



UNITED STATES COMMISSION *on* INTERNATIONAL RELIGIOUS FREEDOM

COUNTRY UPDATE: BURMA

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To advance international freedom of religion or belief, by independently assessing and unflinchingly confronting threats to this fundamental right.

Religious Freedom since February 1, 2021 Coup

By Patrick Greenwalt, Policy Analyst

Overview

Immediately following the November 8, 2020, elections the military-backed opposition and the Burmese military, known as the Tatmadaw, [began](#) a campaign of disinformation calling for new elections and claiming consistently [disproven](#) allegations of election fraud. On February 1, 2021, at risk of losing its position in the civilian-led government, the Tatmadaw launched a coup to install a military junta led by Senior General Min Aung Hlaing. Six months later, on August 1, General Hlaing [declared](#) himself prime minister until at least 2023. However, the Tatmadaw is not recognized internationally as the legitimate government of Burma.

The February coup not only reversed democratic gains made over the last decade but also exacerbated already dire religious freedom conditions for Burma's ethno-religious minorities as well as members of the Buddhist majority that do not support the military junta. Alongside the religious freedom violations, as of August 29, there have been 95 journalists [arrested](#), including 45 held in detention following a wider crackdown on dissent. The Tatmadaw has also [arrested](#) and tried politicians, including Leader Aung San Suu Kyi, and [killed](#) at least 1,100 people who have protested the actions of the military junta.

This report provides a country update taking into consideration the conditions of religious freedom in Burma since the coup and updating the U.S. Commission on International Religious Freedom's (USCIRF) recommendations to the U.S. government in light of these conditions. USCIRF has monitored religious freedom conditions in Burma since 2000, when it first recommended that the country be designated by the U.S. Department of State as a Country of Particular Concern (CPC). The Rohingya have borne the full force of the Tatmadaw's and Burmese government's violence and discrimination for decades. Starting on [August 25, 2017](#), the Burmese military, under the leadership of Senior General Hlaing, launched a genocidal campaign allegedly targeting insurgents in Rakhine State, which mostly consists of Rohingya and other Muslims. The United Nations (UN) [Independent Investigative Mechanism for Myanmar](#) documented instances of Burmese military units involved in indiscriminate killings of civilians, mass rape, and arbitrary detentions. According to the [UN High Commissioner for Refugees](#), more than 740,000 Rohingya refugees fled to camps in Bangladesh, while another 120,000 were displaced internally. The coup has increased concern for the condition of vulnerable religious minorities, particularly the Rohingya.



Country Conditions Before the Coup

As USCIRF reported in its [2021 Annual Report chapter on Burma](#), religious freedom conditions in the country remained poor in 2020, with particularly severe violations against the predominantly Muslim Rohingya community. The Burmese state perpetrates institutionalized discrimination against the Rohingya through restrictions on participation in elections, marriage, family planning, employment, education, religious choice, property rights, and freedom of movement. The Tatmadaw continued to escalate violence against the Rohingya community and, alongside the civilian government, refused to work with regional and international partners to address the Rohingya humanitarian crisis. In 2020, Rohingya [fled](#) through sea routes into neighboring countries, with at least 218 dying or going missing at sea. There [are](#) around 900,000 Rohingya refugees in Bangladesh, and as USCIRF reported in its October 2020 [Factsheet on Rohingya Refugees](#), there are over 100,000 Rohingya refugees in Malaysia, with hundreds in Thailand and Indonesia.

In addition to ongoing state-sponsored violence against the predominantly Muslim Rohingya in Rakhine state, Burma has experienced ongoing internal conflict between armed militias since independence in 1948. The Tatmadaw continues to engage in armed conflict with other ethnic communities, targeting houses of worship for minority faith communities, including Baptists and Roman Catholics, and [using](#) religious nationalism as a justification for its interventions.

National Unity Government

In opposition to the military junta, members of the National League for Democracy (NLD) and others have formed the National Unity Government (NUG). NUG has attempted to pull together the non-Tatmadaw controlled areas of the country and coordinate the various armed ethnic groups to stand against the military junta. The NUG has [called](#) for a new constitution that embraces federalism as a solution to the ethnic and religious conflicts that have plagued Burma since independence and been used by the Tatmadaw as justification for their presence throughout the country. The NUG has also made strides to amend past abuses, including in its June 3 [statement](#) in which it [pledged](#) to look at past citizenship laws and restore Rohingya citizenship, but stopped short of recognizing atrocities or genocide committed against the community.

