

**Written Testimony, House Committee on Foreign Affairs,  
Subcommittee on Asia and the Pacific**

**“Piercing Burma’s Veil of Secrecy: The Truth Behind the Sham Election and the Difficult  
Road Ahead.”**

**Wednesday, June 22nd, 12:30 pm, Room 2172, Rayburn House Office Building**

Submitted by

Chris Beyrer MD, MPH

Director, the Center for Public Health and Human Rights, Johns Hopkins Bloomberg School of Public Health, Baltimore, MD.

**Introduction**

Committee Chairman Ros-Lehtinen, Ranking Member Berman, Sub-Committee Chairman Manzullo, and Ranking Member Faleomavaega, Members, good afternoon and thank you for invitation to testify today. The United States Congress has long been a true friend to the people of Burma in their struggle for freedom and democracy and all of us working on Burma appreciate your leadership and engagement.

I currently serve as Professor of Epidemiology and International Health at the Johns Hopkins Bloomberg School of Public, where I direct the JHU Fogarty International AIDS Training and Research Program and the Center for Public Health and Human Rights. I have been involved in health and human rights issues in Burma since 1993, and over the last 18 years have worked on a number of issues including general public health in Burma, HIV/AIDS, narcotics, health and rights in Burma’s ethnic conflict zones, and maternal-child health. Most recently our Center collaborated with Physicians for Human Rights and five Chin groups including the Chin Human Rights Organization on the first population-based survey of health and human rights in Chin State, Western Burma. This work was recently published both in the scientific literature<sup>1</sup> and in a January 2011, PHR report entitled “Life Under the Junta: Evidence of Crimes Against Humanity in Burma’s Chin State.” Related work is ongoing in other ethnic areas in Burma.

From the perspective of basic freedoms and rights for the Burmese people, of ethnic nationalities’ rights and their hopes for real national reconciliation, and of political freedom and participation, it is all too clear that nothing fundamental has changed since the 2010 electoral exercise of the military regime. The electoral process, as President Obama said in New Delhi at the time of the elections, was profoundly flawed:

"The November 7 elections in Burma were neither free nor fair, and failed to meet any of the internationally accepted standards associated with legitimate elections. The elections

---

<sup>1</sup> Sollom R, Richards AK, Parmar P, Mullany LC, Lian SB, Iacopino V, Beyrer C. Health and human rights in Chin State, Western Burma: a population-based assessment using multi-staged household cluster sampling. PLoS Med. 2011 Feb 8;8(2):e1001007.

were based on a fundamentally flawed process and demonstrated the regime's continued preference for repression and restriction over inclusion and transparency."

While the regime has altered its structure, the same men are in charge, the same authoritarian controls prevail in all sectors of public life, rights abuses continue, both in ethnic areas and in the Burman heartland, and the well-being and security of the Burmese people and of their neighbors continues to be under-mined by corruption, incompetence, and the denial of basic rights and freedoms.

UN Special Rapporteur for human rights in Burma, Tomás Ojea Quintana, speaking to the International Herald Tribune on May, 31, 2011, listed several areas in which the new government has failed to make any significant progress. Mr. Quintana pointed to **land confiscation, forced labor, internal displacement of people, extrajudicial killings and sexual violence against women**. I will address several of these areas. Since the regime has broken several long-standing cease fires just this month, and fighting is now underway and affecting ethnic nationality civilians in Kachin and Shan States, let me begin with the current situation in those conflict zones.

## **The Situation of Burma's Ethnic Nationalities**

### **Kachin State**

After a 17 year cease fire, armed conflict has begun again this month in Kachin State. Fighting broke out on June 9<sup>th</sup>, 2011, when Government soldiers attacked a base of the Kachin Independence Army (KIO). The intent in this attack appears to have been to drive the Kachin people off traditional lands in an area important to hydropower dams<sup>2</sup> currently under construction.<sup>3</sup> Some 10,000 civilians are reported to have fled the area, many due to a well-founded fear of being taken for forced portage by the Burmese military—standard operating procedure for this army when moving through civilian areas.<sup>4</sup>

The use of military force to seize land and other assets, and brutal campaigns to forcibly displace civilian populations off those lands, have been consistent approaches for this regime for decades. And as in Shan, Karen, and Chin areas, Burmese military forces are again reported to be using rape as a tool of ethnic terror against women and girls. The Kachin Women's Association in Thailand, which monitors rights abuses and supports victims of sexual violence, reported on June 17<sup>th</sup> that at least 6 Kachin women and girls have been raped by Burmese soldiers since June 9<sup>th</sup>.

