

**HUMAN RIGHTS IN BURMA:
FIFTEEN YEARS POST MILITARY COUP**

JOINT HEARINGS

BEFORE THE
SUBCOMMITTEE ON
INTERNATIONAL TERRORISM, NONPROLIFERATION
AND HUMAN RIGHTS

AND THE
SUBCOMMITTEE ON ASIA AND THE PACIFIC
OF THE

COMMITTEE ON
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**HUMAN RIGHTS IN BURMA:
FIFTEEN YEARS POST MILITARY COUP
(PART I)**

WEDNESDAY, OCTOBER 1, 2003

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON INTERNATIONAL TERRORISM,
NONPROLIFERATION AND HUMAN RIGHTS, AND
SUBCOMMITTEE ON ASIA AND THE PACIFIC,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Subcommittees met, pursuant to call, at 1:33 p.m. in Room 2172, Rayburn House Office Building, Hon. Elton Gallegly [Chairman of the Subcommittee on International Terrorism, Nonproliferation and Human Rights] presiding.

Mr. GALLEGLY. Today, the Subcommittee on International Terrorism, Nonproliferation and Human Rights and the Subcommittee on Asia and the Pacific are holding the first of two back-to-back hearings on the human rights situation in Burma. The second hearing on this subject in which we will hear from the Administration will take place tomorrow morning at 8:30 a.m. in this room.

The timing of this hearing is important not only because of the anniversary of the 1988 military coup which brought the current dictatorial regime to power, this hearing will also be the first occasion for the United States Congress to hear a firsthand account of the May 30th attack by the pro-government group on Aung San Suu Kyi and her supporters.

The Subcommittees are privileged to hear from Wanna Maung, who was an eyewitness to the events on May 30. The attack left scores of Aung San Suu Kyi's supporters either dead or injured, and Aung San Suu Kyi and Tin Oo, the deputy leader of the opposition National Democratic League, were taken into custody.

This violent attack is one more example of the brutality of the State Peace and Development Council, the military junta that has ruled the country since 1988. Their record represents a laundry list of some of the worst human rights practice in the world:

For instance, the regime regularly engages in violent repression of political opponents and ethnic minorities, resulting in a huge overflow of refugees to neighboring countries, as well as a large number of internally displaced persons.

The regime has shown no respect for the elections of the democratic process. In the 1990 national elections, the National Democratic League won by 82 percent of the seats in parliament. Instead

of peacefully transferring power, the government nullified the election results.

The regime has ignored even the most basic needs of its people, such as health care and adequate food. The regime has also done little to address the growing HIV/AIDS problem. Instead, it is spending an estimated 40 percent of its GDP on the military, which has doubled in size since the SPDC took power in 1988.

The Burmese government has one of the poorest records in the world in the area of human trafficking. Burma was one of 15 nations to be placed on the State Department's Tier III list, which is defined as a country whose government does not comply with even the minimum standards of Trafficking Victims Protection Act and is not making significant efforts to bring itself into compliance.

Of those 15 countries, President Bush decided to impose sanctions on the three nations—Burma, North Korea and Cuba—because of their lack of progress on human trafficking. In deciding to go forward with sanctions, the Administration found that “the Burmese military is directly involved in forced labor trafficking” and has an inadequate record of combating trafficking for sexual exploitation.

In addition to this dismal human rights record, there is another issue that merits close attention by the United States and the international community. There are reports that Burma is attempting to obtain missiles and other arms from North Korea. This is part of a pattern of closer ties between the two countries. In addition, Burma is attempting to buy a nuclear reactor from Russia. Nuclear technology and North Korean missiles in the hands of tyrants of Rangoon are clearly a serious threat to the region and to the entire world.

Before I recognize Mr. Sherman, I understand he is on his way, and if he has an opening statement, we will take it as soon as he comes, but I want to take this time to particularly specifically thank my good friend, the Vice Chairman of the Subcommittee, Joe Pitts, for his interest in the plight of the Burmese and the work of his staff in preparation for this hearing. Joe, you have done a masterful job.

If Brad is not here, we will take his statement when he gets here, and if there is any other Member that would like to make a statement.

If you have a brief statement, that is fine. I will defer to Mr. Pitts. But anyone else who would like to—well, we have Mr. Sherman. Do you have an opening statement, Brad?

[The prepared statement of Mr. Gallegly follows:]

PREPARED STATEMENT OF THE HONORABLE ELTON GALLEGLY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA, AND CHAIRMAN, SUBCOMMITTEE ON INTERNATIONAL TERRORISM, NONPROLIFERATION AND HUMAN RIGHTS

OCTOBER 1, 2003

Today, the Subcommittee on International Terrorism, Nonproliferation and Human Rights and the Subcommittee on Asia and the Pacific are holding the first of two back-to-back hearings on the human rights situation in Burma. The second hearing on this subject, in which we will hear from the Administration, will take place tomorrow morning.

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first-hand account of the May 30th attack by a pro-government group on Aung San Suu Kyi and her supporters. The subcommittees are privileged to hear from Wanna Maung, who was an eyewitness to the events of May 30. The attack left scores of Aung San Suu Kyi's supporters either dead or injured, and Aung San Suu Kyi and Tin Oo, the deputy leader of the opposition National Democratic League, were taken into custody.

This violent attack is one more example of the brutality of the State Peace and Development Council, the military junta that has ruled the country since 1988. Their record represents a laundry list of some of the worst human rights practices in the world:

- For instance, the regime regularly engages in violent repression of political opponents and ethnic minorities, resulting a huge outflows of refugees to neighboring countries, as well as large numbers of internally displaced persons.
- The regime has shown no respect for the elections or the democratic process. In the 1990 national elections, the National Democratic League won 82 percent of the seats in parliament. Instead of peacefully transferring power, the government nullified the election results.
- The regime has ignored even the most basic needs of its people, such as health care or adequate food. The regime has also done little to address the growing HIV/AIDS problem. Instead, it is spending an estimated 40 percent of its GDP on the military, which has doubled in size since the SPDC took power in 1988.
- The Burmese government has one of the poorest records in the world, in the area of human trafficking. Burma was one of fifteen nations to be placed on the State Department's Tier III list, which is defined as a country whose government does not comply with even the minimum standards of the Trafficking Victims Protection Act and is not making significant efforts to bring itself in to compliance. Of those fifteen countries, President Bush decided to impose sanctions on three nations—Burma, North Korea and Cuba—because of their lack of progress on human trafficking. In deciding to go forward with sanctions, the Administration found that “the Burmese military is directly involved in forced labor trafficking” and has an inadequate record of combating trafficking for sexual exploitation.

In addition to this dismal human rights record, there is another issue that merits close attention by the United States and the international community. There are reports that Burma is attempting to obtain missiles and other arms from North Korea. This is part of a pattern of closer ties between these two countries. In addition, Burma is attempting to buy a nuclear reactor from Russia. Nuclear technology and North Korean missiles in the hands of the tyrants of Rangoon is clearly a serious threat to the region and the entire world.

Before recognizing Mr. Sherman for an opening statement, I did want to thank the vice chairman of the subcommittee, Joe Pitts, for his interest in the plight of the Burmese people and his work and the work of his staff in preparation for this hearing.

I will now turn to Mr. Sherman, the Ranking Member on this subcommittee, for any remarks he may wish to make.

Mr. SHERMAN. Imagine that, I actually do.

Mr. GALLEGLY. Okay, we will go to Mr. Sherman, and then we will have a brief statement by Mr. Pitts, and anyone else that has a statement we will make it a part of the record of the hearing.

Mr. Sherman.

Mr. SHERMAN. I want to thank Chairman Gallegly and Leach for holding these hearings. Now we are actually having 2 days of hearings on the human rights situation in Burma, a country which has been denied democratic rule that it seemed so close to gaining a decade ago, and which has suffered under a cruel military dictatorship.

We use the name Burma, even though modern maps use the name Myanmar. We do this not because we are old-fashion, but because the name change was instituted by an illegitimate regime and we do not recognize it.

We are here today to hear from representatives of NGOs and Burmese dissidents themselves who will give us their views on the current situation, and hopefully, an indication as to the right way for the United States to go forward with the rest of the civilized world.

Tomorrow morning, these two Subcommittees will reconvene again to hear testimony from the State Department, who will tell us, hopefully, how the department plans to proceed in dealing with the regime.

Burma's record on human rights is deplorable. I have got paragraphs here in this statement that describe that, but I am sure the witnesses will do a far better job than my hollow words are able to do. But I want to point out that the United States has comprehensive sanctions mandated by successive Administrations in congressional enactments, which ban virtually all economic engagement with the regime.

Yes, there is that important \$300 million UNOCAL investment in natural gas drilling and pipelines. This began prior to the sanctions, and I am sure will be discussed by our Subcommittees.

In terms of hitting this regime and isolating it with economic sanctions, on balance the United States has done its job. I think the main job now is for the rest of the world to follow our lead, and put coffin nails in the coffin of this terrible regime.

President Bush should make sure that these Members further isolate the regime, and are given serious consideration at the APEC summit in Bangkok later this month.

I also want to point out that Burma has over twice the population of Iraq. If we are to use military means with the sole or primary purpose of providing human rights and democracy to the downtrodden, then Burma could have been invaded at half the cost and brought democracy to twice the number of people. The invasion of Iraq can be justified, if at all, not by showing that Iraq had a terrible human rights record, and that the Iraqi people deserve democracy, it can be justified only by showing that the Saddam Hussein regime and its weapons posed a threat to the United States.

I am proud to co-sponsor the Burmese Freedom and Democracy Act authored by my good friend, Ranking Member Tom Lantos, which would provide additional sanctions.

I also want to point out that our Committee should have hearings on markups on impasse the Iran Freedom and Democracy Act of which I am the author, the Syria Freedom and Democracy Act, which I believe is authored by our good friend, Elliot Engel, and we need a more effective Sudan Freedom and Democracy Act this year as well.

What we do vis-a-vis Burma cannot be viewed in isolation, but should be an overall effort to bring human rights and responsible military—human rights to countries that do not have it now, and also to impose sanctions on those who engage in international terrorism and other actions hostile to the national security of the United States.

I look forward to hearing our witnesses, and thank you once again for holding these hearings.

Mr. GALLEGLY. I thank the gentleman from California.

Mr. Pitts.

Mr. PITTS. Thank you, Mr. Chairman, and thank you for holding this very important and timely hearing to examine the current situation of human rights in Burma.

The witnesses here today, as well as organizations who have submitted statements for the record, will share only a glimpse of the horror experienced by the people of Burma at the hands of the military dictatorship.

As is clear from so many past and current reports, the situation is not getting better. The military dictators use forced labor, systematic rape, forced human land mine sweepers, destruction of villages, destruction of food sources in fields, and outright cold-blooded murder to impose its illegitimate reign over the people, and unfortunately, the regime is not held accountable for its widespread deliberate human rights violations against the people.

Sadly, the international community has failed to act strongly to make it clear to the military dictatorship that its time in power is coming to an end. And the Burmese Freedom and Democracy Act is an important step in making clear the response of the United States Government to the violations of the Burmese government. The economic sanctions, the freezing of financial assets, the visa restrictions will help increase pressure on this regime. However, the international community needs to respond much more strongly. It is vital that the U.N. Security Council begin to address the many issues related to Burma.

The human rights violations, its contribution to regional instability, its leading role in the drug production and trafficking, the regime's shocking attack in May against Aung San Suu Kyi, and the NLD members is a reflection of its basic character. And I strongly urge the regime to release Aung San Suu Kyi from detention and house arrest.

Over the years, there have been reported progress in establishing a United Nations-facilitated dialogue between the NLD, the regime and ethnic groups. Yet each time there seems to be progress the regime commits human rights violations and sets the talks about once again.

Recently, the military dictatorship released a road map for Burma that includes holding elections. The fact that the regime is proposing election is almost outrageous when it continues to ignore the legitimate results of the 1990 elections and imprisoned the democratically elected leader, Aung San Suu Kyi, and the attacks on the people continue.

The plight of the IDPs must be addressed at the highest levels of our government, and by the U.N.

I want to commend our government support for programs assisting the refugees, the democracy groups. I am disappointed at the lack of assistance to IDPs. What is our government doing from those estimated one million people living their lives on the run in the jungles, having no access to food, medicine, clothes, even basic education?

And so while the world sits around debating whether or not Burma is important or whether or not pressures should be increased to continue tripartite dialogue, people in Burma are dying. Little children being raped and murdered by the Burmese military. Only decisive action will help.

The U.S. community, the international community need to press for the immediate and unconditional release of Aung San Suu Kyi, the immediate and unconditional release of all political and religious prisoners, send monitors to Burma, pursue prosecution of those responsible for these crimes against humanity, and press for the immediate end to the deportation of democracy groups back to certain death in Burma, and strongly press for recognition of a democratically-elected government in Burma.

Thank you, Mr. Chairman. I want to thank the witnesses for coming all the way from Thailand. This is being webcast. Many, many people will see this around the world in Southeast Asia. Thank you very much for coming and being with us today.

Mr. GALLEGLY. I thank the gentlemen.

Our first witness is Mr. Wunna Maung, who is a member of the youth wing of the National League for Democracy, the main opposition political party in Burma.

Mr. Maung worked on the security team of the 1991 Nobel Peace Prize recipient, Aung San Suu Kyi, and the leadership of the NLD as they traveled throughout the country in early 2003. During his service, he witnessed firsthand the May 30, 2003, massacre in which scores of NLD members were brutally beaten to death. He narrowly escaped the massacre and is one of only a few people who successfully fled Burma in order to speak to the world about what happened on that day.

Welcome, Mr. Maung.

STATEMENT OF WUNNA MAUNG, NATIONAL LEAGUE FOR DEMOCRACY

Mr. MAUNG. [Through interpreter.] Thank you for giving me the opportunity to speak today. I am particularly thankful to Congressman Tom Lantos, Peter King, and others who helped make the Burmese Freedom and Democracy Act of 2003 possible. I am also grateful to Chairman Gallegly, Vice Chairman Mr. Pitts, and Chairman Mr. Leach for making this hearing possible.

I am 26 years old, and I am a member of the youth wing of the National League for Democracy from Mandalay Division. Part of my responsibility is to take charge of the security for my leader, Aung San Suu Kyi, Mandalay Division.

Wherever Aung San Suu Kyi went, she was greeted by thousands of people. People everywhere loved Aung San Suu Kyi. This is because they are—they want democracy.

Even before we embarked on our journey, we were already hearing news about the military government and local authorities trying—providing weapons training to some of the attacks, but Aung San Suu Kyi told us to avoid any mannerisms that would provoke them. Aung San Suu Kyi told us carefully that never to fight back, never to retaliate, even if they try to attack you or kill you.

At around 8:30 on the 30 of May when our group led by Aung San Suu Kyi was between Tabayin and Sagaing at Kyi Village, they started to attack us there. Our car—my car, the car I riding in was just two cars behind Aung San Suu Kyi's car. And just when we were crossing Kyi Village, there was two people—two persons dressed as monks and they came out to stop the car, and that is the time when a colleague in charge went out and the two per-

sons said, “We have been waiting for you for so long. Please ask Daw Suu to give us a speech.”

That was then when about four or five trucks came from behind, and when the trucks were near us, I could see members of the Union Solidarity and Development Association come down and they were shouting that, “You pessimists, you henchmen, you rely on external elements.” And that is—and then that is when they started chanting slogans, and this USDA or the Union Solidary and Development Association, the tool of the military government.

That is when the villagers shouted back, the USDA members started attacking the villagers with wooden clubs, iron rods and iron spikes, and they—and within a few minutes the attack started to turn toward us. Although we were quite defenseless, we stood there quite bravely, and we listened. According to Aung San Suu Kyi’s words, we never responded in any kind.

As per Aung San Suu Kyi’s instruct, we did not fight back, but we stood around Aung San Suu Kyi’s car in different layers and we used our body to protect her, and that was when at the same time I saw other cars from our National League for Democracy being attacked by other people. The attackers were seem to be drunk, and I realize that they were trying to eliminate us altogether.

At about this time they broke open the car windows with iron rods, and right in front of my eyes Baba U Tin Oo, which means Uncle U Tin Oo, the vice chairman of NLD, came down from the car, and one of the attackers hit him at the back and then several others dragged him away.

These attackers also attacked women, and not only they ripped off their sarongs and blouses, and while they were bloodied and lying on the grounds, they grabbed their hair, hit their heads against the ground, and they were saying “Kill, die, die,” and it was—I was hearing these voices in quite a fearful manner.

And while the bloody massacre was going on, I can never forget the scene and I do not think I will ever forget that.

The attackers approached Aung San Suu Kyi gradually, and the people who were standing on the left side of the car, they started—they were attacked first, and I saw my fellow members of the NLD fell one after another. And even though the others were not defending them, my colleagues were being hit with sticks and stabbed with iron spikes.

That was when the windows of Aung San Suu Kyi’s car was broken, and the driver just drove away the car, and it was what saved Aung San Suu Kyi. If Aung San Suu Kyi was remained there, she would have been killed.

Fortunately, I was on the right side of the car, and when the car drove away, I could run away, and flee from the scene.

Thank you.

[The prepared statement of Mr. Maung follows:]

PREPARED STATEMENT OF WUNNA MAUNG, NATIONAL LEAGUE FOR DEMOCRACY

Thank you for giving me the opportunity to speak today. I’d like to especially thank Congressmen Tom Lantos, Peter King, and others for their support for the Burmese Freedom and Democracy Act of 2003. I also want to thank Chairman Gallegly, Vice Chairman Pitts, and Chairman Leach for organizing this hearing.

