

KEY FINDINGS

In 2019, the Burmese government continued to commit widespread and egregious religious freedom violations, particularly against Rohingya Muslims. Ethnic-driven conflict and degradation of other civil rights often coincide with religious differences, thereby severely restricting freedom of religion or belief.

During 2019, the Burmese military continued operations in Rakhine State that have led to the large-scale displacement of Rohingya. As of July 2019, approximately [910,000 civilians](#) reside in camps in Cox's Bazar, Bangladesh, including Muslims, Christians, and Hindus. In October 2019, United Nations (UN) Special Rapporteur on Myanmar Yanghee Lee [found](#) that Rohingya remaining in Rakhine are unable to leave their villages or earn a living with increasingly limited access to aid. Approximately 120,000 internally displaced Rohingya are confined to camps with severe limitations on their movement, little access to education or healthcare, lack of work, and inability to obtain ID cards, as USCIRF learned during a visit to Burma in June 2019. In July, the government cut the Internet in areas of Rakhine and Chin states, with human rights groups [expressing](#) concern this would restrict humanitarian aid from reaching vulnerable populations and limit the ability to monitor military abuses. The Internet restrictions were lifted in September, but [reimposed](#) in February 2020. Reports continued of the military indiscriminately killing civilians and destroying homes, mosques, and food stores. As a result, Special Rapporteur Lee [concluded](#) that "it is not safe or sustainable for refugees to return." An August 2019 UN Independent International Fact-Finding Mission [report](#) concluded that the military's actions, including the use of sexual violence, indicated its "genocidal intent." These abuses also impacted other groups in Rakhine, including Kaman Muslims and Buddhists. Violence between the Arakan Army

(an ethnic Rakhine Buddhist group) and the military spilled over into Chin State, displacing many ethnic Chin. In addition to authorities, armed ethnic groups have been responsible for religious freedom violations. There were reports in 2019 of the Arakan Army abducting civilians, including Christian pastors.

On January 23, 2020, after the reporting period, the International Court of Justice in The Hague [announced](#) a provisional ruling in a case brought by The Gambia that Burma must "take all measures within its power" to ensure that the military and any irregular armed units "do not commit acts of genocide" against the Rohingya. In 2019, a universal jurisdiction case was also filed in Argentina against Burma for abuses against Rohingya, and the International Criminal Court launched an investigation into the military's actions in Rakhine.

The ongoing violence has been fueled by hate speech, misinformation, and incitement to violence spread on social media, in particular [Facebook](#), which nonstate actors and government officials have used to threaten minorities. The behavior and threats of Buddhist nationalist groups continued to play a role in restrictions on religious freedom. More than 40 mosques—shuttered after the 2012 anti-Muslim violence—remained closed, with Muslim leaders continuing to [advocate](#) for their reopening. During Ramadan, the government temporarily closed Islamic places of worship following threats from Buddhist nationalists, despite the Muslim community having permits to conduct prayer services. In early 2019, USCIRF also received reports that officials closed madrassas and a mosque in Ayeyarwady Region. Non-Buddhist religious communities routinely faced difficulties in getting permission to construct or repair houses of worship and continued to face harassment from local authorities and nonstate actors.

RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Redesignate Burma as a "country of particular concern," or CPC, for engaging in systematic, ongoing, and egregious violations of religious freedom, as defined by the International Religious Freedom Act (IRFA);
 - Impose targeted sanctions on Burmese government agencies and officials responsible for severe violations of religious freedom by freezing those individuals' assets and/or barring their entry into the United States under human rights-related financial and visa authorities, citing specific religious freedom violations;
 - Reinstate the designation of a National Emergency with respect to Burma—terminated by executive order in October 2016—pursuant to the International Emergency Economic Powers Act, 50 U.S.C. 1701-1706, in response to the ongoing and severe atrocities, and refocus efforts to conclude definitively and publicly whether such atrocities meet the legal definition of crimes against humanity and/or genocide; and
 - Actively support efforts to hold Burmese officials accountable through the international legal system, including assisting and strengthening the documentation of mass atrocities and facilitating information sharing.
- The U.S. Congress should:
- Provide increased funds for assistance programs to support atrocity prevention and response efforts in Burma.

KEY USCIRF RESOURCES & ACTIVITIES

- **Commission delegation visit:** Rangoon and Nay Pyi Taw in June 2019
- **Hearing:** [Citizenship Laws and Religious Freedom](#)
- **Factsheet:** [The Path toward Justice: Accountability for International Crimes against the Rohingya of Burma](#)
- **Webinar Series:** [Webinar #2: Burma](#)

Background

Burma has a Buddhist majority (87.9 percent) with Christian (6.2 percent), Muslim (4.3 percent), Animist (0.8 percent), and Hindu (0.5 percent) populations. The 2008 constitution recognizes Buddhism as the de facto state religion, but also recognizes Christianity, Islam, Hinduism, and Animism. Despite this, religious and ethnic minorities not belonging to the majority Bamar ethnicity and Buddhist faith have faced longstanding persecution. In 2015, Burma [passed](#) race and religion laws supported by Buddhist nationalists such as the Ma Ba Tha. These laws regulate religious conversion, marriage, and births, and also restrict the religious freedom of non-Buddhists, particularly Muslims.