---

<sup>2</sup> Two dams are in this area, both Myanmar-China joint ventures. According to a recent Reuters report "China has interests in resource-rich Myanmar, particularly in energy. Bilateral trade rose by more than half last year to \$4.4 billion, and China's investment in Myanmar reached \$12.3 billion in 2010, according to Chinese figures, with a strong focus on natural resources and energy projects." Reuters: Q+A-What is behind clashes in Myanmar's Kachin hills? June 16, 2011

<sup>3</sup> By A WALL STREET JOURNAL REPORTER. **Wall Street Journal: China Urges End to Myanmar Strife**. June 16, 2011

<sup>4</sup> **BBC: Burma blames ethnic Kachin rebels for deadly clashes**. June 18, 2011

Three of these women were killed after being raped.<sup>5</sup> It is abusive practices like these which have led Special Rapporteur Quintana to call for a Commission of Inquiry into crimes against humanity in Burma. Since these crimes are alleged to have occurred just in the past weeks, they are further evidence of the lack of change in regime policies toward ethnic nationalities, and they underscore the need, affirmed by Secretary Clinton last year, for a Commission of Inquiry.

The June 16<sup>th</sup> State Department call on “...the Burmese authorities to cease any such hostilities and begin a dialogue with opposition and ethnic minority groups toward national reconciliation,” was timely and welcome.<sup>6</sup> The call for tripartite dialogue has been repeatedly made by Daw Aung San Suu Kyi, the NLD, and the leaders of Burma’s Ethnic Nationalities. It remains arguably the best way forward to national reconciliation in Burma. But the regime has again chosen brute force as its principal tactic against an ethnic group.

The Kachin Women have made several requests in response to this violence. These include:

- Urge the Burmese military to immediately stop offensive against Kachin and other ethnic groups and to withdraw from the ethnic areas.
- Urge the Burmese military to stop atrocities, including rape of Kachin women.
- Call on the Chinese Government to accept refugees and provide the humanitarian assistance and support to civilians.
- Call the ASEAN countries and neighborhood countries, in particular, China to mediate the conflict.
- Urge the international community to condemn the Burma’s army offensive and to provide emergency support and humanitarian assistance to the affected civilians.<sup>7</sup>

## **Chin State**

Our recent joint Physicians for Human Rights and Johns Hopkins study, a population-based survey in western Burma’s Chin State, “Life Under the Junta,” found that 91.7% of households had at least one family member forced to labor for the military in the preceding 12 months (March 2009-March 2010). That is the highest rate we have ever identified in Burma. Religious persecution was reported by 14% of households, disappearance of a family member by 4.8%, torture by 3.8%, and rape by 2.8%. Government soldiers committed 98.3% of abuses. The highest levels of abuses occurred in Southern Chin State.

These abuses occurred before the elections. How relevant are these past violations of Chin families to the post-election scenario? The military commander of Tactical II Command in charge of three southern townships during the period measured by the study was Col. Zaw Min Oo. He was one of the junta’s military appointments to the new Parliament, and is also now serving as Border Area and Security Affairs Minister of Chin State. The tables below compare forced labor (Table 1) and food security related violations (Table 2) in the areas under Col. Zaw

---

<sup>5</sup> Kachin Women’s Association of Thailand, June 17<sup>th</sup>, 2011, **Kachin women denouncing offensive by the Burmese Army and atrocities against Kachin people**

<sup>6</sup> AFP: US urges Myanmar to end hostilities. June 16, 2011.

<sup>7</sup> KWAT, June 16<sup>th</sup>, 2011.

Min Oo's command with those areas not under his command during the period covered by our PHR-JHU-CHRO assessment, March 2009-March 2010.

**Table 1: Forced labor frequencies in areas under Col. Zaw Min Oo compared to other areas of Chin State, 2009-2010.**

Description	Areas under ZMO			Other Areas of Chin State			Prevalence Rate Ratio (95% CI)
	HH	Cases	%	HH	Cases	%	
Any forced labor in the previous 12 months	130	117	90.0	488	451	92.4	0.97 (0.91, 1.04)
- Forced to build roads, bridges, buildings	113	99	87.6	484	369	76.2	1.15 (1.02, 1.30)
- Forced to porter	120	83	69.2	482	276	57.3	1.21 (0.99, 1.47)
- Forced to carry weapons	97	14	14.4	470	70	14.9	0.97 (0.28, 3.32)
- Forced to cook or be a servant	78	20	20.4	469	86	18.3	1.11 (0.47, 2.61)
- Forced to sweep for landmines	98	0	0.0	469	8	1.7	n/a
- Forced to grow jatropa or other crop	119	101	84.9	473	361	76.3	1.11 (0.96, 1.29)
- Forced to do other* tasks	65	40	38.1	402	50	11.1	3.44 (1.72, 6.86)

