimistic that political reform will last. There has been an obvious opening to democracy since 2011, and notable advances in many civil and political rights. Individuals can meet openly with former political prisoners, visit with nascent political parties and civil society organizations illegal two years ago, travel to places formerly under military control, and express dissenting views openly in a growing free press. Internet use and penetration remains sparse and expensive and governed by a government monopoly. In the past year, restrictions on some internet content have been lifted, some citizens imprisoned for their online activities have been released, and opposition political parties have been able to use online tools to mobilize supporters. However, laws that censor web content remain in place and bloggers remain in prison. In addition, during the past year, Buddhist monks and anti-Muslim activists used the web to spread hate, incite violence, and organize economic boycotts of Muslim-owned businesses (the "969" campaign).

Burmese citizens and ethno-religious nationalities are quick to express their fears, hatreds, pessimism, and hope for their country's future. Many Muslims live in fear and have organized armed neighborhood watch groups in some cities to repel potential attacks. Ethnic Rohingya Muslims live in fear that their ethnic Rakhine Buddhist neighbors (with the assistance of border police and blessed by radical Buddhist monks) will resume attacks or forcibly seek to starve or deport them. Many ethnic Burmese look at Muslims with loathing, seeing sectarian violence and discrimination as necessary defenses against the illusion of high Muslim birthrates, concentrated economic power, and "extremism." Some prominent Buddhist monks lend their voices, and religious legitimacy, to anti-Muslim hatred, racism, and violence.

Christian and animist ethnic minorities have similar fears. Ethnic Kachin fear renewed military assaults and accompanying brutal human rights abuses as they negotiate a political truce to over five decades of fighting. Ethnic Chin are happy that the military has removed itself from day-to-day governance in Chin State, but do not believe there will be any justice for the egregious abuses they experienced for three decades, often at the hands of former military officials now governing as civilians. Ethno-religious nationalities strongly desire a new constitution that creates a federal system with ethnic regions and states as equal partners in a "new Myanmar." Without such a system, renewed fighting is possible, providing the military with an excuse to stall or influence upcoming 2015 elections.

Among the fear and loathing there is also hope, but that hope hangs mostly on the outcome of the 2015 elections, which could bring the National League for Democracy (NLD) to power in the Parliament and Aung San Suu Kyi (ASSK) to the Presidency. However, there are many obstacles to such an optimistic future, including constitutional and electoral reforms that would have to happen prior to 2015 (including removal of a ban on ASSK running for the Presidency). There are also many "spoilers" at large who want to create a different future, including the military, former military, some ethnic nationality militias, and those who seek to deport or deny citizenship to Rohingya. In addition, it is still unclear whether Beijing will allow for a fully democratic (and Western looking) Burma, given its large strategic and economic interests there.

Nevertheless, issues of religion and ethnicity—and the political coalitions that will emerge around those identities—will play a major part in determining Burma's democratic trajectory.

Religious Freedom Conditions

Religious freedom conditions remain problematic, and in some areas of the country acute, as sectarian and military violence, societal discrimination, and impunity increased in the past year for Muslims (including Rohingya) and Kachin Christians. In addition, legal restrictions that were used in the past to curtail independent religious activities remain in place. In some parts of the country, religious communities continue to have difficulties getting permissions to build, renovate, and conduct activities, particularly in Chin and Rakhine (Arakan) States. Given the new political space, ethnic minority political leaders are intervening with provincial and national government officials to change laws and lift restrictions. Strong ethno-religious minority political parties are needed to engage in a dialogue about Burma's political future, address the decades of human rights abuses and discrimination under military rule, and improve the long-neglected economic, health, and educational infrastructure.

Visit to Chin State

In Chin State, the military's withdrawal from daily governance ended the most egregious human rights abuses, such as rapes, forced labor, coerced conversions, and beatings against the mostly Christian Chin, though some restrictions and discrimination remain. The military and the Chin National Army (CNA) signed a ceasefire in 2012. Nevertheless, some serious religious freedom violations continue. In the past two years, religious sites have been torn down, religious services have been disrupted, and permissions to build or restore religious venues have been denied repeatedly.

During the visit, USCIRF heard how the Chin peoples continue to deeply distrust both the military and former military officials now in civilian government positions, and say they face continued discrimination in the allocation of aid resources which they believe go disproportionately to Buddhists. Provincial government officials offered assurances that they would speed permissions to allow building of Protestant venues and engage Chin political leaders on discrimination in the distribution of economic assistance. Chin State officials also made a point of demonstrating that forced conversions no longer occur at the Border Areas Training Schools (NaTaLa), where ethno-religious minority children (mostly orphans or those from single parent homes) are housed while attending the public schools. This has been a major issue in the past, including in the UN Special Rapporteur on Burma's reports. Given international criticism of government practices at the NaTaLa schools, the assurances of local officials was encouraging, even though as yet unverified.