I am 26 years old, and I am a member of the youth wing of the National League for Democracy (NLD) in Mandalay, Burma’s second largest city. As part of my re-

sponsibilities, I served as a security officer for the leader of our party, Aung San Suu Kyi, whom we call Daw Suu.

Daw Suu traveled by vehicle caravan during speaking tours throughout early 2003. In the caravan, there were 10–15 vehicles and hundreds of motorcycles. Altogether, we estimate that there were about 600 people traveling with us.

Whenever we traveled, tens of thousands of people showed up to see Daw Suu. The people were very excited, because we admire Daw Suu very much, and because the people want democracy.

Whenever we stopped the caravan, I and my security team members created a two-layered security perimeter around the caravan. I always helped to form the outer layer of the perimeter.

Before our journey, we heard many rumors that local officials of the military regime were training their troops with blunt weapons, including clubs, spears, and iron spikes. For this reason, Daw Suu advised us to absolutely avoid any words or behavior that might lead to confrontation with any member of the military. She told us that if we were attacked, we must not fight back. Even if we are struck or killed, she said, we should absolutely not fight back.

On May 29th at 9:00 am, our cars began our daily journey. Our party arrived at Sagaing, about 12 miles outside of Mandalay, at about 10:30 am. Before entering Sagaing, we witnessed about 600 people holding signs that read, “We don’t want people who don’t support the USDA”. The USDA is the political arm of the military regime. Standing behind these people was a large crowd of people welcoming our party, yelling, “Long live Aung San Suu Kyi”. We did not stop, but continued onward.

At about 6:00 pm, we reached the entrance to another town, Monywa. Tens of thousands of people showed up to meet Daw Suu and the NLD members, and we could not even reach the middle of town for another three hours. Tired after a long day, we all decided to sleep for the night.

The next day, we traveled further, stopping along the way to establish NLD offices and hang up our billboards. We stopped in one town so that Daw Suu could give words of encouragement to the family of an elected member of parliament who is still imprisoned. At this point, our scout car rode ahead, but didn’t return. We sent ahead motorcycles to scout out, but they also did not return.

At about 8:30, we reached a place, near Kyi Village, between Saingpyin and Tabayin, where the attacks began. I was riding in a car two positions behind Daw Suu’s car. After passing Kyi Village, two Buddhist monks blocked the way stopping the vehicle in which Daw Suu was riding. One of my colleagues exited from his car, and asked why the monks were blocking the road. The two monks said “We have been waiting for a long time for you. Ask Daw Suu to give a speech.”

As my colleague tried to respond, four trucks, full of people, quickly drove toward our caravan, yelling, “Oppose those relying on external forces . . .”

When local villagers yelled in response, the USDA members began to brutally attack the villagers with iron spikes, bars, and wooden clubs they had brought with them. After a few minutes, the USDA attackers turned to our caravan. We watched helplessly, and tried to show courage.

Because we had been told to never use violence, we tried to protect Daw Suu’s car by surrounding her with our bodies in two layers. As we waited, all of the cars behind us were being attacked, and the USDA members beat the NLD members mercilessly. The attackers appeared to be either on drugs or drunk.

The USDA members struck down everyone, including youths and women. They used the iron rods to strike inside the cars. I saw the attackers beat U Tin Oo and hit him on the head before they dragged him away. He had a wound on his head and was bleeding.

The attackers beat women and pulled off their blouses and sarongs. When victims, covered in blood, fell to the ground, the attackers grabbed their hair and pounded their heads on the pavement until their bodies stopped moving. The whole time, the attackers were screaming the words “Die die die . . .” There was so much blood. I still cannot get rid of the sight of people, covered in blood, being beaten mercilessly to death.

As the USDA members approached Daw Suu’s car, we braced ourselves for the attacks. The attackers first beat the outer ring of my colleagues on the left side of Daw Suu’s car, and smashed the glass windows of the car. As my colleagues fell one by one, the attackers then started beating the inner ring of security. The attackers hit my colleagues ferociously, because they knew we would not fight back. I was lucky and was not struck because I stood on the right side of the car.

I would like to stress that during the attacks, we never fought back.

After the attackers broke the windows on Daw Suu's car, the driver sped off. She escaped beating, because she did not get out of the car. If she did, the attackers would have killed her.

As Daw Suu's car left, we also ran away. People fled on motorcycle and foot. We ran as far as we could, but we grew tired. We flagged down a car and tried to drive away with 18 people crammed inside, but the USDA members were waiting for us, blocking the way and beating people who had fled earlier.

We were trapped. Since we had nowhere to go, we drove off the road and got stuck in a ditch. Fortunately, there were some woods nearby. Altogether, we counted 97 people hiding in the woods, and we all slept there overnight.

Two of those hiding with us turned out to be part of the gang that had attacked us. They told us they had been ordered to do so by the USDA. They explained, "We had never done such a thing in our life and since we could not bear to do such a thing, we came fleeing with you."

The next morning, we all slowly approached the main road, at about 5:00 am. Shortly thereafter, we heard several gunshots. The military regime's police, from their cars, were firing at our motorcycles.

Since the police were firing at anyone who used the road, we walked across rice fields until we reached a village where local people allowed us to stay for the night. We exchanged clothes with some others the next day, and continued walking. Along the way, we met some other USDA members, who told us that they had been paid 800 kyats, and given meals and liquor in exchange for beating up a group of people. The USDA members had not realized that the people they were going to beat up were NLD members.

I arrived in the United States a couple of weeks ago. I would like to say that the people of Burma very much admire the people of the United States. We know the United States stands for freedom, and we greatly appreciate everything you have done for us. The people of Burma are defiant—their will is strong, and they want change. We are not victims, but freedom fighters, and will continue our struggle.

Mr. GALLEGLY. Thank you very much, Mr. Maung.

Our second panelist is Mr. Steven Dun, an ethnic Karen who was born in Rangoon. In 1974, due to ethnic persecution, then 10 years old, Mr. Dun and his family fled the Karen State for the Thia-Burma border. Mr. Dun served as a teacher in a Karen school, and later taught basic survival skills to local populations.

While recuperating from a boating accident which left Mr. Dun paralyzed from the waist down, the Burmese army overran Karen bases and Mr. Dun was forced to flee the country. Since that time Mr. Dun has assisted in setting up data communications and continues to advocate on behalf of the Karen and the other ethnic peoples of Burma.

Welcome, Mr. Dun.

STATEMENT OF STEPHEN DUN, WORLD AID

Mr. DUN. Thank you, Chairman Gallegly, Vice Chairman Pitts, and other Members. Thank you for the opportunity to testify before the Subcommittees regarding the human rights situation in Burma.

My name is Stephen Dun and I am an ethnic Karen. My home is in Burma, in the Karen State, but I can no longer return. I now work with World Aid, a nonprofit organization that provides humanitarian aid, such as food and medical supplies to the internally displaced persons of Burma.

Mr. GALLEGLY. Mr. Dun, if we could maybe—Joe, if you could just move one of the other microphones over temporarily we are having a little problem there. We have great staff. We can accomplish anything.

Mr. DUN. Thank you.

Mr. GALLEGLY. Thank you.

Mr. DUN. So continuing, I want to thank you for the recent passage of the Burmese Freedom and Democracy Act that is applying most needed pressure on the military regime. The people of Burma very much appreciate your help, and are comforted by the fact that we have not been forgotten.

All the people of Burma are captives in their own country. Burma was once a rich country, but has descended into poverty due to the corruption and brutal policies of the military regime. Burma now has least developed country status and is ranked one of the world's 10 poorest nations. Under the military regime, Burma has plunged into an economic crisis.

The military regime attacks, kills, rapes and terrorizes the ethnic people of Burma, resulting in the current 600,000 to one million internally displaced persons, or the IDPs. They have been systematically driven from their homes, farms, and villages by the Burmese military in brutal campaigns of looting, rape, torture, and murder.

Burma army troops are constantly trying to undermine the survival of the population. In many areas they launch military operations under the growing and harvesting seasons. They burn fields of rice just when it is ready for harvesting. They plant land mines at entrances to fields and around water sources so that it is impossible for people to tend their fields.

The IDPs are hunted and killed and animals. Those who are captured are forced to be porters, human shields, and land mine sweepers, or human land mine sweepers. Women and girls are raped, sometimes gang raped until they are dead. Men, women, and children are often shot on the spot. Many of them are rounded up like cattle and forced to move to relocation camps controlled by the Burma army. Those who live in hiding must be ready to flee at a moment's notice or be shot.

I would like to submit this photograph today of an 8-year-old girl who was shot in the abdomen by the Burma army. She is sitting next to a 15-year-old girl here who was shot in the arm on October 30, 2002. Six civilians were shot that day just because they happened to be in their fields. One civilian was killed, and this 8-year-old girl barely survived, and the bullet is still lodged in her abdomen. This girl faces each day with great fear and tremendous dread that she may be shot again.

Unfortunately, the military regime of Burma is unrelenting in its mission to oppress and control all of Burma. Their brutality is similar to that of all oppressive dictatorships. The regime has escalated its military build-up. It has been supplied arms by various countries, including China and Russia.

The Chinese arms manufacturer, Norinco, has provided billions of dollars of weapons. This is the same company which has been sanctioned by the United States for assisting in Iran's missile program.

In July 2001, the regime brought 10 MiG-29 fighter jets from Russia for \$130 million. The \$40 million down payment was transferred in the same week that Burma received its initial share of royalties, approximately about \$100 million, from Thailand's state oil company for gas from the Yadana pipeline, which is the UNOCAL and TOTAO project there. This pipeline carries gas from Burma to Thailand, and was built with forced labor.

While health and education programs suffer, the generals have begun a program to build a 10 megawatt nuclear research reactor to be built by the ministry for atomic energy of the Russian Federation.

In light of the horrific human rights violations, the economic instability, HIV/AIDS and health crisis, the current security concerns, the Burma army's argument that no one should interfere with its internal affairs is meaningless. The international community, or allies in Southeast Asia and the United States need to take serious action on Burma. We recommend the following actions for the United States Government and the international community.

One, continue to press for tripartite dialogue. The dialogue should include Aung San Suu Kyi and the National League for Democracy, the ethnic groups, and representatives of the military regime. Though Aung San Suu Kyi may be released, that alone is not sufficient progress. This will only take us back to the status quo of the pre-May attempt of Daw Suu's life. The United States and international community must insist that measurable progress toward freedom and democracy is made. This effort should be raised at the U.N. Security Council.

Two, provide financial assistance for humanitarian relief to the IDPs, and persuade neighboring countries not to block, but to allow desperately needed humanitarian assistance for the IDPs. This would include food, medicine, clothes, and educational supplies.

Presently, despite the regime's efforts to eradicate relief efforts, it is important to note that there are ongoing procedures and mechanisms in place that allow for effective monitoring of humanitarian relief to IDPs.

Three, encourage neighboring countries to allow pro-democracy Burma and ethnic groups to freely conduct their non-violent activities in these countries. This is building a foundation for a future free Burma by strengthening civil society.

Four, establish a U.N. Security Council commission on Burma to ensure that detailed steps with defined consequences for non-compliance be taken on a specific schedule to restore democracy. This commission should examine patterns of duplicity whereby the military regime continues brutal policies without attracting international attention.

For example, whenever the military is about to launch a major offensive in the rural areas against ethnic populations, they create a distraction in the cities, so that the press loses sight of the horrific violations. On May 6, 2002, the regime released Aung San Suu Kyi from house arrest. Simultaneously the Burma Army 88th division launched a heavy offensive on the Doooplaya district in Karen State.

Thank you again for letting me bring to your attention the situation in Burma and its needs. I wish to extend a special thanks to those Americans who have selflessly and with full knowledge of the risks put their lives in danger and freely brought help, hope and love to the oppressed of Burma, thereby withholding what President Bush recently stated, "The liberty we prize is not America's gift to the world, it is God's gift to humanity."

[The prepared statement of Mr. Dun follows:]

PREPARED STATEMENT OF STEPHEN DUN, WORLD AID

Mr. Chairman,

Thank you for the opportunity to testify before the House International Relations Subcommittee on Terrorism, Nonproliferation and Human Rights Subcommittee on Asia and The Pacific and to bring this message to you and the Subcommittee Members regarding the human rights situation in Burma. My name is Stephen Dun and I am an ethnic Karen. My home is in Burma, in the Karen State, but I can no longer return. I now work with World Aid, a non-profit organization that provides humanitarian aid, such as food and medical supplies to the Internally Displaced Persons of Burma.

I would like to thank you and the Members of the House and Senate who voted to pass the Burmese Freedom and Democracy Act that is applying much needed pressure on the military regime. Your courage and compassion sets an example for all of us and is a tremendous encouragement. The people of Burma as well as expatriates are very grateful that our people have not been forgotten. We are also very glad that Japan has suspended economic aid and we hope that the European Union will move quickly to stand with the United States to help bring about the change in Burma from a military dictatorship to a democracy that represents all the peoples of Burma.

All the people of Burma are captives in their own country—both the urban population, which is mostly made up of the Burman ethnic group, as well as the rural population, which is mostly made up of ethnic peoples. Burma was once a rich country, but it has descended into poverty due to corruption and the brutal policies of the Burmese military regime. The regime prospers from the production of narcotics. Through their proxy armies they control one of the world's leading sources of opium and heroin and lead the region in amphetamine production (*CIA World Factbook, 2003*). Half the national budget goes towards military spending, while education and public health services have been severely under-funded. The people of Burma suffer in unbearable poverty and starvation. Education and health care systems do not exist for the general public. Only families of people in high-level government positions can get these services. There is also an escalating economic crisis, with recent limits set by the central bank on cash withdrawals and suspension of credit card services (*Agence France-Presse, February 17th 2003*). The Association of South East Asian Nations has become greatly concerned. Even China, which is a great ally of the military regime, has voiced concern regarding the economic crisis and regional instability (*Inter Press Services, September 2nd 2003*).

In spite of its current placating words and promises, the military regime in Burma has continued to perpetuate brutal and oppressive policies. In fact, since the May 6th 2002 release of Daw Aung San Suu Kyi from house arrest, the atrocities have escalated, as can be seen in the recent attempt on her life. The military regime is still holding Aung San Suu Kyi a prisoner and continues to commit atrocities throughout the country with impunity. This is a cruel a regime that daily commits acts of terror against its own people.

The people of Burma have been living under this military regime for decades and thousands have sacrificed their lives in the effort to restore democracy and human rights. We hang on by a thread of hope that the free nations of the world will assist us and restore our rightfully elected leaders, our land, and our human dignity. We long to be the free, democratic and prosperous nation we once were. We will never give up that dream, but we need your help.

The military regime attacks, kills, rapes and terrorizes the ethnic people of Burma resulting in the current 600,000 to 1 million Internally Displaced Persons (IDPs). They have been systematically driven from their homes, farms and villages by the Burmese military in brutal campaigns of looting, rape, torture and murder. Burma Army troops are constantly trying to undermine the survival of the population. In many areas, they launch military operations during the growing and harvesting seasons. In addition they often burn fields of rice, just when they are ready for harvesting. Further they plant landmines at entrances to fields and around water sources, so that it is impossible for people to tend their fields (*Karen Human Rights Group, 1999*).

Living in the rugged hills in areas near the border with Thailand, IDPs are hunted and killed like animals by the military thugs. Those who are captured are forced to be porters, human shields and human landmine-sweepers. Women and girls are raped, sometimes gang-raped until they are dead. Men, women and children are often shot on the spot. Many of them are rounded up like cattle and forced to move to relocation camps controlled by the Burma Army. Those who live in hiding must be ready to flee at a moment's notice if they are discovered. IDPs trying to cross into Thailand often find the crossing dangerous and difficult, due to the increased

presence of Burma army patrols and the growing reluctance of Thai officials to even allow them across the border. There are now well over 100,000 refugees living in camps along the Thai-Burma border and over one million undocumented migrant workers.

I would like to submit for the Record this photograph of an eight-year-old girl who was shot in the stomach by the Burma Army; she is sitting next to a fifteen-year-old girl who was shot in the arm on October 30, 2002. Six civilians were shot that day, simply because they happened to be seen by a Burma Army Patrol while they were working in their fields. One died and this little eight-year-old girl barely survived—the bullet is still lodged in her abdomen. This photo was taken in January 2003, by a relief organization that assists IDPs in the most dangerous areas inside Burma. These children survived the shooting but they face each day with great fear and tremendous dread that they may be shot again.

As I look at this little girl's eyes, I see the pain and also the determination of the people of Burma, the people who suffer the most, the people who are our future. Their situation grows bleaker every day. How can any one allow these children to suffer like this? In addition to the atrocities, IDPs now face starvation. They lack food, medicine, educational opportunities and physical security. The depredations created by the Burmese military have reached a humanitarian crisis of major proportions.

Yet, in the face of this oppression and humanitarian crisis, the ethnic peoples have not given up and are doing their best to help their people. The pro-democracy resistance groups, although badly outnumbered, continue to try to protect their people and they try to provide relief through their social welfare offices and other organizations such as the committee for Internally Displaced Karen and Karenni people (CIDKP and CIDKNP), the Shan Human Rights Foundation (SHRF) and the Free Burma Rangers (FBR). These groups make every effort to provide emergency relief, leadership, and capacity building to the IDPs despite extreme difficulty. Their desire is simply to help the people of Burma by bringing relief and hope.