**Table 2: Food security related and other human rights violations in areas under Col. Zaw Min Oo compared to other areas of Chin State**

Description	Areas under ZMO			Other Areas of Chin State			Prevalence Rate Ratio (95% CI)
	HH	Cases	%	HH	Cases	%	
<b>Food Security Related Violations/Events</b>							
Forced to give food out of fear of violence	122	76	62.3	479	285	59.5	1.05 (0.84, 1.31)
Forced to provide money	129	82	63.6	476	281	59.0	1.08 (0.82, 1.41)
Household's crops/food stores stolen or destroyed	121	14	11.6	475	14	3.0	3.93 (0.81, 18.93)
Home attacked or destroyed	127	10	7.9	478	8	1.7	4.70 (0.88, 25.09)
Communal property attacked or destroyed	124	20	16.1	471	57	12.1	1.33 (0.48, 3.68)
Household's livestock stolen or killed	113	69	61.1	474	253	53.4	1.14 (0.84, 1.55)
Household forced to grow jatropha or other crop	130	102	78.5	488	386	79.1	0.99 (0.83, 1.19)
<b>Forced Movement</b>							
Household forced to move	127	28	22.1	475	46	9.7	2.28 (1.18, 4.39)
Household forced to move to seek food	127	25	19.7	481	36	7.5	2.63 (1.17, 5.93)
<b>Physical Violence</b>							
Household member(s) wounded/killed from gunshot, explosion or other	128	12	9.4	478	24	5.0	1.87 (0.45, 7.81)
Household member(s) beaten or tortured	129	32	24.8	480	71	14.8	1.68 (0.89, 3.16)
Household member(s) sexually assaulted or other inhumane act	129	14	10.9	474	14	3.0	3.67 (1.02, 13.23)
<b>Other Violations/Events</b>							
Child(ren) <15 years forced to serve in armed forces	128	35	27.3	487	33	6.8	4.04 (1.57, 10.36)
Person(s) in household detained or imprisoned	127	18	14.2	482	20	4.2	3.42 (1.02, 11.4)
Person(s) in household kidnapped or disappeared	111	4	3.6	482	16	3.3	1.09 (0.18, 6.58)
Household experienced religious/ethnic persecution	130	40	3.8	481	99	20.6	1.49 (0.83, 2.70)

These are extraordinarily high rates of rights abuses against civilian populations. Most notable are the much higher rates of Child conscription (4 times higher); detention (3.4 times higher) and sexual assaults (3.6 times) higher, in areas under this commander's control.

In post-election Burma, a military commander whose forces violently repressed the Chin people, now represents those same households and communities in the new parliament. That is not change, it is impunity.

## **Shan State**

Since the election, conflict has intensified in Eastern Burma, including in Shan State. In March 2011, the Burmese military broke a 22 year long ceasefire and launched offensives against the Shan State Army – North (SSA-N). Within the first three weeks, some 65 skirmishes were estimated to have occurred, endangering 100,000 civilians and sending over 3,000 others fleeing, either to the jungles, nearby towns, or to the border with Thailand. The Shan Human Rights Foundation has documented indiscriminate shelling of civilians, forced labor, forced relocations, looting, arbitrary detention, torture, use of human shields, gang rape and arbitrary execution, all associated with the escalating violence in northern Shan State.<sup>8</sup> Again, this speaks not to change, but to a continuation of the scorched earth policies and ethnic attacks which have marked the regime's treatment of ethnic nationalities for decades.

Rape as a tool of war is a particular concern in Shan areas. Last November, after the election, a 16 year old girl in Langkhurh Township, Southern Shan State, was raped by a soldier after having been forced to watch while he shot and killed her parents. The private was from Light Infantry Battalion (LIB) # 578, one of the units of Military Operations Command (MOC) #17 based in Mongpan. The MOC commander Brig-Gen Tint Shwe was reported to have offered Nang Hla Kyat 200,000 (US\$ 200) in compensation asking her not to spread the information.<sup>9</sup>

Several months later, another ethnic Palaung teenager in Shan State was gang raped by soldiers of LIB # 574.<sup>10</sup>