Chin State officials also stated that they would be willing to entertain proposals to build a private Christian primary school system, as a parallel to private Buddhist monastic schools. The Buddhist schools give parents the option to have their children taught both a public school curriculum and religious studies. Officials in southern Chin state also are seeking additional assistance from faith-based NGOs to improve a very basic health system in Burma's poorest province.

Rohingya Muslims: Living in Fear

While in Yangon, USCIRF heard how there is a dire need to find a citizenship solution for Rohingya, who are overwhelmingly Muslim, and address the looming humanitarian crisis they face during the current monsoon season. It is unclear whether popular or political will exists to integrate Rohingya into Burma's future. Most Burmese would like to see many Rohingya leave Burma—whether by deportation or by making life so difficult for them that they leave on their own.

There is a loud historical dispute over whether Rohingya Muslims were present in Burma before 1826 and whether Rohingya is a fabricated ethnic marker to garner international sympathy. Anti-Rohingya animus is particularly strong among the ethnic Rakhine, whose once glorious history has been reduced to sharing a small province with Rohingya, who they consider "former slaves," "Bengali migrant workers," and "Muslim extremists." The military stripped Rohingya of citizenship in 1982 and, as a result, they have experienced discrimination, human right violations, and religious freedom restrictions for decades.

Violence in Rakhine State that began in June 2012 (and flared up again in October 2012) between ethnic Rakhine Buddhists and ethnic Rohingya Muslims left 1,000 Rohingya dead and created 140,000 internally displaced persons (IDPs) living in what one UN official called “the worst camps in the world.” The violence also created new refugee flows to other Southeast Asian countries, where asylum seekers face deportation, slavery, and squalid conditions in camps. Over the past three months, there continue to be reports of Rohingya murdered for seeking food and other resources outside their villages and/or IDP camps. Rohingya camps also continue to be denied humanitarian aid, often by ethnic Rakhine mobs and the notorious (and now disbanded) NaSaKa border security forces. Clashes (with some deaths reported) have erupted recently as police and local officials have started a census campaign to “register” Rohingya as “Bengalis.” Rohingya believe that this effort will lead to their deportation, as the term Bengali is often used as a synonym for “illegal alien.”

To prevent further violence, the Burmese government recommends doubling the number of security personnel present in Rakhine State. On the eve of President Thein Sein’s visit to Europe, he abruptly disbanded NaSaKa forces without providing for an alternative force. The international community and some Rohingya leaders welcomed this step, though it remains unclear if and how the border security forces will be re-constituted. Rohingya Muslims will continue to distrust any security force staffed mostly by ethnic Rakhine or Buddhists. Members of the security services actively participated in attacks on the Rohingya during the June and October violence and others stood by and took no action to protect them. Increasing the presence of these sectors of the security services increases the vulnerability of the Rohingya population. The government must clarify the command and control structure of the new force that will replace the NaSaKa and investigate and arrest any members who have committed abuses.

The most important element in addressing the Rohingya Muslim issue is finding a path to citizenship. The Burmese government states that it wants to apply the 1982 Citizenship Act to the Rohingya. Many in the international community assume this means that Rohingya Muslims who have lived in the country for at least three generations (which would include a large percentage of the Rohingya population) would be granted naturalized citizenship. However, many Rohingya do not have the documents necessary to prove their ancestry (such as birth and death certificates, or deeds to property), nor is it certain that the government will interpret the Act as permitting even naturalized citizenship for the Rohingya.

Naturalized citizenship is supported by the United States, the UN, and many major donors as a first step towards full nationality rights. However, Rohingya Muslims reject this status, stating that they would only accept full citizenship and recognition of their Rohingya Muslim identity. It should be noted that in Burma a naturalized citizen does not have the same rights as full citizen and can be deported for minor and vague offenses.

The situation of the Rohingya represents a profound humanitarian and political crisis, and religious freedom challenge, for the Burmese government. Ongoing discrimination and violence could ignite sectarian conflict in other parts of the country, force refugee flows into neighboring countries, and undermine the nascent democratic reforms.