I recently received a report from a relief team leader after a May 2003 mission to the IDPs of Burma. It is an eyewitness report from the ground and a call to prayer, thought and action:

“As we were treating IDPs in Karen state at a recently burned village, deeper inside Burma Aung San Suu Kyi had just been arrested and many of her supporters murdered. Ethnic or Burman, no one is safe from the terror of the dictators of Burma. We have helped to treat and pray for women who have been raped by soldiers of the Burma Army, children who were shot, parents who saw their children thrown into a fire and many others who have endured evil. They screamed for help but no one came to save them. The world knows these things are happening. In this world actions fall into two categories: acceptable and unacceptable. Raping little girls, murdering civilians and burning villages is unacceptable. If these things are truly unacceptable what must we do as individuals and nations? Now is the time that all people must choose where they stand, with the people of Burma or with the dictators. In the face of evil we will not flee, we will act with love, with prayer and with our lives.”

Unfortunately, the military regime of Burma is unrelenting in its mission to oppress and control all of Burma; their brutality is similar to that of all oppressive dictatorships and if left unchecked, this regime could force the world into having to face another Afghanistan, Iraq, or North Korea. Under such regimes, military aggression is used not only to oppress the people within the country, but also to become a force that eventually could threaten neighboring countries and the international community.

The Burma regime's military build-up is escalating. In July 2001 the regime bought 10 MiG-29 fighter jets from Russia for \$130 million. The \$40 million down payment was transferred in the same week that Burma received its initial share of royalties (approximately \$100 million) from Thailand's state oil company for gas from the Yadana pipeline (*Bangkok Post, July 17th 2001*). The pipeline provides natural gas from the Andaman Sea through the Tenasserim region of Burma and into Thailand. This pipeline was built with forced labor. In addition, while health and education programs suffer, the generals have begun a program to build a 10MW Russian nuclear research reactor, to be built by the Ministry for Atomic Energy of the Russian Federation (Minatom) for the military regime's Ministry of Science and Technology (*Nuclear Threat Initiative 2002, May 15th*). Senate Foreign Relations Committee Chairman, Richard Lugar, recently wrote about these concerns in the Washington Post. A 10 MW reactor, although small, would be capable of producing both nuclear power and waste.

This military buildup creates a severe risk for the people of Burma and its neighbors. Burma does not have the technological support system to safely operate a nuclear power plant. Even basic services such as a dependable electric supply do not exist. It is a nuclear disaster waiting to happen. It is cause for concern for the whole region. Furthermore, the possibility of the Burma regime exporting fission material for dirty bombs will be great. There is no peaceful reason why the junta should seek to go nuclear. The junta's excuse is that the reactor will produce radioisotopes for medical and research purposes. It is important to note that the regime's program came under the international spotlight recently after two Pakistani nuclear scientists, Dr. Suleiman Asad and Dr. Muhammad Ali Muktar with long experience at two of their country's most secret nuclear installations, appeared in Burma after the September 11 terrorist attacks in the United States (*The Washington Times, December 10th 2001*). In addition to the aircraft purchase and nuclear program, the military regime has spent billions on Chinese weapons, and has a relationship with the Chinese arms manufacturer Norinco. This is the same arms manufacturer that has been sanctioned by the United States for assisting the Iranian government's missile program.

The priorities of the Burma military regime are terribly distorted since military and industrial procurement rank higher than the people's basic needs for survival. The military regime's actions affect the whole region and are likely to create even more crises in the future. In light of the horrific human rights violations, the economic instability, HIV/AIDS and health crises, and current security concerns, the Burma army's argument that no one should interfere with its internal affairs is meaningless. The international community, our allies in South East Asia and the United States need to take serious action on Burma.

I would like to recommend the following actions for the United States government and the international community:

1. Continue to press for tri-partite dialogue—the dialogue should include Daw Aung San Suu Kyi and the National League for Democracy, the ethnic groups, and representatives of the military regime. Though Aung San Suu Kyi must be released, that alone is not sufficient progress. This will only take us back to the status quo of the pre-May attempt on Daw Suu's life. The United States and the international community must insist that measurable progress towards freedom and democracy is made. This effort should be raised at the UN Security Council.
2. Provide financial assistance for humanitarian relief to the IDPs and persuade neighboring countries not to block, but to allow, desperately needed humanitarian assistance for the IDPs. This would include food, medicine, clothes and educational supplies. Presently, despite the regime's efforts to eradicate relief efforts, it is important to note that there are ongoing procedures and mechanisms in place that allow for effective monitoring of humanitarian relief to IDPs. Both relief and the building up of democratic structures are crucial now and for a future Burma.
3. Encourage neighboring countries to allow pro-democracy Burman and ethnic groups to freely conduct their non-violent activities in these countries. This is building a foundation for a future free Burma by strengthening civil society.
4. Establish a UN Security Council commission on Burma to ensure that detailed steps with defined consequences for noncompliance be taken on a specific schedule to restore democracy. This commission should examine patterns of duplicity whereby the military regime continues brutal policies without attracting international attention. For example, whenever the military is about to launch a major offensive in the rural areas against the ethnic populations, they create a distraction in the cities, so that the press loses sight of the horrific violations. On May 6th 2002, the regime released Aung San Suu Kyi from house arrest. Simultaneously the Burma Army 88th division launched a heavy offensive on the Doooplaya district in Karen State.

The people of Burma are very resilient and resourceful. At one time, we had one of the highest levels of education in Southeast Asia. All it will take is removing the yoke of oppression, and providing a window for re-growth. We can become a strong ally. We have the natural resources. We just have to allow the human capacity to bloom.

Thank you again for allowing me to testify regarding the situation in Burma and the needs of the people. I wish to extend a special thank you to the hundreds of Americans who have selflessly and freely brought help, hope and love to the op-

pressed people of Burma. They uphold President Bush's recent statement, "The liberty we prize is not America's gift to the world, it is God's gift to humanity".

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Mr. GALLEGLY. Thank you very much, Mr. Dun.

Our next witness is Michael Mitchell. Mr. Mitchell is a founding partner of Orion Strategies, a public relations firm in Washington, DC. He has worked with Burmese democracy groups since 1993, when he became program director for the International Relations Institutes Burma project. He was also a founding member of the Burma Media Association, an organization to protect journalists and discuss the role of freedom of the press in a democratic society.

In addition, Mr. Mitchell was director of congressional relations at the Department of State in the Counter-Narcotics Bureau during the first Bush Administration, and also worked for Senator Mitch McConnell. In 1999, Mr. Mitchell was awarded the Order of Freedom by the Mongolian government for his work assisting that country in its transition to a democracy.

Welcome, Mr. Mitchell.

STATEMENT OF MICHAEL MITCHELL, ORION STRATEGIES

Mr. MITCHELL. Thank you very much, Mr. Chairman and Members of this Committee. It is truly an honor to be here and especially on a panel with our other distinguished speakers.

It was just 2 months ago when this Congress gave concrete expression to its collective outrage at the Burmese military regime by passing the Burmese Freedom and Democracy Act. The measures contained in this legislation have hit the regime hard, but we and others must do more if Burmese democracy activists are to achieve their goal of removing the odious regime that is ruling their country and replacing it with a democracy stolen from them decades ago.

The massacre of over 100 NLD members and the near murder of Suu Kyi on the night of May 30th should offer final proof that this regime is fundamentally evil and has absolutely no interest, none, in compromise and will never voluntarily cede power.

The junta is vulnerable, and I do not believe their grip on power is secure. Burmese democracy activists are not asking for the 82nd Airborne. They are able and willing to fight their own battles.

What they are asking for is support from the international community that includes a comprehensive sanction scheme and further isolation of the regime.

Burma must matter to us because until the political stalemate in that country is resolved and the NLD is allowed to take power it will remain a failed state ruled by tyrants whose oppression serves to destabilize Southeast Asia, and affect us here at home.

I would like to make some observations.

First, the constructive engagement approach that many countries favored is a complete, complete failure. Engagement will only enrich the regime's coffers and embolden their tyranny.

Second, our goal in Burma should be nothing short of doing all we can to support the nonviolent democracy movement in their quest and ours for regime change.

Third, sanctions work, but by themselves will not remove the junta from power. However, they are a strategic necessity in order to cut off the ability of the regime to finance its instruments of terror.

Fourth, the military might rule Burma, but this does not translate into public support. They are no stronger than the regimes of Ceausescu, Milosovich or Suharto that now reside in the ashcan of history.

Burma's democracy movement is broad, it is deep, and it extends well beyond Aung San Suu Kyi. We need to provide those fighting for democracy and human rights the same political, moral and appropriate financial support that was given to Polish dock workers, Hungarian democracy activists, Russian refuseniks, and the young Yugoslav freedom fighters who succeeded in tearing down the Milosovich regime.

There are several initiative United States should undertake to assist the Burmese democracy movement, and I would be happy to expand on each one during our Q&S session, but briefly summarizing.

One, we must make Burma a diplomatic priority. At every opportunity, at many different levels, internationally the Department of State and other agencies must forcefully communicate our Burma policy and use an appropriate mix of dialogue, coaxing cajoling, and when necessary, hardball pressure to support the movement.

The President has a great opportunity when he visits Thailand later this month to participate in the APEC meetings. He should use Bangkok much as two American presidents used Berlin. President Kennedy symbolically placed every American at the site of those isolated in that beleaguered city. President Reagan's challenge to General Secretary Gorbachev tore down a wall that divided Europe and ended Communism. President Bush should use Bangkok to speak directly to the Burmese people and let them know that they are not alone; that even during the darkness they are enduring they must continue their fight, and as they do their part in the struggle for freedom we will do our.

We must also work to have a full court press within the U.N. Security Council. The time for sending U.N. envoys to visit the regime has long since past, serves little purpose, and only creates the illusion of action or progress.

Three, the increase in funding for democracy groups.

Four, we could bolster broadcasts into Burma of RFA and VOA. Five, I think we should make Burma an ASEAN problem. ASEAN must be made to realize that when the grouping is spending more time trying to deal with the latest crisis created by the junta instead of focusing on regional issues, they have a problem, and they need to deal with it.

I am dismayed by the policy that Thai Prime Minister Thaksin is pursuing with regard to Burma. Thailand is one of our oldest friends in the region. The actions by Prime Minister Thaksin to close down offices of Burmese democracy groups dedicated to promoting nonviolence and collecting information on human rights abuses is nothing short of alarming.

Just today I have received a report that the Thais are seeking to shut a hospital and deport registered migrant workers, including health workers, caring for IDPs.

Six, we could ask Japan to do more. Primarily, they could take a role in sponsoring a tough Burma resolution at the upcoming U.N. Human Rights Conference.

And seven, you could maintain congressional involvement, and to each and everyone of you I ask to stay engaged and articulate support for the Burmese democracy movement on a regular basis, to visit government officials, and ensure that the Administration is doing all it can to carry out the provisions of the Burmese Freedom and Democracy Act.

In conclusion, I want to speak to one activist, Min Ko Naing, who has spent the last 12 years in jail, solitary confinement, only rarely does he have human contact. His sentence for participating in the democracy movement expired long ago, but he remains imprisoned.

The junta has offered him a deal. If you sign a statement renouncing all political activity and denouncing the NLD, you can walk free. He has refused. Imagine anyone of us in this room being in the same situation, and I ask what would you do.

Min Ko Naing's courage should inspire us because the strength of his convictions are shared with thousands of Burmese, and that is why one day, it might not be tomorrow or a month from tomorrow, but some day freedom will come this tortured land.

Thank you.

[The prepared statement of Mr. Mitchell follows:]

PREPARED STATEMENT AND MATERIAL SUBMITTED FOR THE RECORD BY MICHAEL MITCHELL, ORION STRATEGIES

Mr. Chairman and Members of the Committee, I want to thank you for the opportunity to testify. It was just two months ago when this Congress voiced its collective outrage at the Burmese military regime and passed the Burmese Freedom and Democracy Act that President Bush signed on July 28, 2003. By many accounts, the measures contained in this legislation have hit the regime hard. This hearing comes at a critical time. The U.S. has taken far reaching actions, but much more is necessary—from the U.S. and our allies—if Burmese democracy activists are to achieve their goal of removing one of the world's most odious regimes and replacing it with the democracy that was stolen from them decades ago.

At this point, I believe any hope of a dialogue between the regime and Burma's democratic forces, led by imprisoned Nobel laureate Aung San Suu Kyi, is dead. In fact, the junta has never shown any interest in seeking negotiations to break the political impasse between their regime and Suu Kyi's National League for Democracy (NLD)—a political movement that was chosen by an overwhelming electoral victory in 1990 to run the country. Suu Kyi's cyclic arrest and re-arrest is nothing more than a cynical ploy to manipulate the international community and the United Nations (U.N.) into believing that political negotiation is taking place while crushing

internal dissent. The massacre of over 100 NLD members and the near murder of Suu Kyi on the night of May 30th should offer final proof that this regime, fundamentally evil as it is, has absolutely no interest—none—in giving up power. Therefore, we must now focus our efforts on strategies and programs that will gain the release of Suu Kyi and strengthen Burma's internal movement. The junta is vulnerable and I do not believe their grip on power is secure. Burma's democracy activists are not asking for the 82nd Airborne. They are able and willing to fight their own battles. What they are asking for is support from the international community that includes a comprehensive sanctions scheme and further isolation of the regime. These elements, when combined with a nonviolent grassroots civic mobilization of the population, hold the most promise of sweeping the junta aside and bringing the NLD to power.

We have critical, strategic priorities throughout Southeast Asia. Dealing with North Korea's nuclear brinksmanship, the ongoing war against terror groups in the region, China and Taiwan, as well as social ills such as HIV/AIDS are demanding, ongoing issues. We might ask ourselves, what is the strategic relevance of what happens in Burma? I believe the answer to that question is that until the political stalemate in Burma is resolved and the NLD is allowed to take power, Burma will remain a failed state ruled by tyrants whose oppression serves to destabilize Southeast Asia and affect us here at home. The regime's involvement in promoting and protecting drug trafficking and narco-kingpins serves to flood the region with methamphetamines and our streets with high-grade heroin. President Bush stated that Burma is a national security threat to the U.S. in his communication to Congress that Burma was not cooperating with us on counter-narcotics issues.

The junta's deliberate lack of health care and education to stem the HIV/AIDS epidemic makes Burma a regional epicenter for the spread of this disease. The regime can spend \$100 million to purchase MiG-29 fighters from Russia and pay Ukraine \$50 million for T-72 tanks, yet budget barely \$40,000 on AIDS. After all, if people are fighting this disease, they cannot be fighting the regime. The junta is responsible for sending waves of refugees over Burma's borders into neighboring states as they flee horrific human rights abuses. The actions of the Burmese regime are responsible for tens of millions of dollars in costs to neighboring states as they are forced to pick up the tab for the economic and social costs of human rights abuses, AIDS, sex trafficking of children and women, increased crime, and corruption within their borders.

It also bears mentioning that the junta has contracted with Russia for a nuclear reactor allegedly for research purposes. This should alarm us—and Burma's neighbors. There is simply no reason for the country to have any type of nuclear program. The regime should not be trusted with any amount of radioactive material. The junta's closed society, track record of breaking basic international agreements they have ratified (such as the U.N. Convention on the Rights of the Child), and complete disregard for international institutions immediately casts into question their motives in developing a nuclear program.

Conversely, realizing the Burmese peoples' desire for a democratic Burma would play a pivotal role in providing stability and economic growth in a region rife with ethnic tensions, border disputes, terrorist threats, and undergoing major social challenges.

I WOULD LIKE TO MAKE SOME OBSERVATIONS:

First: The "constructive engagement" approach that many countries favored, especially Japan, Thailand, and Malaysia, in dealing with the junta, is a complete failure. The notion that this regime would change through international handholding and assimilation into groups such as the Association of Southeast Asian Nations (ASEAN) was fantasy at best. The bottom line is this regime, led by General Than Swe will, just as Pol Pot's in Cambodia, or Kim Jong Il's North Korea, use any means including intimidation, torture, violence and murder to stay in power.

Second: We should not seek accommodation or negotiation with this junta; our goal should be nothing short of doing all we can to support Burma's non-violent democracy movement in their quest, and ours, for regime change. Passage of the Burma Freedom and Democracy Act is a first step in this direction and codified this policy. *This goal must not change even if Suu Kyi is released tomorrow.*

Third: Sanctions work, but they are one part of a three-step strategy. Sanctions by themselves will not remove the junta from power. However, they are a strategic necessity in order to cut off the ability of the regime to finance its instruments of terror—such as the military, intelligence service and street level enforcers and informers. It will not be easy for the regime to make up the estimated \$350 million in legal exports that our sanctions regime will cost them. Diplomatic activity, both

within the region, and within international organizations such as the U.N. will also play a critical role in maintaining pressure on the military junta.

Fourth: The military might rule Burma, but this does not translate into public support. It depends on violence, terror, and allegiances based on spoils and graft, not on ideological commitment, to survive. This includes the creation of criminal groups—such as the one that attacked Suu Kyi's convoy—for enforcement muscle.

Within the Burma army there is support for the democracy movement. For example, in 1990, areas surrounding most military bases where soldiers and their families live, voted for NLD parliamentarians. Even today, military officers and soldiers risk severe punishment as they listen to BBC, VOA, RFA, and Democratic Voice of Burma (DVB) broadcasts. What keeps the army together is less dedication to the regime, than terror of what might happen if a person steps out of line. Desertion and suicide are rampant and the army now has the world's largest number of child soldiers. As we saw in 1988 when large numbers of officers and the military stood with the protesters during that national uprising, this does not lead to a stable, dependable military. History has shown that dictatorships and authoritarian governments are inherently unstable and do not last. For example, the Soviet Union is now gone. The State Peace and Development Council (SPDC) as the junta calls itself is no stronger than the regimes of Ceausescu, Milosovich, or Suharto that now reside in the ashcan of history.