This was not an isolated incident. As Secretary of State Clinton noted in her remarks at the April 12<sup>th</sup>, 2011 Vital Voices event here in Washington, which honored Aung San Suu Kyi:

---

<sup>8</sup> Shan Community-Based Organizations, Press Release, April 12, 2011. Available at: [http://www.shanhumanrights.org/images/stories/Action\\_Update/Files/press%20release%20northern%20shan%20state%20atrocities.pdf](http://www.shanhumanrights.org/images/stories/Action_Update/Files/press%20release%20northern%20shan%20state%20atrocities.pdf); Sai Zom Hseng, Human Rights Abuses Reported in Shan State Clashes. *The Irrawaddy* April 12, 2011, available at: [http://www.irrawaddy.org/article.php?art\\_id=21119](http://www.irrawaddy.org/article.php?art_id=21119); Ko Htwe, Burmese Troops Targeting Women in Shan Conflict, *The Irrawaddy* April 25, 2011, available at: [http://www.irrawaddy.org/article.php?art\\_id=21173](http://www.irrawaddy.org/article.php?art_id=21173)

<sup>9</sup> Hseng Khio Fah, 16 Year Old Girl raped, Parents Killed by Junta Soldier. *Shan Herald Agency for News* November 25, 2010. Available at:

[http://www.shanland.org/index.php?option=com\\_content&view=article&id=3335%3A16-year-old-girl-raped-parents-killed-by-junta-solider&Itemid=301](http://www.shanland.org/index.php?option=com_content&view=article&id=3335%3A16-year-old-girl-raped-parents-killed-by-junta-solider&Itemid=301)

<sup>10</sup> DVB, Shan Villager 'Gang-Raped by Troops.' February 23, 2011, available at: <http://www.dvb.no/news/shan-teenager-%E2%80%98gang-raped-by-troops%E2%80%99/14392>

I call again for the Burmese authorities to allow her and her party to participate in Burma's political process and that they be granted freedom of movement, expression, and assembly. *And we hold up the ethnic women of Burma who are fighting against the systematic use of rape by the Burmese military*, and we continue to urge the regime to release more than 2,100 political prisoners, including some very brave women.

In the Shan and other Eastern Burma areas food security for newly displaced families is a major concern. Cross-border food assistance programs supported by the European Union and other donors have been significantly cut, and a long-standing support group, the Thai Burma Border Consortium, has recently been forced to reduce food rations to populations which they serve.<sup>11</sup> Current resources are inadequate to meet the needs of these populations today, and may be quickly overwhelmed if fighting continues in Eastern Burma, and displaced populations continue to expand.

### **Karen State**

Immediately following the November elections, conflict between the Burmese military and factions of a ceasefire group, the Democratic Karen Buddhist Army (DKBA) quickly escalated, particularly around Myawaddy town and the Three Pagodas Pass, sending over twenty thousand refugees fleeing into Thailand, the largest single influx in over a decade.<sup>12</sup> Although many of the arrivals have returned to Burma, ongoing conflict, militarization, and its attendant abuses on civilians, including movement restrictions, arbitrary arrest, and forced labor, including as army porters, minesweepers, and guides, have forced at least 10,000 civilians to continue living as displaced persons in hiding sites along the Thai-Burma border. These people are living without legal protections, and reliant on community organizations for basic services, including health and humanitarian assistance.<sup>13</sup>

The conflict continues to widen in Karen State, accompanied by abuses of civilians. Since the election The Karen Human Rights Group has reported multiple incidents of forced labor, including forced portage of military supplies, forced production and supply of building materials and forced messenger duty; four incidents in which villagers were shot and/ or killed; two incidents of arbitrary arrest and detention; one incident of theft and looting; one incident of rape; and one report of travel restrictions in Army-controlled areas. In northern Karen State, ongoing conflict, abuses, and repeated rounds of displacement, coupled with environmental

---

<sup>11</sup> Thailand Burma Border Consortium. "Adjustments to the Food Basket in 2011". E-Newsletter # 13, February, 2011.

<sup>12</sup> Karen Human Rights Group, Report from the Field: Protection Concerns Expressed by Civilians Amidst Conflict in Dooplaya and Pa'an Districts, November 17, 2010.