Visit to Meikhtila: Continuation of Anti-Muslim Violence

On March 20, 2013, an organized and coordinated wave of anti-Muslim violence erupted in Meikhtila and swept through Mandalay and Bago Divisions, sporadically affecting Sagaing, Rangoon, and Magway Divisions as well as Mon and Kachin States. Largely Buddhist mobs devastated numerous Muslim quarters, resulting in the partial or full destruction of an estimated 1,600 houses, 77 shops, and 37 mosques. Burmese authorities claim that the violence displaced 12,846 people, of whom 8,441 remained in seven temporary camps in Meikhtila. The UN has received reports that at least 3,000 more displaced people await assessment in affected areas within Meikhtila Township and in 20 other communities affected by sectarian violence. Estimates indicate that as many as 148 persons may have been killed between March 20 and 24. Radical monks were preaching in the towns of Meikhtila, Bago, and Laisho a week prior to violence breaking out in those areas.

Issues of impunity continue to erode trust in the Burmese government. While the Burmese central government denounced sectarian violence, declared a state of emergency, and sent military units to restore calm, the response was slow and initial arrests were all of Muslims. The police repeatedly demonstrated that they are not capable or, in some cases, not willing to maintain order. Police did little to stop a mob killing frenzy in Meikhtila or rampages by mobs in Bago, Laisho, and Okkhan.

Anti-Muslim violence is not a new feature of Burmese social life. Over the past decade, there have been repeated incidents of violence against Muslims in the areas surrounding Meikhtila. In 2006, Buddhist mobs attacked homes, businesses, and mosques in the town of Magway, resulting in three deaths. In 2003, large riots erupted in Mandalay and a nearby town, Kyaukse, resulting in more than 100 deaths and the destruction of mosques, businesses, and homes.

During USCIRF's visit to the province, three common theories of what drives sectarian violence and anti-Muslim attitudes were heard.

1. **Burmese nationalism & Buddhism:** Through religious and nationalist appeals, young monks and Buddhist laypeople are being incited to violence and hatred of the Muslim community in order to protect Buddhism's favored place in society. Prominent monks posit a Muslim conspiracy against Burma through speeches, videos, rallies, and social media.
2. **"Spoilers" Seeking to Maintain Power:** High-level economic and political figures are using existing prejudices to generate chaos in an attempt to derail reforms, to maintain their own political/economic power, and/or to provide an opportunity for the army to maintain its position in society.
3. **Economic Grievances/Boycotts:** Ethnic Burmese Buddhists, hurt by decades of sanctions, are attacking Muslims (whose ties to trade, capital and banking in the Gulf and South Asia were able to skirt Western sanctions) to displace them from their economic position in the community. This argument is used as a basis for the "969" exclusionary

campaign to boycott Muslims shops, businesses, and organizations. The 966 campaigns are the organization foundation for all anti-Muslim activities.

The question of whether Muslim residents of Meikhtila will be able to return to normal life remains unanswered. The Burmese government has promised to quell future violence and help residents return to their homes and livelihoods. An uneasy calm continues, though Muslims around Yangon have formed neighborhood protection units, only a few Buddhists have been held accountable for inciting or participating in violence, and squalid IDP camps remain in operation.

Kachin State

Reports of the military's abuses of civilians in Kachin State, many who are Christian, were worse than expected. In June 2011, the Burmese military broke a 17-year truce with the Kachin Independence Army (KIA). In January 2013, the military started a concerted campaign against the KIA that created 100,000 IDPs and unknown numbers of deaths and property destruction. The campaign included the destruction of churches, reprisal attacks on clergy and congregations, the shooting of worshippers on the way to Sunday services, and the rape and disappearance of young Kachin woman, dragged from a church in February 2012. Military units raided churches for food and money and forcibly abducted church members for labor. An estimated 66 churches were destroyed since January in aerial bombing campaigns. Kachin religious leaders reported that women face sexual violence, men and boys are arbitrarily detained and tortured, and IDPs continue to live in precarious situations, denied assistance by the military because they live in KIA controlled territory or "unofficial" camps.

Kachin political leaders told USCIRF that the June 2013 ceasefire will not address the distrust created by past and present military abuses. The stability of the June ceasefire agreement will depend on the government's will to implement the ceasefire faithfully, government reformers' ability to manage "hardliners" who want to see the ceasefire and dialogue on national reconciliation fail, and the ethnic minorities' ability to agree on a unified agenda for a national political dialogue. At the moment, fighting continues in Shan State threatening the ceasefire. Also, there are reports that ethnic nationalities groups are balking at starting a national political dialogue as the Burmese government refuses to announce an agenda for the talks.