The recent violence perpetrated by the Tatmadaw against the various Christian communities, as well as oppositional forces in general, have been compared to the abuses perpetrated against the Rohingya in the past, [resulting](#) in public apologies by NUG politicians. However, NUG is NLD-dominated and has yet to fully represent disadvantaged and abused communities such as the Kachin, Karin, Chin, and Rohingya. Further, the NUG has yet to confirm whether it would commit to recognizing past abuses against ethno-religious communities such as the Rohingya or collaborating with the international efforts at the ICJ and ICC to hold actors within the country accountable, which would potentially implicate certain NLD members. On September 7, the NUG [declared](#) war on the Tatmadaw, urging a “people’s defensive war” against the military junta.

Ongoing Justice and Accountability Efforts

International legal efforts aim to hold the Burmese state accountable for the international crimes committed against the Rohingya. In November 2019, The Gambia, on behalf of the Organization of Islamic Cooperation, initiated a case at the International Court of Justice (ICJ) against Burma claiming the country had violated the Genocide Convention in its 2017 crackdown on Rohingya. The International Criminal Court (ICC) is also [conducting](#) an investigation into the military's action in Rakhine, although the court's jurisdiction is limited. These cases were ongoing when the Tatmadaw launched the coup on February 1. Some observers have [argued](#) that the Tatmadaw's treatment of ethno-religious communities such as the Rohingya were precursors for the violence the military has perpetrated on all dissenters since the coup.

International efforts to hold the Tatmadaw accountable for atrocities committed against the Rohingya are essential for an inclusive and peaceful transition to democracy. On [May 12](#) and [July 28](#), 2021, USCIRF held two hearings on ending genocide which touched upon the conditions of Rohingya in Burma and explored opportunities to hold the Tatmadaw accountable for the atrocities committed against Rohingya.

Impact of the Coup on Religious Communities

This section provides an overview of significant religious freedom violations that have occurred and impacted specific religious communities.

Buddhist Communities

A number of Buddhist nationalists have been strong [supporters](#) of the Tatmadaw tactics against ethno-religious minority communities. However, some Buddhist leaders have been targets for their dissent against religious nationalism. In February, as part of a campaign of arrests immediately following the coup, the Tatmadaw [arrested](#) three Buddhist monks who have spoken out against the Tatmadaw, Ashin Ariya Vansa Bivansa (Myawaddy Sayadaw), Ashin Sobitha, and Shwe Nya War. All three were disrobed following their detention. In June, Myawaddy Sayadaw was [released](#). Other monks who have spoken out on human rights issues have been [detained](#) and forcibly disrobed in custody.

Christian Communities

Following the February coup, the military has increased attacks in Chin and Kachin states, which contain some regions that are [majority Christian](#). Kachin people located within Burma's Kachin State have [faced](#) Tatmadaw violence since the semi-democratic period from 2011 to 2020. An estimated 100,000 Kachin in Kachin state were internally displaced persons (IDPs) during this period, and an estimated 160,000 Chin in Chin state.

The Tatmadaw has also targeted Christian religious leaders. On February 27, 2021, the Tatmadaw [raided](#) the Hakha Baptist Church in the capital of Chin State, arresting the pastor. The soldiers allegedly used water cannons to dispel the thousands of worshippers gathered at the church. On February 28, the Tatmadaw [raided](#) a Kachin Baptist Church in Shan State twice, arresting 11 members and releasing them the next day, reportedly after beating them. On March 17, in Kalay township in Sagaing Region, the military [shot](#) and killed 25-year-old pastor Cung LianCeun and three other civilians.

The Tatmadaw has also attacked churches. On May 24, 2021, the military [attacked](#) a Catholic Church near Loikaw, the capital city of Kayah state. The church was sheltering more than 300 people displaced by the violence, four were killed and four others injured during the assault. On June 7, airstrikes [struck](#) and damaged another Catholic church in Kayah state, but no one was injured.

Since the coup, the Tatmadaw has also [continued](#) its violence against the Karen community, causing many to flee into the jungle and across the border into Thailand. The Karen community, who primarily reside in Kayah State, is estimated at around 4 million, 20–30 percent Christian.

Rohingya and other Muslims

From the beginning in February, there were [concerns](#) that the conditions for the Rohingya would go from dire to worse as fighting further disrupted the community from accessing food and medical services. Throughout the COVID-19 pandemic, Rohingya access to medical care and the vaccine has been significantly restricted. At the end of August a spokesperson for the Tatmadaw [stated](#) Rohingya would be able to access the vaccine.

The Rohingya community has also been directly impacted by the escalating violence. On April 15, at the beginning of Ramadan, the Tatmadaw [stormed](#) a mosque in Mandalay's Maha Aungmyay killing 28-year-old Ko Htet who was sleeping inside.