<sup>13</sup> Backpack Health Worker Team, Update on the Conflict and Displacement of Civilians along the Thai-Burma Border, February 15, 2011. Backpack Health Worker Team, Situation Report: Promoting the Protection of Newly Displaced Civilians Affected by Conflict and Increased Insecurities on the Thai-Burma Border, Mid-December 2010 to 11<sup>th</sup> January 2011. KHRG, News Bulletin: More arrests and movement restrictions: Conflict continues to impact civilians in Dooplaya District. November 30, 2010.

factors such as insufficient rainfall, have resulted in harvest failures and worsening food insecurity for almost 9,000 villagers.<sup>14</sup>

What can the newly elected or appointed Parliamentarians do to address these atrocities? In a June 16<sup>th</sup> interview Sai Hsaung Si, vice-chairman of the Shan Nationalities Democratic Party (SNDP) said: “Even though we are parliamentarians, we can do nothing without the cooperation of the government and the ethnic armed groups.”<sup>15</sup> Another ethnic parliamentarian in Burma, speaking anonymously in response to the conflicts said,

“We are unable to raise the issue of ethnic strife in parliament as there are so few opposition parties represented. **We are expected to attend parliamentary sessions just to listen.**”<sup>16</sup>

### **Humanitarian Assistance and Public Health**

The need for expanded humanitarian assistance and increased assistance in the health sector are agreed upon by all parties engaged in the effort to support the Burmese people. Aung San Suu Kyi and the NLD have spoken forcefully about the need expand efforts in health, agriculture, sustainable development, education and the social sector. But access, transparency, and accountability continue to challenge the assistance effort. The regime exercises its control of access through granting of visas to expat relief workers, through the granting (or withholding) of MOUs, and through the need for permission to visit some areas, and outright restrictions on others. As an example, the Global Fund to Fight AIDS TB and Malaria recently returned to Burma as a donor. Their agreement with the regime was signed in November 2010, around the time of the elections. Although malaria is the leading cause of death identified in surveys of IDP communities of eastern Burma, with a prevalence of almost 5% in some communities of Karen State,<sup>17</sup> the state is explicitly excluded from this agreement in order “to avoid further accusations of lack-of-access problems.”<sup>18</sup>

The high burden of malaria in Eastern Burma, coupled with the ongoing lack of access to appropriate and timely diagnosis and treatment, not only results in excess morbidity and mortality; it now also threatens the effectiveness of artemisinins, the newest treatment mainstays for *Plasmodium falciparum* malaria, the most common and dangerous type of malaria in the region.<sup>19</sup> The official response plan for Burma (MARC = Myanmar artemisinin containment) plan does not include any mechanism to support malaria control services in Karen areas of

---

<sup>14</sup> KHRG, Regional Report: Acute food shortages threatening 8,885 villagers in 118 villages across northern Papun district. May 11, 2011.

<sup>15</sup> June 16, 2011. Khin Oo Thar. Irrawaddy: Ethnic MPs Call for Peace.

<sup>16</sup> June 16, 2011. Khin Oo Thar. Irrawaddy: Ethnic MPs Call for Peace

<sup>17</sup> Diagnosis Critical: Health and Human Rights in Eastern Burma. October 2010.

<sup>18</sup> DPA, Global Fund returns to Myanmar to fight malaria, WHO says. November 10, 2010. Available at: [http://www.monstersandcritics.com/news/health/news/article\\_1597950.php/Global-Fund-returns-to-Myanmar-to-fight-malaria-WHO-says](http://www.monstersandcritics.com/news/health/news/article_1597950.php/Global-Fund-returns-to-Myanmar-to-fight-malaria-WHO-says)

<sup>19</sup> Tim Johnston, South-east Asia: Activists worry about ‘black hole’ of Burma. *Financial Times* April 22, 2010. IRIN, Myanmar: Anti-malarial drug resistance ‘hotspots’ identified. April 19, 2011. <http://www.irinnews.org/Report.aspx?ReportId=92516>

Eastern Burma. Universal access to malaria diagnosis and treatment is critical to respond to the threat of artemisinin resistance. By excluding this conflict area, the malaria program is already compromised in its likely efficacy.

While civil society and pro-democracy organizations are committed to responding to the health and humanitarian challenges facing the people of Burma, they have been repeatedly constrained in their efforts by the regime. In the wake of cyclone Nargis in May of 2008, when the junta initially severely restricted international assistance, Professor Lawrence Gostin and colleagues asserted in *The Lancet* that such willful blocking of vital humanitarian aid violated international human rights law and could potentially be a crime against humanity.<sup>20</sup>

Those supporting truly non-governmental organizations were heartened by the recent visit of Sen. John McCain to the independent clinic run by NLD member Phyu Phyu Thin during his recent visit to Burma.<sup>21</sup> This clinic, one of 3, provides care, support, and housing to impoverished Burmese living with HIV infection. After Daw Suu Kyi's release last November, she first visited the NLD office—the next day she visited this AIDS center. The regime then threatened to expel all the residents—underscoring their continued concern about the love and respect the Burmese people have for their chosen leader. I'm happy to say that as North America representative for the International AIDS Society, we joined a successful international effort to pressure the regime to allow the patients to stay.