STEPS TO FREEDOM

In Burma there are freedom fighters who match in every way the courage and bravery of the men and women who have sacrificed to make our country what it is today. The democracy movement is broad, it is deep, and extends well beyond Suu Kyi. Because Burma is a closed society, we do not hear of the incredible bravery of individuals who, many times working in small groups, strike at the regime by disseminating anti-government leaflets, newspapers such as the New Era Journal (funded by the National Endowment for Democracy (NED)), or stage hit-and-run demonstrations. Recently, political prisoners staged a hunger strike to protest the arrest of Suu Kyi. Their actions will no doubt add to their sentences and result in more torture.

Although the U.S. has enacted a comprehensive sanctions regime, this should represent only the most recent step in our assistance to Burma's freedom activists. The U.S. commitment to Burma's democracy movement should extend far beyond the actions we have thus far taken. We need to provide those fighting for democracy and human rights the *same* political, moral, and appropriate financial support that was given to Polish dockworkers, Hungarian democracy activists, Russian refuseniks, and the young Yugoslav freedom fighters who succeeded in tearing down Milosovich's regime.

There are several initiatives the U.S. must undertake to assist the Burmese democracy movement. We must:

Make Burma a diplomatic priority: At every opportunity, at many different levels with regional states, European countries and organizations, international financial institutions, and other interested parties the Department of State must forcefully communicate our Burma policy and use an appropriate mix of coaxing, cajoling, and when necessary hardball pressure to support Burma's democratic movement. This will be especially true with China. Burma needs to be a continuing agenda item in our discussions with Beijing.

At this moment, I think we are saying all the right things, but we need to be stronger with our actions.

The President has a great opportunity when he visits Thailand later this month to participate in the Asia-Pacific Economic Cooperation (APEC) meetings. I urge you to ask that he use Bangkok much as two American presidents used Berlin. It was President Kennedy who symbolically placed every American at the side of those isolated in that beleaguered city. President Reagan's challenge to Soviet General Secretary Gorbachev tore down a wall that divided Europe and ended Communism. President Bush should use Bangkok to speak directly to the Burmese people and let them know they are not alone, that even during the darkness they are enduring they must continue their fight and as they do their part in the struggle for freedom we will do ours. Following this up with high-level discussions on Burma with APEC members will be critical to demonstrating our seriousness and rallying international pressure against the regime.

Full court press within the U.N. Security Council: The U.S. should act now and, possibly in conjunction with Britain, bring Burma before the U.N. Security Council. A tough resolution that includes sanctions with a prohibition on arms sales will serve to tighten the noose around the regime. Moreover, U.N. Secretary General

Kofi Annan must use his position to work with the Security Council to place Burma on the agenda. The time for sending U.N. envoys to visit the regime has long since passed, serve little purpose, and only create the illusion of action or “progress.” This regime has spurred the U.N.’s call. The U.N. should respond through the Security Council—now. Failure to do so will demonstrate the impotence of the world body in dealing with such countries and serve as tacit acknowledgement to other regimes that the actions of Burma’s junta represent an acceptable standard of conduct.

Increase Funding for Democracy Groups: Congress made available approximately six million dollars last year for refugee assistance and democracy-building activities. This figure, at a minimum, should be doubled with the emphasis being placed on strengthening the infrastructure of groups working inside Burma. NED has considerable experience funding groups in closed societies. Funds should be channeled directly to NED for this purpose. Activists in Burma can use technology to increase their communications with each other. Books, pamphlets and training manuals on non-violent struggle, called “political defiance” by the Burmese, are critical to their efforts.

Bolster Broadcasting into Burma: RFA and VOA are critical links to the Burmese people. Millions each day defy the regime and listen to these broadcasts—this from a RFA listener—“Radio Free Asia’s news broadcasts are invaluable—it is like a pot of pure drinking water from which we can quench our thirst for knowledge and information.” Additional staff and broadcast times would serve to lay bare the propaganda this regime uses to justify its existence.

Make Burma an ASEAN problem: Malaysia and Thailand along with other members hoped the integration of Burma into ASEAN would promote national reconciliation and democratic development. Unfortunately, this approach has failed. The regime’s spurring of Indonesian envoy Ali Alatis is the latest embarrassment it has brought to ASEAN. Indications that Suu Kyi and her release will be on the ASEAN agenda at the Bali summit next week are welcome, but her release should not divert attention from the overriding issue of democracy in Burma.

The actions of the military junta are draining economic growth from regional states, promoting the spread of HIV/AIDS throughout Asia, protecting indicted drug smugglers and flooding Thailand with methamphetamines and heroin that eventually makes its way to our shores. At each ASEAN meeting our diplomats attend, the U.S. must insist that Burma be a top agenda item. The ASEAN statement calling for Suu Kyi’s release following the regional meetings in Cambodia was welcome. However, ASEAN must be made to realize that when the grouping is spending more time trying to deal with the latest crisis created by the junta instead of focusing on plans to promote economic growth, fight the war on terror, and develop collective solutions to the region’s social problems, that is not good for ASEAN or each of its individual members. ASEAN now needs to put significant, meaningful pressure on the regime. Ejecting the regime or at the very least suspending their membership would be a powerful statement of ASEAN’s determination to deal with their Burma problem.

I am dismayed by the policy that Thai Prime Minister Thaksin Shinawatra is pursuing with regard to Burma. Thailand is one of our oldest friends in the region. The actions by Prime Minister Thaksin to close down offices of Burmese democracy groups dedicated to promoting nonviolence and collecting information on human rights abuses is alarming. Thai authorities are seeking to silence Burmese activists through the arbitrary detention of Burmese exiles, calls by Thai authorities to Burmese groups demanding they cease their activities, and pressuring ethnic groups such as the Karen, Karenni and Shan to sign fictitious peace agreements with the junta. Several humanitarian organization have reported that Thai authorities are seeking to restrict assistance (medical supplies and food) to internally displaced persons in Burma fleeing the scorched earth policy the junta uses against ethnic groups.

The actions of the Thaksin government represent a turnaround from previous policies that sought to protect refugees and allowed political exiles an avenue to communicate with the international community. I hope Prime Minister Thaksin would consider the economic and social damage Burma’s military junta is inflicting on Thailand and take an aggressive role to support those Burmese and ethnic groups advocating democratic change. It is in Thailand’s self interest to demand reforms in Burma. A free and democratic Burma will mean a huge market for Thai products while smoothing the way for negotiations and direct action on common border problems. Thailand would no longer have to prepare for Burmese attacks on Thai military and civilian targets that have occurred so many times in the past.

Towards this end, the U.S. can enhance the ability of Thai authorities in combating cross-border drug trafficking. A positive step in this direction would be offering to resume the successful interdiction campaign code named BAKER TORCH. Ac-

ording to sources in Thailand, this operation proved successful in boosting the ability of the Thai military and law enforcement to fight drug trafficking.

Ask Japan to do more: The Japanese government has suspended its overseas development assistance to Burma. Japan is/was Burma's largest foreign aid donor. Japan can play a critical role within the region in pressing the regime on democratic reforms—if they want. We must engage with Japan to permanently suspend all its ODA until the NLD is allowed to assume power. A step that the Japanese might consider would be to assist in forming a “contact group” with regional states to address common concerns and push the regime for democratic reforms. They can also take a leading role in sponsoring a tough Burma resolution at the upcoming U.N. Human Rights Conference.

Maintain congressional involvement: You have an important role to play. Members need to stay engaged and articulate support for the Burmese democracy movement on a regular basis to visiting government officials, elected representatives, and ensure that the administration is doing all it can to carry out the provisions articulated in the Burma Freedom and Democracy Act. Questions to administration officials at relevant hearings are important to convey the priority you place on assisting the Burmese freedom movement. Members should not hesitate to go to the House—or Senate—floor with statements on the latest developments in Burma. Your words resonate in Asia and offer hope to the Burmese people. I would also encourage Members on overseas travel to convey our policy towards the regime to their hosts.

THE TRUTH ABOUT MAY 30TH

I would now like to talk briefly about the events surrounding the attack against Suu Kyi and her NLD members on the evening of May 30th in Depayin Township. The military regime has invested substantial political capital in trying to portray this massacre as a riot instigated by NLD members traveling with Suu Kyi against local junta supporters. They have dispatched their representatives to foreign capitals delivering the message that “it was Suu Kyi's fault.” From the overwhelming evidence we have, this is clearly a lie.

The assault was a carefully planned attack against the Nobel Peace Prize recipient that, according to first-hand accounts, resulted in the murder of upwards of 100 people who were clubbed to death or impaled on iron rods. Scores of others were severely beaten and women accompanying Suu Kyi were dragged off and raped. The culprits were several hundred thugs recruited from jails and members of the regime's local political apparatus who were directed by high-level SPDC officers. We now know exactly what happened and the names of those responsible for organizing the assault thanks to the courage of many people in Burma who risked their lives to make sure the truth was made known to the international community. These murders lie squarely on the shoulders of Gen. Than Swe who ordered the attack and his subordinates who carried it out. Their names are Brigadier General Thura Myint Maung and chairman of the junta's district branch, Lt. Col. Myint Lwin. A local village leader, Thein Aung, also played a key role in the massacre. I would like to enter into the record a report by RFA that documents this attack. The military regime, like the Soviet Union and other tyrannical regimes, believe they can brainwash their people and the international community with fictional accounts they hope to turn into official history. We must not allow this to happen.

CONCLUSION

I want to close by saying that we as Americans can learn much from freedom activists in Burma. I am always amazed by their determination and bravery to carry out actions against the regime they know most likely will result in their arrest, certain torture, and perhaps death. I have known several activists who have given their lives for a free Burma; more will die making this same sacrifice.

I want to speak to one activist, Min Ko Naing, who has spent the last 12 years in jail—solitary confinement—only rarely does he have human contact. His sentence for participating in the democracy movement expired long ago but he remains imprisoned. The junta has offered him a deal: “If you sign a statement renouncing all political activity and denouncing the NLD, you can walk free.” He has refused. Imagine any one of us in this room being in the same situation. I ask, “What would you do?”

Min Ko Naing's courage should inspire us, because the strength of his convictions are shared by thousands of Burmese and that is why one day—it might not be tomorrow, or a month from tomorrow—but some day freedom will come to this tortured land.

[NOTE: A copyrighted article submitted for the record that appeared in *The Washington Post* on September 28, 2003 entitled "Seeds of Trouble From Burma," by Richard G. Lugar, is not reprinted here but is available in the records of the Committee on International Relations' Subcommittee on International Terrorism, Non-proliferation and Human Rights.]

THAI-BURMESE BORDER SITUATION/MAE SOT

DR. CYNTHIA S CLINIC TARGETED BY THAI GOVERNMENT S CRACKDOWN ON MIGRANT WORKERS

The Asian Forum for Human Rights and Development (FORUM-ASIA) is deeply concerned by a report that Dr. Cyntai Maung s Mae Tao Clinic in Mae Sot District of Tak Province, which is the main provider of healthcare service to asylum seekers and migrants on the Thai-Burmese border, may have to close down as a result of the Thai Government s crackdown on migrant workers.

On 29 September Mae Tao Clinic was inspected by Thai authorities. Officials from Mae Sot District Office and the Immigration Department, who were accompanied by armed police and intelligence officers, told Dr. Cynthia that she should prepare for the arrest and deportation of medics and school teachers who have previously been registered as migrant workers with the Ministry of Labor. This warning came after the Thai Government passed a cabinet resolution in August prohibiting 12,161 registered migrant workers from renewing their work permits. As a result, more than 100 medics and school teachers at Mae Tao Clinic could no longer stay in Thailand after their work permits expired on 25 September. This may include Dr. Cynthia herself. Although she has now lived in exile in Thailand for 15 years, Dr. Cynthia has no official papers and is effectively stateless.

Regardless of their significant contribution to the community of asylum seekers and migrants on the Thai-Burmese border, which has no sufficient access to formal healthcare system provided by the Thai Government, Thai authorities have started to signal the possibility that medics and school teachers at Mae Tai Clinic could possibly be subject to arrest and deportation. This action, if pursued by Thai authorities, will cause serious impact on vital healthcare service for asylum seekers and migrants on the Thai-Burmese border. Mae Tao Clinic treats 150 patients a day, delivers 10 to 20 babies a month, trains 30 medics a year and provides prenatal checkups, childhood immunizations and education about nutrition, sanitation and family planning. Its five doctors and 123 other medical staffs treat everything from diarrhea to gunshot wounds for almost free of charge. For that, Dr. Cynthia has won numerous international prizes including a Ramon Magsaysay Award for Community Leadership and remains among her own people the likeliest candidate for sainthood after Aung San Suu Kyi.

FORUM-ASIA also fears for the safety and welfare of those medics and school teachers if they are deported from Thailand into the hand of Burmese authorities. According to the memorandum of understanding between the Thai Government and its Burmese counterpart signed in June, the deportation of migrant workers from Thailand will now mean that they are to be handed over to Burmese authorities. FORUM-ASIA is worried that medics and school teachers from Mae Tao Clinic will be singled out by Burma s ruling State Peace and Development Council (SPDC) if they are sent to the Holding Center in Myawaddy, opposite Mae Sot. The fact that they have provided to asylum seekers and migrants could have constituted the ground for the SPDC to regard them as state enemies , which could possibly lead to severe persecution and maltreatment including torture and execution. The SPDC has held a longstanding malicious opinion against Dr. Cynthia and her staffs, calling them absconders, insurgents and terrorists.

For Further information or comments contact: Sunai Phasuk, FORUM-ASIA Spokesperson on +66 (0)1 6323052

Situation of Members of Parliament as of 23 September 2003

State/ Division	Elected Total/NLD	Remain in prison Total/NLD	Detained/ Disappear Total/NLD	Exile Total/NLD	Dismissed/ Resigned Total/NLD	Deceased Total/NLD
Arakan	26/9	0/0	0/0	2/1	6/4	1/0
Chin	13/4	0/0	0/0	3/0	5/4	0/0
Irrawaddy	51/48	0/0	1/1	3/2	19/18	6/6
Kachin	19/14	1/1	0/0	1/1	5/3	4/3
Karen	14/10	0/0	1/0	1/0	8/7	1/0
Kayah	8/4	0/0	0/0	1/1	3/3	0/0
Magwe	39/39	1/1	0/0	1/1	17/17	3/3
Mandalay	56/55	2/2	6/6	4/3	25/24	12/12
Mon	20/16	2/0	1/1	1/1	8/7	2/1
Pegu	51/47	2/2	1/1	3/2	21/20	8/8
Rangoon	61/59	5/5	5/5	1/1	26/25	14/14
Sagaing	58/52	3/3	6/6	3/3	24/22	10/9
Shan	56/22	1/1	0/0	3/0	12/11	8/4
Tenassarim	13/13	1/1	0/0	0/0	4/4	2/2
Total/NLD	485/392	18/16	21/20	27/16	183/169	71/62

Parliamentarians who died in custody:

1. Tin Maung Win, NLD MP, Kha Yan 1, Rangoon Division, died on 18 January 1991.
2. Hla Than, NLD MP, Co Co Island, Rangoon Division, died on 2 August 1996.
3. Saw Win (a.k.a Kyaw Zaw Lin), NLD MP, Htee Lin, Magwe Division, died on 7 August 1998.

Parliamentarians who died soon after the release:

1. Kyaw Min, NLD MP, Bassein West 2, Irrawaddy Division, died on 1 July 1999.

Parliamentarians who were assassinated:

1. Win Ko, exiled NLD MP, Ye Oo 2, Sagaing Division, was assassinated in Kunning, China, on 1 November 1992.
2. Hla Pe, exiled NLD MP, Pyaw Bwe 2, Mandalay Division, was assassinated outside Bangkok, Thailand, on 16 June 1993.

Parliamentarians who remain in prison:

- Although some MPs have been released, *18 MPs* still remain in prison as of 23 September 2003.

21 Parliamentarians under detention (including house arrest and disappear):

- Eight MPs remain in detention centre since 30 May 2003.
- Eight MPs (7 NLD CEC and one former NLD Chairman) remain under house arrest since 30 May 2003.
- Five MPs may be detained after 30 May 2003. (Still disappear)

Mr. MITCHELL. Mr. Chairman, I also have several inserts for the record which I would like to follow my testimony.

Mr. GALLEGLY. Without objection, they will be made a part of the record in their entirety.

Our next witness is Ms. Naw Musi. Ms Musi is an ethnic Karen from Burma. However, she spent most of her life in a refugee camp in Thailand.

She graduated from high school in the refugee camps and taught in the same school. While teaching in the camp, Ms. Musi co-founded the Karen Student's Network Group.

Ms. Musi has worked as the coordinator of the Women's Rights Project of EarthRights International, a Washington-based human rights organization with offices in Thailand. As the coordinator, she conducted a women's rights training in the refugee camps and documented women's human rights abuses committed by the Burmese military regime.

In addition, she has served as an intern for Refugees International, and is currently a student at Hardwick College.

Welcome. We await your testimony.

STATEMENT OF NAW MUSI, BURMESE REFUGEE

Ms. MUSI. First of all, I would like to thank Chairman Gallegly, Chairman Pitts, and Chairman Leach, for giving me this important opportunities to speak on behalf of millions of people in my country, especially for those who by no means could reach this floor to tell us the story of their lives under the most brutal and racist military regimes.

My name is Naw Musi, and I am ethnic Karen from Burma. I was born in Delta region. However, I grew up in refugee camp along the Thi-Burma border as my parents were fleeing from the persecution by the military government.