In November 2015, the country transitioned to democracy with the election of Aung San Suu Kyi’s National League of Democracy (NLD). However, the military still exercises significant political control with responsibility for home affairs, border affairs, and defense ministries, and with 25 percent of parliamentary seats reserved for military officers. In recent years, the NLD has come under increasing criticism for inaction on humanitarian crises involving ethnic and religious minorities, most notably military operations in Rakhine.

The Rakhine State Crisis and Attacks against Muslims

Using the pretext of insurgent activity, Burma’s military dramatically escalated operations in Rakhine in August 2017, sparking a mass migration. Within a matter of weeks, nearly 700,000 civilians sought refuge from the violence in refugee camps in Bangladesh. During these operations, the military has been accused of indiscriminate killings of civilians; mass rape and other sexual violence; disappearances; forced starvation; arbitrary detentions and arrests; and looting, burning, and property destruction. Both government authorities and nonstate actors also have shuttered and destroyed mosques; prevented Rohingya from worshipping or attending religious schools; interfered with Islamic funeral rites; desecrated and burned Qur’ans; and targeted imams for detention, torture, and killings.

Prior to these military operations, Rohingya Muslims have long been targeted for their ethnicity and religion, including being denied citizenship since 1982. While persecution against the Rohingya and broader Muslim community is not always religious in nature, it has impacted their ability to practice their faith. As anti-Muslim [sentiment](#) and Buddhist nationalism blossomed alongside the democratization process that began in 2011, the Rohingya continued to face discrimination. In 2012, anti-Muslim [violence](#) in Rakhine State left 200 dead and over 140,000 forcibly displaced, including 75,000 fleeing to Bangladesh. The following year in Meiktila, mobs—including Buddhist monks—burned over 1,500 Muslim homes; damaged or destroyed three Islamic schools and more than a dozen mosques; displaced thousands; and killed at least 100 people over three days.

Abuses against Christians

While some Christians are able to practice their faith, others are targeted for their beliefs. In Kachin and Northern Shan states, renewed [violence](#) in August 2019 between the military and ethnic armed organizations displaced thousands, including many Christians. These

displacements were in addition to more than 100,000 already displaced since a collapsed 2011 ceasefire between the military and the Kachin Independence Army. The longstanding conflicts, while not religious in nature, have deeply impacted Christian communities, with the military reportedly damaging or destroying over 300 churches. Blockades on humanitarian assistance also restricted access to basic necessities.

Beginning in 2018, the Chinese-backed United Wa State Army (UWSA) has targeted Christians in territory under its control. Under the guise of confronting “religious extremism,” UWSA soldiers interrogated and detained almost 100 pastors; ordered others to leave the region; closed religious schools and churches; destroyed unauthorized churches; banned new church construction; and forcibly recruited Christian students. In late 2018, the UWSA [released](#) those detained after signing a pledge to pray only at home. In December 2019, the UWSA reopened 51 of the more than 100 churches closed with the rest remaining closed.

Hate Speech and Social Media

Over the last decade, international observers have [noted](#) the rapid rise of Internet penetration, mobile phone usage, and social media as key contributors to the spread of hate speech and misinformation as precursors to mass violence. To counter this trend, Facebook blocked the pages of Buddhist nationalists, such as Ma Ba Tha and the monk U Wirathu, known for incitement to violence against Muslims. However, authorities continue to use Facebook regularly to disseminate information that is discriminatory and even factually incorrect, especially against minorities. Despite Facebook [banning](#) several military officials in 2018 for spreading “hate and misinformation,” the company [reported](#) in August 2019 that individuals associated with the military continue to engage in this behavior. In May 2019, a court issued an arrest warrant for U Wirathu under charges of sedition for criticism of the government.

Key U.S. Policy

In 2019, the U.S. government imposed punitive actions for the Burmese government’s human rights and religious freedom violations, including [travel bans](#) against military leaders for “gross human rights violations.” In December, the U.S. Department of State [redesignated](#) Burma as a CPC under IRFA and reimposed as the relevant presidential action the existing ongoing restrictions referenced in 22 CFR 126.1. That same month, the U.S. Department of the Treasury [announced](#) Global Magnitsky sanctions against four military leaders, including the military’s Commander-in-Chief and Deputy Commander-in-Chief, for “serious human rights abuses” in Rakhine, Kachin, and Shan states. In a May 2019 visit to Burma, Under Secretary of State David Hale stated it is Burma’s responsibility to allow Rohingya refugees safe return, pursue credible and independent investigations, and improve access for humanitarian aid. The U.S. government also [announced](#) \$72 million in U.S. Agency for International Development (USAID) funding to support Burma’s democratic transition, focusing on civil society and media and a community-strengthening project for conflict-affected states, as well as a \$127 million [aid package](#) for refugees in Bangladesh.