Official estimates cite 236,000 people living with HIV in Burma, figures that are likely to represent significant underestimates given problems of survey methodology. Nevertheless, about 76,000 of these individuals are thought to urgently need ARVs. Only about 30,000 receive them.<sup>22</sup> About 1-2,000 receive such treatment from the Burmese government; the overwhelming majority receive their life-saving medications from international humanitarian agencies. Many others, especially in heavily affected ethnic areas such as Kachin State, die needlessly from AIDS, particularly given the resumption of conflict and long-standing blockade of official international humanitarian assistance by the Burmese authorities in some conflict areas.<sup>23</sup>

Polio has recently re-emerged as health threat in Burma, after several years of being declared polio free.<sup>24</sup> This outbreak has been challenged by access issues and very poor immunization coverage rates in ethnic areas. In 2010, an infant was diagnosed with polio, the first case since the country was declared free of the disease in 2007, prompting a campaign to inoculate over 3 million children across the country.<sup>25</sup> The latest outbreak underscores the reality that access to even the most basic of health-related services remains problematic for most of the peoples of Burma, particularly her ethnic peoples, a situation unlikely to improve despite belated catch-up

---

<sup>20</sup> Kraemer JD, Bhattacharya D, Gostin L. Blocking humanitarian assistance: a crime against humanity? *The Lancet* Vol 372;October 4, 2008, pp1203-1205.

<sup>21</sup> Ko Wild Mizzima: Sen. McCain visits NLD HIV/AIDS 'salvation centre.' June 2, 2011.

<sup>22</sup> Myanmar Launches New strategic plan for AIDS reponse aiming to reach Universal Access targets by 2015. Office of the UN Resident/Humanitarian Coordinator in Myanmar. June 1, 2011.

<http://unic.un.org/imucms/yangon/80/110/home.aspx>

<sup>23</sup> Help Needed to Stem Spread of HIV in Northern Burma. Kachin News Group, December 1, 2010.

<http://www.kachinnews.com/news/1811-help-needed-to-stem-spread-of-hiv-in-northern-burma.html>

<sup>24</sup> Polio Threatens Burma MARWAAN MACAN-MARKAR, Irrawaddy, Friday, April 22, 2011

<sup>25</sup> Polio Threatens Burma MARWAAN MACAN-MARKAR, Irrawaddy, Friday, April 22, 2011

vaccination campaigns. The latest official government budget, approved without oversight of the new parliament, allocated under \$2 per person per year for health, around 1.3% of the total budget, in the continuation of a decades-long tradition of disinvestment by prior military administrations.<sup>26</sup> This neglect includes childhood immunizations, amongst the most cost-effective of public health interventions, which are completely excluded from the official health budget.<sup>27</sup> Not only does this threaten the health of the peoples of Burma, this lack of access has manifested as outbreaks of vaccine-preventable diseases, particularly measles, in and along the borders with Burma's immediate neighbors.<sup>28</sup>

## **Economic Reform**

The Australian economist Professor Sean Turnell has pointed out that little progress has been made to address the widespread corruption that has long hampered the Burmese economy. The military still receives some 25% of the budget. This has led to budget distortions and deficits which according to Turnell "That is causing all sorts of distortion to the economy, and creating a very serious budget deficit...But the government's response to budget deficits has been to print more money, which has led to the highest rate of inflation in Southeast Asia." The gap between the official and market currency exchange rate remains the highest in the world; at 6 kyat to the USD official and 350 kyat on the black market. No action has been taken since the election on this issue.

A May 31, 2011 report of the low level of exchange of the US dollar found that "...the extensive influx of US dollars from the illegal drug trade at the Sino-Burmese border and the continuous decline in demand on the domestic US dollar market have lowered the value of the dollar."<sup>29</sup> Narcotics exports have reportedly been rising in Burma out of the need for Ethnic Nationalities to rearm to face renewed fighting with the regime.

## **Political Prisoners**

There are currently **1992** political prisoners in Burma, including more than 150 women and over 200 monks. Some are serving sentences of 100 years or more. **77** were released in June, 2011, as were **59** in May, 2011, when the government commuted all prison sentences by one year around the visit of UN Special Advisor to the Secretary General, Mr. Vijay Nambiar. This extremely limited release on the part of the government does not change the fact that so many who have struggled for true democracy in Burma remain imprisoned.