We are all aware of what happened to Aung San Suu Kyi and her supporters on May 30, 2003. I think it is important that this Committee is also informed on what else has been happening simultaneously in and around the time Thai-Burma order to the ethnic people of Burma.

Recent reports from human rights and aid organizations along the Thai-Burma border indicate that the human rights situation is getting worse not only in Rangoon, but also it is worsening in frontiers that ethnic minorities call home. As a result of the ongoing war in minority group areas and deteriorating economic conditions in Burma, more than two million people have fled Burma to Thailand, excluding people who fled to India and Bangladesh. An estimated 1.5 million more remain inside Burma as internally displaced people. Of the population that fled Burma, approximately 155,000 reside in refugee camps in Thailand and Bangladesh, and several million more are forced to leave as illegal migrant workers in Thailand, Bangladesh, India, China and Malaysia.

Mr. Chairman, while working with EarthRights International in Thailand as a Women's Rights Project Coordinator, I have documented hundreds of women's human rights abuses committed by the military regime; most of the stories are hard to hear.

Women, in particular, are singled out as human shields and mine sweepers during their tenure as forced laborers, as the re-

gime's army believe that they are less likely to draw enemy fire, thus treating them as if they are expendable. These women are often subject to such abuses, including systematic rape, at the hand of the soldiers.

For thousands of women from Burma ethnic minority groups, our social, economic and cultural rights are diminished by our refugee status, or to be even more precise, if we are forced to flee our country due to oppression and persecution to Thailand, we are not even acknowledged the status of refugees as Thailand has not signed the Refugees Convention.

Socially, we are a people without a country. Economically, we are people without livelihood. And culturally, we are people without a community.

The Burmese regime has destroyed tens of thousands of villages deliberately in areas that were more home to members of ethnic minorities.

Mr. Chairman, the regime's use of ethnic cleansing policy against the minority, namely, the Karen, Karenni, and Shan on its eastern border and the Rohingya on its western, are well documented and qualify the regime to be held accountable for crimes against humanity. Ethnic cleansing, rape as an official tool of repression, heroin and HIV/AIDS as primary export, and slave labor are only some of the crimes to mention under international law. Thousands upon thousands of civilians have died and continue to die on the course of this over-50 years unacknowledged civil war.

It has also become clear to the world that rape is used expressly against non-Burma ethnic women as a weapon of war. This was most recently documented by Refugees International in their report.

Burma today has reached the highest state of emergency in its chaotic political history. The current situation in my country is a test for the international community to challenge Burma's pretend commitment to the cause of peace, freedom, and justice. It is also a challenge for us, the people of Burma, to continue our resistance and never give up on the hope—the hope for Burma as a free and prosperous country where diversity presents the beauty and uniqueness through the peoples and the cultures in Burma.

As a refugee from Burma, I would like to make four recommendations to help bring change in Burma.

First of all, I would like to thank Senator McConnell, Feinstein, and Congressman Joe Pitts, Tom Lantos, Henry Hyde and Peter King and other Members of Congress for passing this legislation, sanction against military regimes. By supporting this legislation, a clear message was sent to the people of Burma that their struggle, our struggle for freedom is well supported.

We would like to ask the United States again, not only symbolly put sanction on Burma, but also help pressure the neighboring countries in the ASEAN states to cooperate with the U.S. on sanctions.

Second, the United States should press the United Nation Security Council to immediately take action on Burma by citing the urgent need of a nationwide cease fire, including tripartite dialogue, and the United States should provide leadership there.

Third, the United States should consider earmarking fund for internally displaced people. We have heard rumors that the United States is unlikely to do so. There are over one million people in Burma running for their lives in the jungle like animals; they urgency need help, perhaps more than refugees who are currently in Thailand.

Finally, the United States should continue to pressure Thailand to allow refugees to enter Thailand, and give them assistance and protection. We do not want to cause the problem for the Thais, but we have nowhere else to go. We are running for our lives.

Thank you very much for all your support and leadership on this issue, and we hope you continue to help us until freedom, justice and peace come to Burma. Thank you very much.

[The prepared statement of Ms. Musi follows:]

PREPARED STATEMENT OF NAW MUSI, BURMESE REFUGEE

Thank you very much, Mr. Chairman, for giving me this important opportunity to speak on behalf of millions of people in my country, especially for those who, by no means, could reach this floor to tell us the stories of their lives under the most brutal and racist military regime.

I thank Senators McConnell and Feinstein, and the members of the United States Senate as well as the Congress, particularly Congressman Joe Pitts, Tom Lantos, Henry Hyde, Peter King and other colleagues, for working so hard to get the Burma Freedom and Democracy Act passed. By supporting this legislation, a clear message was sent to the people of Burma that their struggle, our struggle, for freedom is well supported.

My name is Naw Mu Si and I am an ethnic Karen from Burma. I was born in the Delta Region. However, I actually grew up in the refugee camp along the Thai-Burma border as my parents were fleeing from the persecution by the military government. I went to school in the refugee camp called Hway K'loke until I finished my high school in 1995.

We are all aware of what happened to the pro-democracy leader, Daw Aung San Suu Kyi and her supporters, on May 30, 2003. I think it is important that this Committee is also informed on what else has been happening simultaneously in and around the Thai-Burma border to the ethnic people of Burma.

Recent reports from human rights and aid organizations along the Thai-Burma border indicate that the human rights situation is getting worse not only in Rangoon, but also it is worsening in frontiers that ethnic minorities call home. My family, my father and siblings, continue to live in the refugee camp as well as inside Burmese forests.

As a result of the ongoing war in minority group areas and deteriorating economic conditions in Burma, more than two millions people have fled Burma to Thailand excluding people who fled to India and Bangladesh and an estimated 1.5 million more remain inside Burma as internally displaced people. Of the population that fled Burma, approximately 155,000 reside in refugee camps in Thailand and Bangladesh and several million more are forced to live as illegal migrant workers in Thailand, Bangladesh, India, China, and Malaysia.

Mr. Chairman, while working with EarthRights International in Thailand as a Women's Rights Project Coordinator, I have documented hundreds of women's human rights abuses committed by the military regime; most of the stories are hard to hear. Women, in particular, are singled out as human shields and mine sweepers during their tenure as forced laborers, as the regime's army, the *Tatmadaw*, believe they are less likely to draw enemy fire, thus treating them as if they are expendable. Furthermore, women conscripted as forced laborers are sometimes required to perform twenty-four-hour guard duty, since they are deemed unfit for any other work. These women, as many other women engaged in forced labor, are often subject to sexual abuse including systematic rape at the hands of the soldiers.

For thousands of women from Burma's ethnic minority groups, our social, economic, and cultural rights are diminished by our refugee status. Or, to be even more precise, if we are forced to flee our country due to oppression and persecution to Thailand, we are not even acknowledged the status of refugees, as Thailand has not signed the refugee convention. Socially, we are people without a country; economically, we are people without livelihoods; and culturally, we are people without a community. We cannot teach our children properly, and there is no chance to de-

velop and propagate our culture. We cannot feed our families, and must rely on the well-meaning but insubstantial donations of kind-hearted NGOs. As this esteemed body well knows, human rights must go hand in hand with regular access to meals.

The Burmese regime has destroyed tens of thousands of villages deliberately in areas that were home to members of ethnic minorities. Mr. Chairman, the regime's use of ethnic cleansing policies against the minorities namely the Karen, Karenni, and Shan on its eastern border and the Rohingya on its western border, are well documented and qualify the regime to be held accountable for crimes against humanity. Ethnic cleansing, rape as an official tool of repression, heroin and HIV/AIDS as primary exports, and slave labor are only some of the crimes to mention under international law. Thousands upon thousands of civilians have died and continue to die in the course of this over-50-year old unacknowledged civil war.

It has also become clear to the world that rape is used expressly against non-Burman ethnic women as a weapon of war. This was most recently documented by *Refugees International* in their report, *No Safe Place*. In addition to the ever increasing number of refugees in the camps along the Thai-Burma border, the estimated one million or more internally displaced persons (IDPs) whose condition of existence is even below that of the poorest of human beings—illustrates the depth of humanitarian crisis in Burma. On a daily basis, these IDPs are literally hunted down like animals by the repressive Burmese army. The Public Health authority in Thailand complained repeatedly that illegal Burmese migrant workers are the human carriers of infectious and communicable diseases such as HIV/AIDS, malaria, and tuberculosis. The information that I have mentioned above is the result of military rule in Burma for decades.

Burma today has reached the highest state of emergency in its chaotic political history. The current situation in my country is a test for the international community to challenge Burma's pretend commitment to the cause of peace, freedom, and justice. It is also a challenge for us, the people of Burma, to continue our resistance and to never give up on the hope—the hope for Burma as a free and prosperous country where diversity presents the beauty and uniqueness through the peoples and the cultures in Burma.

As a refugee from Burma, I would like to make four recommendations to help bring change to Burma. First, on behalf of the people in Burma, I would like to thank the United States for passing legislation increasing economic sanctions against Burma's military regime. So, we would like to ask the United States again to not only simply put sanctions on Burma but also help pressure the neighboring countries in the ASEAN States to cooperate with the US on sanctions.

Second, the United States should press the United Nations Security Council to immediately take action on Burma by citing the urgent need for a nation-wide ceasefire; the United States should provide leadership here.

Third, the United States should consider earmarking funds for Internally Displaced People. We have heard rumors that the United States is unlikely to do so. There are over one million people in Burma running for their lives in the jungles like animals; they urgently need help, perhaps, more than refugees who are currently in Thailand.

Finally, the United States should continue to pressure Thailand to allow refugees to enter Thailand and give them assistance and protection. We don't want to cause problems for the Thais, but we have nowhere else to go. We are running for our lives.

Thank you very much for all of your support and leadership on this issue. We hope you continue to help us until Freedom, Peace and Justice are achieved in Burma.

Mr. GALLEGLY. Thank you very much, Ms. Musi.

Our final witness is Mr. Bo Hla-Tint. Mr. Hla-Tint was born in Burma and played a leading role during the 1988 nationwide demonstrations that brought down the military-dominated Burmese Socialist Program Party government. He was arrested the day after the election, or the military coup on September 18, 1988. After he was released, he joined the National League for Democracy.

In May 1990, he was elected to the parliament as a representative of the NLD. As a result of the military's refusal to honor the election results, the legitimately elected representatives formed a new provisional government in the liberated areas of Burma.

Mr. Bo Hla-Tint was chosen as a representative of that new government. He became a cabinet minister in December 1990. He continues to advocate for the restoration of democracy and human rights in Burma.

We welcome you today for your comments.

**STATEMENT OF BO HLA-TINT, NATIONAL COALITION
GOVERNMENT OF THE UNION OF BURMA**

Mr. HLA-TINT. Thank you, Mr. Chairman, and it is great privilege for me to be here today in front of you and the Committee.

On behalf of the National Coalition Government of the Union of Burma and the people of Burma, I would like to express our gratitude and appreciation to you, Chairman Hyde, Chairman Leach, and all Members of the board of Committees, and Vice Chairman Pitts as well, at the same time all staff member of these Committees to making this timely and important hearing happen today. I also thanks for the kind assistant you have given to Wunna Maung and other NLD assistance to be here today.

I should also take this opportunity to mention our thanks to the U.S. State Department, especially Bureau of Asia Pacific, and Burma Desk, and Bureau of Population, Refugees and Migration, the U.S. Embassy in Bangkok for their tireless effort in bringing NLD witnesses here.

I must also take, like other panelists here, this opportunity to express our heartfelt appreciation to all Members of the U.S. Congress for passing the Burmese Freedom and Democracy Act of 2003, and President Bush and his Administration not only for signing the bill, but also for its commitment to take immediate effective measures when Burma is in need.

The majority of Burmese people in Burma, except the military junta and its cronies, fully support the Burmese Freedom and Democracy Act of 2003, and strongly believe that it will have a direct impact on the generous and Rangoon and bring the democratic light to Burma.

Mr. Chairman, since I have already submitted my written testimony and recommendation, after pondering the latest political and human right situation in Burma for the record, and also the other people already outlined what is going on in Burma, I just would like to add up some situation and some points here.

Mr. Chairman, it has been 15 years now that Burmese people had clearly expressed their wish to end the military rule and change Burma into a democratic nation. They did it through a nationwide anti-military dictatorship demonstration, which were brutally cracked down the authorities, killing thousands of peaceful demonstrators in the process, and through the 1990 election, the result of which have not yet to be recognized by the regime until today.

And it has been until today that the National League for Democracy, the party I belong to led by Daw Aung San Suu Kyi, won a landslide victory, but the military to this date continue to illegitimately rule the country against the will of the people.

It is therefore not a surprise that there is no rule of law and respects for human rights, and political, economic and social stability and progress. The country is plagued by corruption and mis-

management, and violations of the fundamental rights of the people such as freedom of expression, assembly, association, and to choose their own government.

So despite these undesirable circumstances to Aung San Suu Kyi and our party leadership have patiently worked for many years for a negotiated political settlement and reconciliation in our country. But the nonviolent effort has failed because, only because the military has not shown any political will up to now.

Instead, the General in Rangoon treated Aung San Suu Kyi and other NLD leaders, members of parliament and supporter as a criminal or enemy of the states. As of today, 38 MP elects stay in jail or under the executive including Aung San Suu Kyi are in prison and under house arrest. About 60 MP elects have already passed away, 27 MP elects have been forced to stay in exile, like me, and the rest of the MP elect under the surveillance and daily threat by local authority to resign from their membership and MP positions.

Mr. Chairman, the May 30th premeditated attack or state-sponsored terrorism against Aung San Suu Kyi and NLD motorcade Kyi Village near Tabayin, and consequent actions by the SPDC clearly indicates that the home grown national reconciliation process facilitated by the United Nation is no longer honored.

It was only yesterday, September 30th, that the United Nations Secretary General Kofi Annan told the U.N. General Assembly, and I quote:

“Unless the parties concerned are able to engage in substantial political dialogue, the international community will have to conclude that the home grown national reconciliation process no longer exists, and it would then be up to the General Assembly to determine how the United Nations should respond.”

The General refused to cooperate with anyone so far, including the United Nation. It is a threat to peace, particularly in the region.

So given these and other situation mentioned by other colleagues, we strongly believe that this is time for the United Nation and the international community to step up its effort to bring Burma issue to the United Nations Security Council.

In this regards, I would like to call on the United States Congress and the government and its allies to facilitate an international drive for democratization in Burma and to pave the way for the United Nations Security Council to consider all measures available in its power to implement resolution passed by the UNGA resolution.

Mr. Chairman, the prospect of horror and hope hang on a delicate balance. The world must choose between the horrors of a failed regime and brighter hopes for the people of Burma. The world cannot stand by and do nothing while dangers gather that shed more blood in the days ahead. And to friends of Burma in the United States of America, you have the power to make the right decision.

Thank you very much, Mr. Chairman.

[The prepared statement of Mr. Hla-Tint follows:]

PREPARED STATEMENT OF BO HLA-TINT, NATIONAL COALITION GOVERNMENT OF THE
UNION OF BURMA

Mr. Chairman,
Members of the United States Congress,
Ladies and gentlemen,

On behalf of the people of Burma and the Council of Ministers of the National Coalition Government of the Union of Burma, I would like to thank Chairman Hyde, Chairman Leach, Chairman Gallegly and members of the House International Relations Subcommittee on Asia and the Pacific, Subcommittee on International Terrorism, Nonproliferation and Human Rights for holding this joint hearing on Burma. This is a very important and timely hearing given the deteriorating human rights situation and continuing political turmoil in my country.

I am deeply grateful to Chairman Hyde, Chairman Gallegly, Chairman Leach, and staff members of the House Subcommittee on Asia and the Pacific and the Subcommittee on International Terrorism, Nonproliferation and Human Rights for rendering their kind assistance to Wunna Maung and other witnesses of the National League for Democracy (NLD), so that they can appear before this hearing. At this point, let me thank the U S Department of State, especially the Burma Desk, the Bureau of Population, Refugees and Migration, and the US Embassy in Bangkok for their tireless efforts in bringing NLD members here.

May I also take this opportunity to express my heartfelt thanks to all the members of the United States Congress who sponsored, co-sponsored and voted for the "Burmese Freedom and Democracy Act of 2003 (H.R. 2330)". I strongly believe that this legislation is an important source of strength to our democratic forces inside and out of Burma. It will accomplish the bill's original goal of supporting and recognizing the NLD, the party which I proudly represent, as the legitimate representative of the Burmese people.

Mr. Chairman,
Members of the Congress,

The situation in Burma today is one where a discredited and illegitimate military, which has governed by brute force without tolerating any kind of freedom for the past 15 years, is having to come up with ways to help overcome international pressure for political liberalization and national reconciliation in the country.

The surge in international pressure on the Burmese military regime, the State Peace and Development Council (SPDC) came after it decided to use force to end growing popular support for Daw Aung San Suu Kyi, general secretary of the National League for Democracy (NLD) whose victory has yet to be honored by the ruling Burmese generals.

The SPDC accepts no law of morality and has no limit to their violent acts against people. The regime's human rights record continued to be extremely poor. There are numerous serious abuses committed by the military troops, including extrajudicial killings, rape, forced relocation, forced labor, and conscription of child soldiers. Ethnic nationalities in remote areas along the borders of Burma are victimized mostly from those atrocities and blatant abuses while pro-democracy and human rights activists and politicians across Burma are under constant threat of arrest, torture and are targets of intimidation, harassment, and abuse. When the military cannot stop politicians from being politically active, they go after their relatives. It is not a surprise to hear brothers and sisters of politicians losing their government jobs, children barred from attending certain classes, and the list goes on and on. One of the worst cases is the Tabayin Massacre, also known as Black Friday.