Despite having [used](#) social media to incite violence and hatred against Rohingya in the past, the military [moved](#) early in the coup to block access to social media and the internet. The coup has sparked solidarity for the opposition, [including](#) through the online regional grassroots Milk Tea Alliance movement. Social media activists within Burma have also [tweeted](#) displays of solidarity and [called](#) for justice for Rohingya, which may be evidence domestic perceptions of ethno-religious minorities are [changing](#).

Response to the Coup and Religious Freedom Violations

The Association of Southeast Asian Nations (ASEAN)

On April 24, 2021, five heads of state within ASEAN met with Senior General Hlaing and agreed to a [five-point consensus](#), which included ending the violence and sending a special envoy from ASEAN to facilitate dialogue and meet all parties concerned. In the first week of June, two ASEAN envoys [visited](#) Burma and met with Senior General Hlaing and other leaders, and called for the release of all political prisoners and for a “peaceful solution” to the conflict. This ASEAN effort was [supported](#) by China, which [has](#) a long history of backing the Tatmadaw and [supports](#) the military junta as the “legitimate” government. However, observers are [skeptical](#) of the top-down approach favored by ASEAN, with some [indicating](#) ASEAN’s design impairs its ability to address crises such as military coups and humanitarian crises. As recently as January 21, 2021, just 11 days before the coup, Indonesia [reiterated](#) ASEAN’s call for Burma to create safe conditions for the repatriation of Rohingya refugees, which had been the primary solution advocated by ASEAN throughout the humanitarian crisis.

United Nations (UN)

On March 11, the United States [joined](#) fellow members of the UN Security Council in condemning violence against peaceful protestors in Burma and in support of ASEAN efforts to find a peaceful resolution. On June 18, the UN General Assembly [adopted](#) a nonbinding arms embargo against Burma, which the United States supported. The Tatmadaw [has](#) been unsuccessful in replacing Burma’s UN ambassador, Kyaw Moe Tun, who on February 26 appealed to the international community to condemn the military coup. The UN special envoy for Myanmar has consistently spoken on the need for an end to the conflict, [warning](#) that the country is on the edge of a “full-scale civil war” and that the Tatmadaw is [attempting](#) to legitimize its power.

United States

On February 1, the U.S. government immediately [denounced](#) the military coup and the [escalation](#) of violence resulting from the coup. The United States has [sanctioned](#) leading officials of the military junta and their families. To date, none of these sanctions have cited religious freedom violations. On May 18, the U.S. Agency for International Development (USAID) [contributed](#) \$155 million to meet the urgent needs of Rohingya refugees. On July 12, Secretary of State Antony J. Blinken [commented](#) on the annual Report to Congress Pursuant to Section 5 of the Elie Wiesel Genocide and Atrocities Prevention Act of 2018. In his comments, Secretary Blinken reiterated the report language that [labeled](#) the violence against the Rohingya as atrocities, but stopped short of determining whether the crimes committed by the Burmese military against the Rohingya meet the legal definitions of genocide or crimes against humanity under international law.

The United States government has also engaged with ASEAN efforts to resolve the coup. In Secretary Blinken’s first meeting with ASEAN on July 14, he [urged](#) the regional bloc to resolve the crisis and to implement the [five-point consensus](#). On August 3, Secretary Blinken in another meeting with ASEAN foreign ministers, again [urged](#) the regional group to step up efforts to resolve the political turmoil and accused the Tatmadaw of “playing for time” after Senior General Hlaing announced himself prime minister and extended the coup. On August 25, Vice President Kamala Harris [condemned](#) the violence in Burma, urging coordination throughout the Indo-Pacific in addressing the situation.

On October 5, the Burma Act of 2021 was [introduced](#) in the House of Representatives. If enacted, this legislation would set a deadline of 90 days following passage for the President to make a determination on whether the atrocities committed against the Rohingya constitute genocide or crimes against humanity. It also would authorize sanctions on individuals and entities who helped stage the February 1 coup and are responsible for the subsequent repression of fundamental freedoms, human rights abuses, use of indiscriminate violence towards civilians, and other atrocities. It further calls for the State Department to designate an official to serve as Special Coordinator for Burmese Democracy.



Conclusion

The international community has various means to ensure that Burmese officials are held accountable for the ongoing and severe atrocities committed by the Burmese military. USCIRF's [2021 Annual Report recommendations](#) outline how the United States can hold Burmese officials accountable, including through targeted sanctions, redesignating Burma as a CPC, and supporting efforts to hold Burmese officials accountable through the international legal system. In the wake of the coup, the U.S. government should continue to prioritize the pursuit of accountability, including by urging the NUG to recognize past harm committed against the Rohingya and other ethno-religious minorities communities. A future, stable, and just Burma hinges on ending impunity and ensuring accountability for past atrocities committed against religious communities.

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