A Mon Buddhist Monk, Ashin Uk Kong Sah, is in his late 20s. He was arrested in 2010 and sentenced to 15 years for possessing leaflets protesting the elections and for painting "no 2010 election" on a highway in Mon State. His family reports that he has been tortured and that he is

---

<sup>26</sup> Joseph Allchin, Military Prioritised as Military Expands Airforce. *DVB* March 2, 2011. <http://www.dvb.no/news/military-prioritised-as-burma-expands-airforce/14546>

<sup>27</sup> World Health Organization (WHO) Vaccine Preventable Diseases Monitoring System, Immunization Profile: Myanmar. Available at: [http://apps.who.int/immunization\\_monitoring/en/globalsummary/countryprofileselect.cfm](http://apps.who.int/immunization_monitoring/en/globalsummary/countryprofileselect.cfm)

<sup>28</sup> Zhang Y, ding Z, Wang H et al. New Measles Virus genotype associated with Outbreak, China. *Emerging Infectious Diseases* June 2010, 16: 943-947. Lewis Jennings and Withaya Huanok, Measles Outbreak Highlights Regime's Irresponsibility. *The Irrawaddy* November 6, 2008. [http://www.irrawaddy.org/article.php?art\\_id=14579](http://www.irrawaddy.org/article.php?art_id=14579)

<sup>29</sup> US Dollar Hits Record Low in Burma. AUNG THET WINE. *The Irrawaddy*. Tuesday, May 31, 2011.

now suffering from stomach and kidney problems. He was held in Insein in Rangoon prison for a year, and then transferred to Bassein prison in the Irrawaddy delta. His family says this is much farther from their home and that they will have a much more difficult time visiting him.

As an AIDS researcher I feel a particular connection with U Indaka. This brave man is the former abbot of Maggin Monastery in Rangoon, which provided hospice and treatment services for AIDS patients. U Indaka was a leader in the earlier 1990 democracy movement, a Buddhist Monk and a member of the NLD. He was arrested, forcibly de-robed and imprisoned 5 years. Upon his release from prison in 1995 he became Abbott of Maggin and led the Monastery's efforts on behalf of patients with HIV. During the Saffron Revolution of 2007, Maggin Monastery was raided, AIDS patients literally driven on to the streets, and the monks brutally attacked by the junta. U Indaka was subsequently sentenced to 20 years in prison. He is currently serving his sentence in Lashio prison in northern Burma and is due for release in 2027. This man is a spiritual leader, a democracy leader, and a provider of services to those in need. That he remains incarcerated speaks to how little change the elections have brought.

The first political prisoner of the new regime is Nay Myo Zin, a former army captain who was arrested in April of this year. Nay Myo Zin had been volunteering at a blood donation center in Rangoon that was run by the NLD. The Burmese government sees many civilian charity groups as threats (17 relief workers from Cyclone Nargis and 8 physicians are also political prisoners). Nay Myo Zin was charged with having an email in his inbox that discussed national reconciliation. He was held at an unknown location for three weeks then transferred to Insein Prison. The arrest of Nay Myo Zin is further evidence that the new regime is as intolerant and threatened by the NLD as was the old.

## **Parliament**

The internal power structure of Burma has not changed. As per the 2008 constitution, active-duty military officers are appointed to hold one quarter of the seats in parliament. Former Junta leaders "retired" and are now eligible to hold, and do hold, most of the leadership positions in the country, including President, Vice President, Lower House Speaker, and Union Election Chairman Commissioner. These former members of the Junta, including President Thein Sein, are responsible for numerous human rights abuses and are legitimate targets for a Commission of Inquiry into human rights violations in Burma.

Thein Sein is the former Prime Minister. He was in charge when the Junta refused to grant access to relief agencies in the wake of Cyclone Nargis, and since he was appointed Prime Minister in 2007, the number of political prisoners has doubled. He is now the President of the country.

## **Responses: What Can the US Do Better to Support Democracy, Freedom, and Development in Burma?**

### **Commission of Inquiry**

The rights abuses against Burma's citizens, including forced labor, torture, killings, and the rape of ethnic women must stop. The U.S. needs to exercise vigorous global leadership on pushing for a Commission of Inquiry (COI) to investigate these abuses. This effort could and should be led by the recently appointed Special Representative and Policy Coordinator for Burma, Derek Mitchell, and we eagerly await his confirmation and leadership on this effort. Special Rapporteur Quintana, Daw Aung San Suu Kyi, and US Ambassador to the UN Human Rights Council Eileen Chamberlain Donahoe<sup>30</sup>, have all supported the call for a COI<sup>31</sup>.