On 30 May this year, when the entourage of Daw Aung San Suu Kyi left tens of thousands of well wishers in Monywa to head for another Upper Burma city, it came under attack by about 5,000 soldiers, police, and thugs associated with the military who were armed with iron rods, bamboo stakes, and wooden staves and laying in wait at Kyi Ywa near Tabayin. The well-orchestrated attack carried out with military precision left scores of NLD members and supporters dead. Diplomats visiting the scene of the massacre after the attack confirmed they found signs of "great violence," including bloody clothing, numerous homemade weapons and smashed headlights and mirrors corroborating eyewitness reports of a premeditated ambush.

Following the attack, the generals closed down NLD offices and arrested all NLD leaders, including Daw Aung San Suu Kyi, and there were reports that the generals were planning to charge Daw Aung San Suu Kyi with "high treason". But as international pressure mounted calling for her release, the military said Daw Aung San Suu Kyi was under "protective custody." SPDC Foreign Minister U Win Aung said in June that the protective custody order was temporary and Daw Aung San Suu Kyi would be released after the situation returned to normal. "When we are saying

on the record that it is temporary then it will be temporary,” but the Nobel Laureate continues to be under detention today.

It has been more than three months since the premeditated ambush on NLD members and supporters on 30 May. But the authorities are continuing to hunt down and imprison NLD members who were part of Daw Aung San Suu Kyi’s entourage and many are in hiding to avoid arrest. People who suffered injuries are not getting proper treatment because they are in hiding.

Meanwhile, the military junta is using devious attempts to cover up the truth about the Tabayin massacre. Since the middle of June, residents of villages near the site of the massacre were moved out, nobody knows where. Soldiers in disguise, police, and members of the rogue organization Union Solidarity and Development Association (USDA) with their families have moved into the villages pretending to be the inhabitants there.

One USDA high official revealed that since international organizations would be arriving to investigate the massacre, all evidence was to be erased completely.

People arrested in connection with the Tabayin massacre were forced to sign confessions that they were under instructions from the NLD leaders to instigate the people to come out and demonstrate against the junta, that they were not attacked by the SPDC, but had faced a brawl with local people, and that they were not harmed seriously during the brawl.

Throughout the country, activists for freedom and democracy are also being rounded up and arrested. Before Tabayin, there were more than 1,300 political prisoners. During and after Tabayin, 241 were arrested and 40 were released. So, about 200 more were arrested. Twenty-five MPs were arrested for the Tabayin incident, bringing the total of imprisoned elected representatives to 38.

The generals have also been secretly approaching some NLD leaders under house arrest persuading them to run the NLD without Daw Aung San Suu Kyi and Vice Chairmen U Tin Oo and U Lwin.

There is also no sign that the junta is about to release Daw Aung San Suu Kyi. The state owned media are also carrying series of derogatory attacks on the NLD and Daw Aung San Suu Kyi.

The NLD and the people remain active to the extent possible. The NLD members including NLD MPs signed an open letter to Senior General Than Shwe requesting

- (1) The immediate release of Daw Aung San Suu Kyi and all NLD members from imprisonment and incarceration
- (2) The reopening of NLD offices
- (3) The constitution of an independent inquiry commission to compile an accurate list of those who died, were injured, and those who are missing as a result of the Tabayin episode.
- (4) The convening of the Parliament in accordance with SLORC’s 1990 Elections Law and strictly adhere to the resolutions passed by the United Nations General Assembly with regard to Burma.

The elected NLD representatives also sent a letter to UN Secretary General calling on him to see that the Burma resolutions and recommendations of the General Assembly, the Security Council, and other agencies of the United Nations are complied with and implemented. They also made a humble request that the case of Burma be brought before the notice of the Security Council for necessary action.

The political parties inside and even seven armed ethnic organizations that had signed cease fire agreements also released statements showing their contempt for the current situation and calling for dialogue and national reconciliation.

Mr. Chairman,
Members of the Congress,

The Burmese military have gone too far this time. Members of the Association of Southeast Asian Nations, ASEAN, also broke their long-standing rule of non-interference and have pressed Rangoon for Aung San Suu Kyi’s release. Malaysian Prime Minister Mahathir had even suggested expelling Burma from ASEAN, and Japan, the United States, and the European Union have imposed sanctions and/or withheld development assistance to the Burmese military.

It is under these circumstances that the generals have announced changes in the SPDC and the Cabinet. The Cabinet is now headed by Gen Khin Nyunt as the prime minister, who lost his influential Secretary-1 position in the SPDC and whose position as the Chief of Defense Services Intelligence is yet unknown.

As his first political initiative as prime minister, Gen Khin Nyunt announced to the world a seven-point “roadmap” through which, he claimed, his government would bring “disciplined democracy” to Burma.

The international community and diplomats who have dealt with the Burmese generals feel that Gen Khin Nyunt is a “moderate” among the hardliners and that he would be flexible enough to work with the international community.

But, the fact is, as far as giving democracy to the people is concerned, there are no moderates among the top generals. They may differ in their approaches when dealing with the international community but their objective of maintaining military control over the political future of the country remains the same. Hence, the only way to convert the generals into becoming true moderates is for the international and Burmese communities to act concertedly to show that a military-dominated Burma is unacceptable and the best future for the military in Burma is through genuine democracy.

This being the case, the “roadmap” proposed by Gen Khin Nyunt which intends to go through a process where a National Convention convened by the military plays a pivotal and crucial role is somewhat dubious. Nothing is different in the “roadmap” from the military-domination plan that has been ongoing since the generals came to power in 1989. The so-called National Convention had also been stalled since 1996 because the NLD was expelled by the generals after the party had walked out in protest of the convention’s “undemocratic” composition and procedural styles and the generals had refused to negotiate with the NLD over the issues.

The main concern of the NLD and other major political parties like the Shan Nationalities League for Democracy which won the second highest number of seats in Parliament is the military’s “104 principles” and other rulings which made sure that the new constitution being drafted allows only former military officers to be president with absolute powers, gives the military the right to stage a coup, and military officers to be people with commanding powers in local regions as well. In other words, the new constitution will legitimize military domination of Burmese politics, or to choose the term preferred by the generals, “disciplined democracy.”

The National Convention drafting the constitution was also overwhelmed by military-appointed delegates with elected representatives constituting some 15 percent of the participants. Procedural rules at the convention did not leave room for elected representatives to include their opinions in the constitution being drafted.

NLD leaders will not rejoin the National Convention without reforms made to it. Similarly, the chairman of the Shan Nationalities League for Democracy has also declared that without any changes made, the party would not take part in the SPDC’s National Convention.

Hence, any constitution passed by the National Convention without the active participation of the people’s representatives will have no legitimacy.

Mr. Chairman,

Members of the Congress,

We, the National Coalition Government of the Union of Burma, and the National Council of the Union of Burma, an umbrella group of ethnic and democratic organizations, believe that for Burma to enjoy human rights and to move towards democracy, a roadmap initiated by the United Nations with strong support by the international community and which honors democratic will of Burmese people as reflected in the 1990 elections, fulfills the aspiration of the ethnic nationalities of Burma, and takes into account the role of the armed forces in national building during the transition period is essential. The progress of the roadmap can be assured by benchmarks and specific timeframes guaranteed by the international community. For the achievement of the roadmap, immediate and unconditional release of Daw Aung San Suu Kyi and other NLD executives, and a declaration of nationwide cease-fire are needed before the roadmap is started.

The past year has witnessed power consolidation efforts of SPDC Chairman Senior General Than Shwe, who diplomatic circles in Rangoon believe masterminded the Tabayin massacre. With Than Shwe showing a penchant to demolish rather than negotiate with Daw Aung San Suu Kyi and the NLD, it becomes crystal clear that the SPDC’s “roadmap” is not designed to bring democracy to the country.

At best, we are now back to square one in Burma. We are now talking again about freedom from arrest, rather than dialogue and national reconciliation. At this moment, there is a serious political crisis in Burma. Notwithstanding a barrage of international condemnations as well as punitive actions, the military regime continues to ignore the growing tensions within the country.

If unresolved, it is highly likely that the pent-up frustrations inside and outside the country will dissipate the chances of national reconciliation and can even deteriorate further into unnecessary confrontations and dangerous violence that could destabilize the whole region.

The idea of a political dialogue taking place through a home-grown process is no longer valid in the present political context. Hence, in light of such a situation, I sincerely believe that intervention from the international community is urgently

needed to help Burma avert the impending confrontation and bloodshed. And, that intervention should come in the form of a comprehensive road map for national reconciliation and democratization in Burma as I have explained before.

Mr. Chairman,
Members of the Congress,

The latest action taken by the SPDC is tantamount to a threat to the authority of the United Nations, and a threat to peace in the region. The SPDC has been defying international opinion and ignoring UN resolutions passed by consecutive UN General Assemblies. It is time for the United Nations to consider the issue of Burma at its Security Council. Therefore, we like to call on the United States Congress and Government, and its allies to facilitate the international drive for democratization in Burma and to pave the way for the UN Security Council to discuss the situation in Burma contingent upon the report of Secretary General, and to consider all measures available in the power of the Security Council to implement resolutions passed by successive UNGA sessions.

Mr. Chairman,
Members of the Congress,

The prospects of horror and hope hang on a delicate balance. The world must choose between the horrors of a failed regime and brighter hopes for the people of Burma. The world cannot stand by and do nothing while dangers gather that more blood may be shed in the days ahead. And, to friends of Burma in the United States of America, you have the power to make the right decision.

Thank you very much.

Mr. GALLEGLY. Thank you very much.

Mr. Maung, before the attacks, how many people were attending Aung San Suu Kyi's rallies around the country, and what was the mood in the various towns where she traveled? Do the people strongly support the NLD?

Mr. MAUNG. [Through interpreter.] Everywhere she went in every quarter people would come out and welcome her, and the numbers ranged from anywhere from thousands to hundred thousands, and she always gets very good support from the people.

Mr. GALLEGLY. And do the people there, do they strongly support the NLD?

Mr. MAUNG. The majority of the people are in support of Aung San Suu Kyi and the National League for Democracy.

Mr. GALLEGLY. On May 30th, the day of the terrible massacre, do you know how many people were killed, and do you know if any of the elected members of the parliament were killed or injured?

The INTERPRETER. The number of people killed, he doesn't know exactly, but he said after, later, after the incident he learned it was between 70 and 100, but the actual person he know that died around him, he knows exactly three of them died near around him. One of them was the car driver. And he said the reason because the number—difficult to know the exact number is because people were being beaten and on the roads. Everybody was flat on the road, the people who got beaten. And if somebody was still moving the people—the attackers would say "That person is still moving. Hit him." And they would keep hitting these people until they stopped moving.

And then so at that moment it would be difficult to know the exact number.

Mr. GALLEGLY. Does he know if any of them were members of the parliament.

The INTERPRETER. Sorry about that. He did say that he is not sure if any of them killed were any members of parliament.

Mr. GALLEGLY. Thank you.

Mr. Hla-Tint, do you have any indication that the number of rapes committed by the Burmese military has declined as a result of the global attention and the reporting of these atrocities throughout the world

Mr. HLA-TINT. According to our—

Mr. GALLEGLY. Could we move the microphone over, please.

Mr. HLA-TINT. Mr. Chairman, according to our report in rural area the rape cases have stayed continuous, especially in Karen and Karenni areas even though it is a little bit decline in the urban area, because of the international attention. But we are very much learn that the rape cases stay continue in the rural area around the borders.

Mr. GALLEGLY. So you would say that there is at least some movement as a result of international and global knowledge of the atrocities?

Mr. HLA-TINT. The military trying to take some sort of superficial action saying to the—among the soldiers not to do this kind of activities, but actually this is uncontrollable when they reach to the front line area. So the things that is going on even though the military distribute some instruction not to involve in that kind of things in the army.

Mr. GALLEGLY. Thank you.

Mr. Sherman.

Mr. SHERMAN. Thank you. Apologize, I had an urgent message from my office. I thank the panelists for being here.

I think we have all seen reasons why the United States should act even more effectively to isolate this regime. Pardon me if I seem selfish, but what affects my district directly is the cultivation of poppy and the importation of heroin, and we have seen circumstances where one government is allowing the production of heroin, and we change the government, and then the new government allows the production of heroin.

Is Ms. Suu Kyi, does she have the political power or popularity should we have democracy in Burma, to turn to communities that are making millions and in some cases tens of millions of dollars and tell folks to stop growing heroin? Will she have the power to have that writ operate in the minority communities where the governments in Rangoon has always had difficulty enforcing its position?

I would like especially Mr. Dun, but others who may have qualifications here to respond to the question of my constituents, which is, if we are able to get democracy in Burma, does that mean the end of heroin production, even in those areas where independent minority armies have traditionally operated? Mr. Dun.

Mr. DUN. Mr. Chairman, I can speak for our experience in the Karen state where in areas that we do control there is no, almost none of the drug—there is no drug growing, and there is very little drug trafficking because we have—it is culturally for us, we have a very strong thing against drugs because we have seen—opium especially—because we have seen the effects and it is culturally unacceptable in our culture.

So it is possible that if there was a free—if democracy was restored to Burma, there is a chance that a lot can be done to stymie the flow of illegal drugs

Mr. HLA-TINT. Mr. Chairman, the drug problem you mention is consequence of political instability in Burma, and the consecutive governments, the SPDC government as well as the current military regime is not solution, and they never pay attention to really resolve the drug problem in Burma because they are part of the problem. They themselves are part of the problem.

For ourself, in 1993, the United War State Party, UWSP, leaders from the UWSP, came to the NCGUB and told us that they are willing to quit the drug opium production and they are very willing to do so, but they want to have the right system from the international community. So since that time we have been working with Chairman Ben Hillman office to resolve this problem effectively.

So what we believe is that Aung San Suu Kyi and the new democratic government will able to—exactly they will able to resolve the problem immediately and effectively within the appropriate time frame. Because of CRPP, the Community Representing People Parliament already discussed seriously and they have a committee how to resolve this drug problem if the NDL able to take office immediately.

Mr. SHERMAN. And when Ms. Suu Kyi and her party campaign, particularly in the areas, and when I say campaign, I realize not in the American sense since that is not allowed, but how much is done to publicize in opium growing areas that democracy means the end of opium production?

Mr. HLA-TINT. Thank you, sir.

Because of Daw Aung San Suu Kyi ability to travel around the country has been limited, especially to those areas, she never been allowed to be in the Wa State, it is main opium-producing area, so that Daw Aung San Suu Kyi try to be in Shan State, but very difficult to reach to the Wa State and people to tell how democracy and of the drug, you know, problem will be, you know, coincide.

Mr. SHERMAN. Let me shift to another area of question. I am sure my colleagues will tell me when I have gone on too long.

Perhaps one of the witnesses could respond as to why the Thai government has taken such a conciliatory approach to Rangoon. Are they getting anything in terms of economic interests, and is there any other benefit to the Thai regime?

Mr. Mitchell.

Mr. MITCHELL. Mr. Sherman, let me take a first crack at that. It is interesting to watch with Prime Minister Thaksin the pivoting I think we are seeing in Thai policy as far as what is going on along the border.

I think he, the Prime Minister has made a decision, taken a decision that it is in Thailand's own self-interest to warm relations with the regime. Perhaps he believes that with a requisite amount of hand holding, you know, a lot of the problems that exist not only between Thailand and Burma, because much of that order is not demarcated, many times the Burmese have shelled Thai military positions. They have shot down Thai helicopters. They have killed Thai soldiers. There is scarcely probably a month goes by when there is not some incident along that border area that involves the Burmese coming over and taking action against the Thais.

And perhaps the Prime Minister thinks that the best way to deal with this is, you know, is to take a high road rather than get tough road.

But it is certainly of great concern when the actions that he takes against the democracy groups that are in Thailand that are dedicated to nonviolence, that are distributing and collecting information on human rights abuses to disseminate to the international community, when he decides to close those offices down.

This latest report about the closure of a hospital that Mr. Rohrabacher might even know of, Dr. Cynthia, is extremely alarming, and it also has implications for displaced people inside the country, because they were helping many of those IDPs with getting medical assistance.

Mr. SHERMAN. Let me interrupt. When Burmese troops engage the Thais, is that because they are entering Thai territory to wage war against dissidents or to terrify Burmese refugees? Or is this a border conflict where the Burmese soldiers are simply asserting Burmese sovereignty over acreage that Thailand claims?

In other words, is it the presence of Burmese refugees and/or guerrillas that inspires the Burmese army to come into Thailand or is it just a disagreement as to where Thailand starts and Burma ends?

Mr. MITCHELL. Well, the Burmese will tell you that they are taking action because of so-called guerrillas. But many of these cross-border actions are taken against refugee camps that are in Thai territory. They are well known. They are well demarcated, certain unarmed. And you will see cross-border raids by not only the Burma military but also their surrogates.

They have something called the DKBA, the Democratic Koran Buddhist Army that is a surrogate of the Burma army that does much of their dirty work.

But, you know, certainly having the Thai military on the other side has never deterred them before from coming across the border.

Mr. SHERMAN. So their target is Burmese dissidents, but the Burmese military is unwilling to respect Thai sovereignty even when the border is demarcated?

Mr. MITCHELL. I think, sir, they despise Thai sovereignty. I do not think they recognize it.

Mr. SHERMAN. Over certain disputed acreage or just in general?

Mr. MITCHELL. Just in general.

Mr. SHERMAN. An interesting approach to take toward a neighboring country.

My time has expired. Thank you.

Mr. MITCHELL. I agree.