Conclusion

The issues of religion, ethnicity, and the protection of religious freedom are critical factors that will shape Burma's democratic trajectory, its movement toward political reform, and its economic development. Further anti-Muslim violence and military incursions against ethnic (mostly Christian or animist) ethno-religious nationalities will cause deep societal divisions that could intensify as 2015 elections approach and bolster those who would spoil Burma's democratic evolution. Continued sectarian violence also threatens to undermine investment and economic development in Burma and create additional dissatisfaction among ethnic minorities. President Thein Sein has said publicly that sectarian violence will undermine Burma's development of democracy. Aung San Suu Kyi has not been as vocal about sectarian violence but has stated that Burma will only succeed as a multi-ethnic, multi-religious democracy, though she left out Muslims in her list of the country's religious groups.

Consequently, the government of Burma needs to tackle four interconnected and difficult issues for Burma to move forward and address the fears of ethnic and religious minorities: 1) Find a citizenship solution for Rohingya Muslims; 2) End impunity that erodes trust in the Burmese government by bringing to justice those who commit and incite sectarian violence and those who perpetrated the worst human rights abuses in the past against ethnic nationalities; 3) Build capacity and a better command structure for police to prevent violence against Muslims; and 4) Re-envision Burma as a multi-ethnic, multi-lingual, and multi-religious society, with a place for minorities in the political structure and in Burma's potential prosperity.

Burmese government reforms remain fragile and reversible, and their long-term success will depend on building capacity for democratic governance, the rule of law, and protecting the rights of ethnic and religious minorities. The U.S. government should maintain the "country of particular concern" (CPC) designation for particularly severe religious freedom violations. In addition, it should retain the ability to use targeted political and economic sanctions (including visa and investment restrictions and vetoes of some World Bank funded projects) if the Burmese government refuses to release all religious and political prisoners, fails to respect a nationwide ceasefire and conduct a credible political dialogue with ethnic minorities, does not find a citizenship solution for Rohingya that respects international standards, fails to reform laws limiting religious freedom and other human rights, and fails to conduct free and fair elections in 2015.

The United States and other donor nations should use targeted technical assistance to empower civil society actors, parliamentarians, nascent political parties, and religious groups to promote the rule of law, interfaith cooperation, peace-building, economic development, human rights documentation, education, democratic leadership, and legal, political, and human rights training, particularly for the police and any new force ensuring border security.

In conversations with Burmese, Chin, Rohingya, Kachin, and other ethnic and religious minorities about ways to improve the freedom of religion and belief and address sectarian and ethnic conflict, they recommended the following priorities for the U.S. government, the U.N., and other donor nations:

- Pressing the government of Burma to take immediate actions to address religious hatred and violence, bring to justice perpetrators of sectarian violence and those complicit in spreading it, undermine support for anti-Muslim exclusionary campaigns, and promote inter-religious dialogue, cooperation, and reconciliation;
- Mediating a national political dialogue between the government of Burma and ethnic nationality groups with the primary goal of building a successful federal system in a multi-ethnic and multi-religious Burma;
- Creating assistance and training programs to build the capacity and expertise of political parties among ethnic nationalities, allowing them to engage credibly in a national dialogue about Burma's political future, train and run candidates in provincial elections,

and provide constitute services to address past human rights abuses, including the freedom of religion, discrimination, and equitable allocation of economic assistance;

- Urging the government of Burma to allow unhindered and regular access for international and national humanitarian organizations to provide assistance to internally displaced persons (IDPs) in both Kachin and Rakhine (Arakan) States and facilitate the work of additional NGOs to work in these areas;
- Urging the review, amendment and/or repeal of the 1982 Citizenship Law, in accordance with international norms;
- Establishing independent inquiries into the status of the Rohingya, to evaluate their historical claims to citizenship and assess the root causes of ethnic and sectarian violence in Rakhine (Arakan) State;
- Creating programs to counter anti-Muslim sentiment in the Burmese population, specifically focusing on undermining fears of “religious extremism” and high Muslim birthrates, which drive popular support for a Muslim exclusion campaign;
- Placing those who instigate, carry out, or publicly support anti-Muslim violence and discrimination on the U.S. Treasury Department’s Specially Designated Nationals (SDN) list, including Buddhist monks, organizers of the “969” anti-Muslim exclusion campaign, and government or other officials; and
- Pressing the government of Burma to repealing and/or amend remaining laws that restrict the freedom of religion and belief.