The U.S. has recently shown swift and effective leadership in diplomacy on calling for investigations into the killing of civilians by the Qaddafi regime in Libya. Why not Burma, where the evidence is overwhelming? The Congress has repeatedly called for a Commission of Inquiry.

### **Targeted Financial and Banking Sanctions**

The U.S. should fully implement the targeted financial sanctions against Burma's rulers and their relatives. The speed with which assets have been identified and frozen in Egypt and in Libya make it clear that we could be doing much more to stop the free flow of resources into the junta's hands.

### **Support for Democracy**

It should not be surprising that Aung San Suu Kyi marked the 8<sup>th</sup> year anniversary of the Depayin massacre, on May 30, 2003, by announcing on May 30, 2011, that she intends to travel in her country again. Scores of NLD members were killed in the Depayin attack on Suu Kyi's convoy, for which she, not the attackers, was then jailed. Suu Kyi and the NLD remain critical players in any future democratic transition. The U.S. should actively engage in a sustained dialogue with the NLD, and should continue to consult with her and her party on all U.S. funded activities, including humanitarian assistance programs. Programs which exclude the NLD, however well-meaning, undermine this transition and will not, in the long run, help alleviate the root cause of the suffering of the Burmese people—military misrule.

Emergency food aid and other forms of humanitarian assistance, including cross-border assistance to newly internally displaced populations (IDPs,) may be called for in the coming months if fighting expands and continues to affect civilian populations in ethnic areas.

### **Conclusion**

I have talked about the condition of Burma's political prisoners, the lack of change in leadership of the country, and the renewed fighting and population displacements in the ethnic states. None of these suggest that any change has happened in Burma since the election. We need to hold the Burmese government accountable for what it is doing to its people. The US should vigorously support a UN Commission of Inquiry into human rights abuses in the country.

---

<sup>30</sup> Htet Aung, Irrawaddy: US Vows to Continue Pressing for Burma CoI. June 17, 2011,

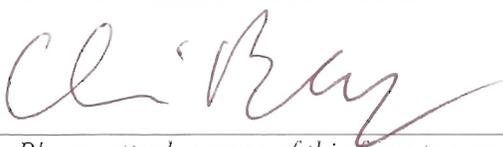
<sup>31</sup> To date 16 countries have officially supported the establishment of the CoI on Burma. They are: The Czech Republic, Australia, the United Kingdom, Slovakia, Canada, the US, Hungary, New Zealand, the Netherlands, France, Ireland, Lithuania, Estonia, Latvia, Belgium and Denmark.

Aung San Suu Kyi recently said, “To maintain the good image of a country, the government has to respect the will of the people.” The U.S. needs to be on the right side of history in Burma, and that side will always be the will of the people. The current civilian gloss on a profoundly unpopular junta is not an expression of their will or choosing.

United States House of Representatives  
Committee on Foreign Affairs

“TRUTH IN TESTIMONY” DISCLOSURE FORM

Clause 2(g) of rule XI of the Rules of the House of Representatives and the Rules of the Committee require the disclosure of the following information. A copy of this form should be attached to your written testimony and will be made publicly available in electronic format, per House Rules.

<b>1. Name:</b>  Chris Beyrer MD, MPH	<b>2. Organization or organizations you are representing:</b>  Department of Epidemiology, Johns Hopkin
<b>3. Date of Committee hearing:</b>  June 22nd, 2011	
<b>4. Have <u>you</u> received any Federal grants or contracts (including any subgrants and subcontracts) since October 1, 2008 related to the subject on which you have been invited to testify?</b>  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>5. Have any of the <u>organizations you are representing</u> received any Federal grants or contracts (including any subgrants and subcontracts) since October 1, 2008 related to the subject on which you have been invited to testify?</b>  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>6. If you answered yes to either item 4 or 5, please list the source and amount of each grant or contract, and indicate whether the recipient of such grant was you or the organization(s) you are representing. You may list additional grants or contracts on additional sheets.</b>  See attached.	
<b>7. Signature:</b>  	

*Please attach a copy of this form to your written testimony.*

1. "Responding to Burma's Pro-Democracy Movement." Feb. 2008-February 2010. U.S. Department of State, Bureau of Democracy, Rights and Labor. Funding level, US \$ 207,664. This was a grant to the Center for Public Health and Human Rights at JHU, which I direct. I served as the principal investigator.