Mr. ROHRABACHER [presiding]. That button, I was pushing the mute button. Let me make sure I turn off Mr. Sherman's button.

Is Dr. Cynthia still operating or did they close her down?

Mr. MITCHELL. When I was over in Thailand several months ago, she was—her facility was open, sir. The latest alert that I received this morning was that she is in danger—her facility is in danger of being closed.

Mr. ROHRABACHER. By the Thai government as a gift to the Burmese dictatorship?

Mr. MITCHELL. I would—it certainly—it certainly would help the dictatorship, yes, sir.

Mr. ROHRABACHER. That is a very sad commentary on the people who run—who would do that. If that comes about, let us note for the record that I visited Dr. Cynthia's hospital, and visited Dr. Cynthia on several occasions. She is the Albert Schweitzer of this generation in that she is out on her own quite a bit, and way out exposed to diseases and exposed to all kinds of hardships and dangers, and yet she has continued to provide humanitarian assistance, medical care for some of the world's most needy people, and very admirable human being.

I think that anyone who would try to clamp down on her activities is putting themselves by their actions in the category of bad people.

Mr. MITCHELL. Congressmen, I have just been—I have just been notified that on September 20th the Thai government did come to her clinic and ask her to shut it down. So that in fact—that order has in fact been given.

Mr. ROHRABACHER. I will write a note to the President when he goes to Thailand, or if I go to Thailand with him, I will express that the Thai people who run the Thai government should put themselves in the category of being good people rather than bad people, because bad people attack humanitarians like Dr. Cynthia. Good people support the activities of humanitarians like Dr. Cynthia.

I would like to—a little bit about the heroin regime and heroin trading that we heard about. Is there anyone here on the panel who believes that the government of Burma is not deeply involved with the drug trade themselves?

So in other words, all of you would agree that the Burmese government itself is involved with the drug trade?

Mr. MITCHELL. Could I give an example, sir?

Mr. ROHRABACHER. You go right for it.

Mr. MITCHELL. Oftentimes I would interview—there is a lot of deserter that come across the border, deserters from the Burma army, and I had an opportunity to interview many of them, and you eventually get to the question of narcotics trafficking. And they will tell you in no uncertain terms about heroin, opium and heroin caravans that they have guarded, the transfer of money that went from them on up to their commanding officer, and then their commanding officer goes to Rangoon, and in the various—you know, the various amounts that were split up along the way.

Now, oftentimes you will hear from Administration and other officials that the Burmese government—that there is no real proof that they are involved in narcotics trafficking, but certainly the amount of precursor chemicals that are coming across their borders, with the nature of their military, and the system that is in place, none of that could be happening along the border, none of it could be happening without General Than Shwe, General Khin Nyunt and the others that are the head of the SPDC saying yes.

Mr. ROHRABACHER. Right. And I take it that the Burmese government does—they may not control all the countryside, but they control the roads, do they not? And the heroin does not just by magic disappear from the fields and appear in Brad's district, for

example. I has to go over road and onto a ship, and through many different functions that are controlled in the original part, in the beginning of the process by the Burmese dictatorship.

Mr. MITCHELL. And let us not forget that there is people wanted under Federal indictment in New York City for heroin smuggling that are under the regime's protection in Rangoon right now; number one, Khun Sa, who was head of the United Woh State Army, and he was given asylum by the regime to allegedly retire. He was allowed to move to regime, stays in a government guest house. His new businesses include a trucking enterprise.

So surprise, surprise. He sits in Rangoon and trucks his heroin wherever he wants to.

Mr. ROHRABACHER. For the record, let us state that there are many people in the United States Congress who believe that the Burmese dictatorship are right up to their eyeballs in the drug trade, and that it does not have to be proven to us, you know, with 100 percent certainty that every member of the Burmese dictatorship is involved in the drug trade, but there is such substantial evidence that the drug trade could not benefit, that we take it for granted that they are. Only people who are naive are holding back from that assessment, or people who do not want to have to act upon something as volatile as that.

So with the control of the heroin, let me ask about the control of the Burmese regime. Maybe someone can enlighten me as to what role the Chinese are playing in this. The Chinese, I understand, just gave a \$200 million loan guarantee to the government in Rangoon.

Are there Chinese military advisors with the Burmese military? And I understand the Burmese military is equipped totally with Chinese weaponry. Is that all correct?

Mr. DUN. That is correct, Mr. Chairman. In fact, they are also building up their navy, giving them these coastal vessels with Chinese officers to train the Burmese navy. And so also on KoKo Island the radar installation, and they call it ELANT, electronic intelligence gathering unit on KoKo Island also has some advisors there.

Mr. ROHRABACHER. Okay. The Chinese, they have Chinese military advisors with the Burmese army?

Mr. DUN. Correct.

Mr. HLA-TINT. Yes, Mr. Chairman, and we, according to our report, there are joint military operation, military training, especially paratroop training, helicopter fighting, jets training are providing by the Chinese military officer in Burma, and other radar station has been established on the Hiji Island in the Burmese water. It is also Chinese technology, and 200 million loan you have been mention is to use by the Chinese company to have Burmese and they have sectors; that is, you know, when the chairman, Senior General Hantry visited to China.

Mr. ROHRABACHER. Well, let us note then that you have a regime that is—that logic would tell us, and evidence tells us is deeply involved in the heroin trade. That regime, a gangster regime thus also is being supported, dramatically supported by the Communist Chinese government, so they are selling out their country, the re-

gime is selling out Burma to Communist China, and is involved in drug trade.

Now, I cannot think of anything worse than that, and the fact that someone wants to please that regime and in doing so will close up a humanitarian hospital operation headed by someone like Dr. Cynthia shows you that there is true evil in this world, and we are talking about evil.

Now, if there is any example of evil on this planet, you can find it in the government that controls the people of Burma today. It behooves the people of the United States who would like to be a positive force in this planet to do everything we can to help the people of Burma.

I am very proud, at least, that we have more economic sanctions. I pushed for economic sanctions for a long time. Finally, we have tougher economic sanctions. Let us note that we would—it would be something very good, would it not, if our other European allies and Japan would join us in having stricter economic controls over things that would help this regime?

Do you have any comment on our European allies or Japan?

Mr. HLA-TINT. Very recently I have been visited to Tokyo, and meeting with the foreign ministry official. The Japanese foreign ministry promise us that they already suspended all the ODA assistance to the regime, and they will never resume until or unless the military engage the political dialogue with Aung San Suu Kyi after mediating, and condition of release of her.

Mr. ROHRABACHER. Right. Aung San Suu Kyi is currently under house arrest again after spending 19 months after house arrest prior to that, and having spent so much time and being under surveillance and under the control of the regime. This is—as I say, this is probably the most demonstrably evil regime on this planet.

I am very pleased that the Chairman has decided to focus on this, and Mr. Pitt has spent considerable time; very happy that this Subcommittee has held this hearing in order to draw the attention of our colleagues to this horror story that the people of Burma are having to go through.

One last question of Mr. Dun. What recommendations would you give the United States Government in regard to providing humanitarian support for Burmese people who are displaced inside Burma and outside of Burma?

Mr. DUN. Mr. Chairman, the first thing and the most important thing right now I think the United States can definitely do is to encourage Thailand to continue the good work of supporting humanitarian aid in the past to the IDPs.

I would like to relate a little incident that happened on the 17th of this month just before I came the first time when the hearing was cancelled. I called Pastor Robert, the chairman of the Karen Refugee Committee, and he related that because of the Burmese army attacks, 35 families had—35 IDP families had cross—managed to cross over the border, not across the board, over the border into Thailand, and were in need of severe—in need of food and shelter.

But the refugee committee was not able to take the supplies over to them because the Thai army would not—they were under orders

not to let any humanitarian cross over. But the local Thai headman, village headman said to the—went over to the Thai army and said that, “I will vouch for these people. These people will not become a problem for Thailand or for you,” meaning the Thai army.

So because of that some humanitarian aid was able to go these 35 families or 136 people.

So Thailand has the heart and has the resources to provide or help with humanitarian aid if the United States could only encourage them to continue doing that instead of trying to work with the military regime. That would be the best thing the United States could do right now.

Mr. ROHRABACHER. I hope the people in Thailand, the government of Thailand is listening to the words that are being expressed here because certainly the people of the United States in the past have respected Thailand for its ability to help people who are coming across its border.

Thailand has a history of helping refugees. That is probably one of the most admirable records of any country of the world. And let us never forget that they have taken in refugees from all over around their borders were tyranny, whether it is Laos, or Cambodia, or Burma.

Mr. DUN. Right.

Mr. ROHRABACHER. And let us hope that the current government lives up to that tradition because that is one of the reasons we have such high respect for Thailand is that they have had this heart in the past, and we would hope that they would continue, that the current government would continue that tradition. To the degree they go away from it, they risk losing their respect of those of us who have been their best friends.

One last note before I turn over to Joe Crowley for his questions. If we have a message today, I have been involved with Burma for many years as most of you know, and it is about time that those young people who serve in the military of Burma get the message that the government that they are propping up with their guns is selling out their country, not only the heroin dealers and the gangsters around the world, but to the Chinese, and it is time that the young people and the patriots who are in the Burmese army quit providing themselves as the instruments of repression for this dictatorship, and instead do the right thing, which has been done in Romania and other countries which overthrew their dictatorships, it is those young people in the Burmese army, those young officers who see the corruption, and the betrayal of their country by their leaders, they need to turn on those people, turn on the government, turn on their own leaders, and side with their families and the Burmese people and overthrow this regime and side for democracy. If they do that, they will be heroes throughout the world, and they will get lots of support from the United States.

Mr. Crowley, would you like to have your question and answer period?

Mr. CROWLEY. Thank you, Mr. Rohrabacher.

Thank you for your comments just now, and I want to thank Chairman Gallegly for holding this hearing today. Particularly I want to thank the panelists before us, those born in this country

and those born in Burma, especially those who are from Burma directly.

I had the opportunity recently to meet with constituents who are expatriates of Burma, and was given firsthand accounts of life as it exists in Burma today, as well as a good rundown in terms of how things stand politically in Burma.

And I want to thank you all for your testimony, and I say that again because it was made very clear to me that anyone who speaks out against the current regime in Burma exposes him or herself to not being able to return to Burma, being denied access, as well as their family members coming under duress in Burma because of what is said here in the United States.

So I also would like to thank your families for having the courage to have produced people like yourselves who are willing to speak out against injustice in your homeland.

I also today coincidentally had an opportunity to co-chair a parliamentary exchange with the People's Republic of China, and I used that opportunity to bring up the issue of Burma, and it was interesting in terms of the response that I received.

After having talked about a number of countries in which we are trying to work together to bring to a further cooperation, one specifically, for instance, North Korea, where there was a good amount of dialogue between the two bodies of parliament.

When the issue of Burma came up, as I brought it up, I will try to give you a succinct answer to what was really was a succinct answer to me, I am going to make it short, but the response from the Chinese was that they have good relations with the Myanmar government, and that this was an internal problem, and therefore they did not want to comment any further on it.

That was the extent of the dialogue between ourselves this morning and members of the Chinese parliament who are here today, and I imagine that that is representative of the Chinese government's position with our State Department, with our government, and that is their official policy. And I think that is unfortunate that they are not willing to discuss any further their connection with the Burmese regime.

I would note, and it has been made for the record already, that I support, am very supportive of the actions taken so far against the Burmese government, but just to note the Chinese have given aid to Burma totaling \$350 million most recently. They have announced that. And that, coincidentally, is almost the same amount of money that the United States had exported to Burma in 2002, some \$356 million worth of imports.

So the Chinese are actually stepping up their assistance to Burma as they see it being reduced from countries around the world, including the United States.

What can we do that we are not doing right now? What steps can the United States do to pressure the Chinese to release or to bring pressure to bear on the Burmese government to release prisoners of conscious, political prisoners, and to get movement in terms of opening up the Burmese government? Would anyone like to start with that

Mr. HLA-TINT. Yes, the areas—a lot of areas the United States Government or congressional leadership can help in terms of the

Chinese relation with the democratic movement because at the U.N. level we had our representative to the U.N. always trying to approach through the Chinese mission, but they always just listen, and they never make any comments about Burma, and they always said is that they will bring it back to Beijing, and then let us know.

So that the way you have been asking the question to the counter-MPs from China is one area we can continue, the congressional leadership can continue. But if the congressional leadership as well as the government have used their power to convince the Chinese authority in Beijing to address about the Burma or to convince the military regime in Burma by their own way, not by the western way or United States way, but their own way if it used the economics and being a big naval to convince them for open and to engage and do dialogue with the democratic movement, that would be very much, you know, helpful for the movement.

At the same time we always seeking to have a direct opportunity to talk with the leadership in Beijing, party leadership or government leadership, if, you know, the movement had been provided by that kind of assistance or create opportunity to directly to talk with them, we would very much appreciate for.

Mr. MITCHELL. Mr. Crowley, you raised an absolutely fascinating question just because there is so many different dynamics that are at play, not only regional but sort of geostrategic when it comes to China because they are very, very interested in having power projection into the Indian Ocean, and I think they look at Burma as giving them that capability.

To get to the heart of your question though, in order to—one thing that the Chinese might respond to is the fact that there is an absolutely horrific HIV/AIDS problem, and Burma is the epicenter of that problem. And the Burmese regime, I think, takes concerted steps to make sure there is an HIV/AIDS problem because the more people that are fighting aids the fewer people there are that can fight this regime.

Of course, AIDS cannot be confined to any one country, it spills out, and it is taking a horrific toll on Thailand, India, and China as well. There is an epidemic in large part because of the lack of adequate health care in Burma, in China, and I do not believe that the—how should I say it—I do not believe that when it comes to the individual person in China, it does not raise too much concern when, you know, there is death centers, et cetera. What the Chinese do respond to is the fact that it is actually going to cost the central government money, and it is large amount of money. It is going to be billions of dollars on their health care system.

And so perhaps taking that tact to talk to them about how this epidemic fostered by the regime in their country impacts China and actually the stability of China, maybe that is a cord that can be resonance there.

Mr. CROWLEY. And I yield back.

Mr. PENCE [presiding]. Thank you, Mr. Crowley, and I want to associate myself with Mr. Crowley's thoughtful observations about the courage represented at this table. It is a very humbling thing for this Member of Congress and I think every Member of Congress who is here to appreciate the personal courage and integrity that

is represented at this table, and I am grateful for that and humbled by it.

My questions very specifically have to do with the issue of war crimes in the Karen State, and I would specifically, given Ms. Musi's testimony and personal experiences, would welcome your comments on that, although I would welcome equally to hear from Mr. Dun. And specifically, it would be the question beginning with Ms. Musi.

Your work with the Karen students network group, do you believe that Burma's military regime is committing what can be defined by international standards as war crimes in the Karen state? If so, what would they be?

And are they of a type that this Congress and specifically this Subcommittee should encourage some sort of international review or tribunal or even prosecution of the regime or aspects of the regime that have committed these crimes in the Karen state? And if you can be as specific as possible beginning with Ms. Musi, I would be very grateful.

Ms. MUSI. I will try. If I understand your question correctly, I believe that the military—I believe that what the military committed in our Karen area is—it is more crime against humanity, because whenever the military went into the village there has nothing to do with the villagers. They kill the villagers, and burn down all the houses, and kill the people whenever they see, and deliberately burn all the foods and the barns that the villagers has already planted.

And then also, when they see the women, they rape the women on their ways, and then also, they also try to do whatever they can to the people so that the people cannot resist them anything.

Imagine, one has to imagine why the military has to go all the way to climb up all the highest mountains. We are the hilly people. The villages are staying where the Karen people, the ethnic people are living are mostly in hilly regions. And then they have to go all the way, they are buying weapons for lots of money, they are using lots of monies just to buy weapons, and to ask the villagers again to go to all these hilly—climb up, imagine like this monsoon, rainy season, they have to climb up to those villagers and just to kill all those people, innocent people.

And I cannot—I do not take it for this, and I do not understand why the military regimes do this. And I think the villagers are doing—staying there, and by going there and attack the villagers, it is already against—crime against humanity, and by killing those people, and then by also destroy all the villagers and the life. Now the villagers are living like animals and living on the—with wild vegetable and sometimes they are starving, and also they have health—they do not have health care, Medicare, and then they also live in the very poorest of human being.

So I would think, personally I think that what the military has done do our people is crimes against humanity. I am sorry, if you are not clear, maybe you can ask more specific.

Mr. PENCE. I am very clear, and I am grateful for your clarity.

Mr. Dun, would you add anything to that response?

Mr. DUN. Mr. Pence, again, I show you this picture. This little girl was shot in the abdomen. The bullet is still in there. It healed

up. But she lives every day by thinking when am I going to be shot again. You can just see it in her eyes there.

This other 15-year-old girl was shot in her arm. She survived, but you can see the scars there.

And I can also send to you later on pictures that were taken of a massacre of children, and I do not need to explain much because the pictures speak for themselves, and I think that is definitely proof of crimes against humanity or war crimes.

Mr. MITCHELL. And Mr. Pence, just to very quickly add.

Mr. PENCE. Yes, please.

Mr. MITCHELL. These are not just isolated acts, you know, an accident happens here, there is an act here and an act here. This is a coordinated campaign of—you know, we saw it is Bosnia, ethnic cleansing if you will. This is a coordinated campaign orchestrated at the very highest levels of the junta that is being carried out against these people.

So legal minds will have to sort out where that fits in, but it is definitely a carefully coordinated, orchestrated, planned, and executed campaign.

Mr. PENCE. I want to thank all the panelists. I am going to yield to Mr. Pitts whose background and commitment to Burma is well established. Thank you for your candor and I am just extremely grateful for your willingness on this ignominious anniversary to come before Congress and help this Subcommittee and help the American people understand the urgency of your cause. God bless you.

Mr. Pitts.

Mr. PITTS [presiding]. Thank you, Michael, and thank you for your testimony. I want to continue. Mr. Dun, we have heard reports that the Burmese military ordered the rapes of the women in order to purify the race.

Would you expound on that? Is that part of this ethnic cleansing mentality you are talking about?

Mr. DUN. Yes. We have had radio intercepts of the orders from the high command down to the battalion level where they have these prize list. If their soldiers are able to marry a headman, the daughter of a headman, then they have a certain number that is given to them, a prize that is given to them. And if it is a teacher, then the prize is a little bit lower, but they tried to—they tried to encourage their soldiers to have—to marry the different ethnic girls so that it will be a purification of race they call it.

But in the last case, if they are not able to marry any girl, they are encouraged to rape the ethnic girls because the end product, which is the child, will be mixed and will be on its way to, again, race purification.

Mr. PITTS. That is incredible.

The little girl whose photo you showed suffering from the bullet wound, what would it take to get help to a little child like that, you know, the proper care that she might need? Would you expound on that?

Mr. DUN. Yes. She is now in a village called—she is inside about 15 to 20 kilometers in inland in the country.

Mr. PITTS. Into Burma.

Mr. DUN. In Burma, correct. And the first step would be to bring her to the border, trying to avoid the various Burma army patrols and outposts. Once we cross over, we would have to negotiate with the Thai army on the border and border police for her to allow her to come into Thailand.

Then the next step would be for her to obtain legal papers if the intent is to bring her to the states here. But one—one problem we should also be aware of is that once she comes here she will not be able to go back, because of the high profile she may have, and the intent of the Burmese regime to get back at her, or those connected with her.

So those are the steps. Bring her to the border, try to avoid the Burma army, get legal—have the Thai allow her to come into Thailand, get her legal papers, and get her out of the states, and medical assistance.

Mr. PITTS. Now, would you, and I do not want to go too long here, but Mr. Dun, would you explain a little more the situation facing the IDPs inside Burma?

For instance, there are those who take medical care, other aid, food, and they discuss the needs for security. Can you explain that?

Mr. DUN. The IDPs are now in an area where the Burma army is very active, and without a security element for these groups to go and take humanitarian aid to these people, it would be almost suicide. So there has to be some sort of security element where they at least are able to provide some sort of delaying action so that the humanitarian groups can evaluate out of the area when they come in contact with the Burma army.

The Burma army is very—it is one of their main goals to not let any humanitarian aid come into the people so that they can effectively wipe out any resistance or any attempt to survive in those areas.

Mr. PITTS. Thank you.

Mike Mitchell, what is your response to the U.N. Secretary General Kofi Annan's statement regarding Burma democracy by 2006?

Mr. MITCHELL. To be honest, it is extreme disappointment. Why 2006? I thought that the matter was settled in 1990, when 80 percent of the electoral victory went to the Suu Kyi's National League for Democracy. I see no need in pushing this off until 2006. All it does is buy the regime another couple of years, and after that it is going to be another couple of years, and we have seen this on and on and on.

And envoys have been sent. Ambassador Razali has shuttled back and forth for 3 years now. Unfortunately, he has got nothing to show for it.

And so let us just bring this to where it needs to be. It is time to start kicking the Burma can down the road. Both the region and the United Nations have to deal with it, let us deal with it now. There is nothing that is going to change between now and 2006. We know the nature of this regime. The people that are sitting at this table have spoken quite eloquently in a very horrible way about it, and so let us deal with it now, and let us take it to the U.N. Security Council, and let us take it to ASEAN and its member countries, and those of interest in trying to do the right thing there and bring democracy to that land.

Mr. PITTS. Could you speak briefly about India's policy toward Burma, how it impacts the ethnic minorities, and what your recommendation as far as our United States policy should be in talking to India?

Mr. MITCHELL. Yes, absolutely. It is interesting because we focus so much on Thailand. You know, India has sort of gotten a free pass here, and they definitely over the past several years, they have taken a strategic decision to move away from supporting the democracy movement, which they did very, very vigorously during the 1990s, and now are reaching out to the regime, seeking accommodation with the regime, and that takes many different forms, in loans, for example, economic development projects along the border. They have also not taken as heavy a hand in trying to stifle the Burmese that are in India in their activities in outreach to both inside Burma and the international community, but that is certainly going on.

And I think some policy recommendations as far as—that we could take, of course, in looking at the context of, you know, India is very worried about China, and their access to the Indian Ocean, and power projection there is that—is to bring up when Indian officials come here, that, you know, where the United States is with regard to democracy in Burma, and in countries, most of all, if you are going to call yourself a democracy, then democracy has shared values, and that, you know, among those are as basic as life, liberty and the pursuit of happiness, and you cannot just believe in it in your country and not for the other guy.

And I think that goes as much for India as it does for us. And so, you know, encouraging them to take a harder line. It is in everybody's national interest—the regime there is inherently unstable, and it is spreading. It is like a malignant tumor there. And so, you know, the sooner people could start dealing with the problem and dealing with the regime the sooner that we could bring about a system where there is economic growth, democracy, and most of all a peaceful region.

Mr. PITTS. Thank you.

A question for Mr. Wunna Maung. What information do you have regarding the condition of Aung San Suu Kyi and Tin Oo in the present incarceration.

The INTERPRETER. Mr. Maung said as far as Aung San Suu Kyi is concerned, she was just recently released for—discharged from hospital where she underwent some surgery. There has been no details about it, about what surgery that was, but she has been back home and she has been reported as meeting with U.S. Special Envoy Razali a day ago. That is as far as he knows.

But as far as U Tin Oh, the vice chairman is concerned, we do not really—he does not really have much information on that, although it is reported that he is still in a prison where it is a children's prison or some—oh, sorry, sorry, the prison in Kalley.

Mr. PITTS. Before the attacks, how many people were attending Aung San Suu Kyi's rallies around the country, and what was the mood of the people as you traveled?

The INTERPRETER. He said people—wherever she sent people were very, very happy. One of the main reasons was because they sort of equate Daw San Suu's arrival there as getting democracy.

And he said wherever he saw people being very, very happy to see Daw Aung San Suu Kyi.

Mr. PITTS. Thank you.

Finally for Ms. Musi and Mr. La-Tint. Ms. Musi, you said that you felt that war crimes were being committed against the Karen people by the military dictatorship, and that perhaps some sort of international tribunal should be called for.

Do you think that there should be a international presence in the Karen State or in the areas where there is this ethnic cleaning going on? Should we call for international observers or U.N. observers to try to accomplish a cease fire, to monitor what is going on there?

Could you speak a little bit more about that?

Ms. MUSI. Mr. Chairman, we would be happy, more than happy if we could have the international community to come and observe the situation there. And then because the situation in ethnic areas—because I do not mean that only ethnic area, because I am just from ethnic Karen, that is why I present the Karen—I talk about the area that I am familiar with.

So we would love to have because the military went there and there is no one—the people cannot resist it, and if we have the international community there, and then do, and provide the protection, and cease fire, and then also not only this, we would love to have—create the international community to press more the United Nations Security Council to press the military regime and the democracy, and to have the tripartite dialogue with the people there.

Mr. PITTS. Mr. Hla-Tint, do you want to speak?

Mr. HLA-TINT. Yes, Mr. Chairman, it is a very neat the international economy should be in sight the problems area of the ethnic minorities or ethnic nationalities in Burma, but the thing we have to realize is that, first of all, the military must stop their atrocities in those region until and unless they have agree with the international community to make a nationwide cease fire, and to agree, you know, to allow the international monitoring or observation forces to free to act in those area, not only for the cease fire, but also that to the humanitarian needs of those needy people that would be very great.

But we have to be very systematically according to the situation, and the military—we should not underestimate the military regime easily.

Mr. PITTS. And just to clarify, are the Karen people struggling because they want their own country, or do they want autonomy under a national, you know, Federal Burma? What is going on there with that struggle

Mr. HLA-TINT. Yes, I myself have been walking with the Karen and all other ethical national before more than 10 years now, and our—all of our aim is to have a federal, democratic Federal union after ending up the military rule in Burma. Even the Karenni, previously the Karenni people always claim they have been, they are separate, their independent state, they want to be recognized in the past, they have been very independent, but now after walking these years with us they have become very committed for the Federal union, and they are not only expecting to be part of the Fed-

eral union, but also they are taking very active initiative to become the Federal union.

So all the Karenni and all ethnic nationalities fully agree with the democratic Federal union as a future of Burma.

Mr. PITTS. We have received reports that there is also a type of slave labor that is practiced among some of the ethnic minorities by the military dictatorship. I do not know what state, if it is Karen, or Karenni or where it is.

Is that accurate? Is there actually conscripted labor, people made slaves by the military dictatorship to build dams or whatever they are doing in those area? Would you explain?

Mr. HLA-TINT. Yes, Mr. Chairman. In three areas, they have been forcibly conscripting the ethnic young people for the army. The first area they have been forcibly conscription in those area like assemble, you know, after movie or local movie theater. The young people and student have been arrested to become a soldier, young soldier.

So now we have more than 75,000 child soldiers in Burma forcibly conscripted by the Burmese army.

And another area is, you are right that whenever the dry season offensive they launch in the ethnic resistant area, ethnic area like Karen, Karenni and Shan State, they always use the local people as a forced labor and military porter to carry their arms and ammunition, and to provide all these army's necessity as a slave labor. So that in this second area, and that area they have been using this, they have been driving out those people because in terms of—they call—its policy is spoken policy. They want to cut the resistant movement information, support lines, more support and human resource, so that these area people has been deliberately driven out by the army. That is why the increasing amount of the internally displaced people are mounting up.

Mr. PITTS. Thank you very much for your responses, for your testimony, for your courage and your commitment to your people, human rights in Burma. Those buzzers that you heard are calling us to a vote on the Floor, so we are going to have to adjourn.

We will convene tomorrow morning for a second hearing, continuation of a hearing on Burma at 8:30, and at the hearing we will be receiving testimony from the U.S. Administration on their views on Burma's human rights situation.

So thank you very much for coming, and at this time the hearing is adjourned.

[Whereupon, at 3:39 p.m., the Subcommittees were recessed, to reconvene at 8:30, Thursday, October 2, 2003.]

**HUMAN RIGHTS IN BURMA:
FIFTEEN YEARS POST MILITARY COUP
(PART II)**

THURSDAY, OCTOBER 2, 2003

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON INTERNATIONAL TERRORISM,
NONPROLIFERATION AND HUMAN RIGHTS, AND
SUBCOMMITTEE ON ASIA AND THE PACIFIC,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Subcommittees met, pursuant to call, at 8:30 p.m., in Room 2172, Rayburn House Office Building, Hon. Elton Gallegly [Chairman of the Subcommittee on International Terrorism, Nonproliferation and Human Rights] presiding.

Mr. GALLEGLY. Call the Subcommittee on International Relations Nonproliferation and Human Rights to order. Today the Subcommittee on International Terrorism and Nonproliferation and Human Rights and the Subcommittee on Asia and Pacific are holding a second of two hearings on the human rights situation in Burma. During the first hearing, we heard from private witnesses including political opponents of the current military regime, members of oppressed ethnic groups and an expert on human rights in Burma. In the second hearing, we will hear the perspective of the State Department regarding what is happening in Burma.

Yesterday we heard specific information on the nature of the military regime in Burma, including a firsthand account of the May 30 attack by government-backed group on Aung San Suu Kyi and her supporters. The witnesses also discussed the target of ethnic minorities, the oppression of political opponents, the failure of the regime to address the growing HIV, AIDS problems, and the involvement of the regime in the illegal drug trade and human trafficking. This morning I look forward to exploring United States Government policy with respect to the horrendous human rights problems in Burma and how we can more effectively help the people in that country.

I am especially eager to hear more from our government and how we can convince other nations in the region to join us in placing greater pressure on the Burmese military regime to respect basic human rights. It is my understanding that Mr. Sherman is en route and we will move on with the hearing. And we will allow Mr. Sherman an opening statement when he arrives. Did you have anything Mr. Pitts?

[The prepared statement of Mr. Gallegly follows:]

PREPARED STATEMENT OF THE HONORABLE ELTON GALLEGLY, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF CALIFORNIA, AND CHAIRMAN, SUBCOMMITTEE ON
INTERNATIONAL TERRORISM, NONPROLIFERATION AND HUMAN RIGHTS

OCTOBER 2, 2003

Today, the Subcommittee on International Terrorism, Nonproliferation and Human Rights and the Subcommittee on Asia and the Pacific are holding the second of two hearings on the human rights situation in Burma.

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Yesterday, we heard specific information on the nature of the military regime in Burma, including a first-hand account of the May 30th attack by a government-backed group on Aung San Suu Kyi and her supporters. The witnesses also discussed the targeting of ethnic minorities, the repression of political opponents, the failure of the regime to address the growing HIV/AIDS problem and the involvement of the regime in the illegal drug trade and human trafficking.

This morning, I look forward to exploring U.S. government policy with respect to the horrendous human rights problems in Burma and how we can more effectively help the people of that country. I am especially eager to hear what more our government can do to convince other nations in the region to join us in placing greater pressure on the Burmese military regime to respect basic human rights.

Now, I would like to recognize Mr. Sherman for an opening statement.

Mr. PITTS. Yes, briefly, Mr. Chairman. I have three statements from other ethnic groups I would like to enter to the record as a continuation of yesterday.

Mr. GALLEGLY. Without objection, we will make them a part of the record of the hearing.

Mr. PITTS. Thank you, Mr. Chairman. Thank you for the hearing very much. We appreciate your leadership on this. And I would like to reiterate for the Administration officials my concerns about the lack of assistance to the IDPs of Burma. And I just received a report a couple weeks ago, 30 Karin families in the Pawn district fled to the Thai border as a result of an offensive carried out again by the military in Burma. And the plight of the IDP should be addressed I think at the highest levels of our government and other governments in the UN. And I want to commend our government support for programs assisting refugees and democracy groups. But I think we should do more for the plight of the IDPs. And welcome the witnesses from the Administration. Thank you, Mr. Chairman.

Mr. GALLEGLY. I thank the gentleman and certainly want to reiterate the appreciation I have for his yeoman's job in addressing this issue bringing this significant issue to the attention of this Committee. Joe, you are truly to be commended and we appreciate your ongoing work. This morning, our first witness is Deputy Assistant Secretary Matt Daley. Mr. Daley has served the Bureau of East Asia and Pacific Affairs as Deputy Assistant Secretary since August 2001. After joining the U.S. Foreign Service in 1976, he was detailed to the Arms Control and Disarmament Agency and was involved in many arms control negotiations in Geneva, Switzerland.

More recently, he served as special assistant to the Assistant Secretary for East Asia and Public Affairs, Director of the Office of the Philippines Affairs, and is Deputy Chief of Mission of the American Embassies in Bangkok, Thailand and also New Delhi, India. As a reminder, I know that it is difficult to try to get your comments in 5 minutes but we will try to do that and then we are

going to have hopefully many questions. So Mr. Daley, welcome this morning.

STATEMENT OF THE HONORABLE MATTHEW DALEY, DEPUTY ASSISTANT SECRETARY, BUREAU OF EAST ASIAN AND PACIFIC AFFAIRS, U.S. DEPARTMENT OF STATE

Mr. DALEY. Mr. Chairman, thank you very much. I will try to get quickly through my remarks, although I was urged to drag them out so my colleague, Lorne Craner would have time to get here, but let me proceed as expeditiously if I can. And if I am taking too much time, I will hear from you. I begin by noting that we note the transfer of Aung San Suu Kyi to her residence. We were concerned about her health. The health questions have been answered for the moment, but many key questions remain unanswered. Will ordinary Burmese journalists, diplomats and others have free access to her? Is she going to be free to travel? Will her colleagues who were incarcerated after the May 30 attack on her motorcade be released? There are other questions that predate May 30.

Will the SPDC allow a meaningful role to the National League of Democracy in shaping the political evolution of Burma? What approach will be taken to the emerging humanitarian crisis? Will the NLD be allowed to resume its activities and its offices reopened?

We are not able to answer these questions today, Mr. Chairman. Our concern about a hunger strike, let me address very quickly. We had received information we thought credible that Aung San Suu Kyi was on a hunger strike. We acted upon it immediately and sounded the alarm. The ICRC subsequently was able to see her and reported that she was in good health. And on the day of her visit, she was not on a hunger strike, but then they noted they couldn't speak for either the past or the present.

In this connection, the allegation was made that our raising the alarm was intended to divert attention from the road map that had been announced from Prime Minister Khin Nyunt. That simply is not correct. I will address the road map later in my remarks. The fundamental political problem is that Aung San Suu Kyi, her colleagues are under detention and there is no ability to for democracy to function in Burma today and to play the role that democracy can play in addressing these other problems.

Mr. Chairman, we have been active on many fronts to deal with the empty promises that the SPDC has made in regard to the transition to democracy and improving human rights. On July 28, as you know, President Bush signed the Burmese Freedom and Democracy Act of 2003 and a companion Executive Order. Taken together, they impose measures that place a ban on the import of all Burmese products, a freeze on the assets of certain Burmese institutions and a ban on the export of financial services to Burma. These measures immediately disrupted the economy, particularly affecting industries that rely on exports to the United States. The garment sector was hardest hit and the junta has been unable or unwilling to assist affected businesses or their employees. The prohibition on financial services created instant difficulties for foreign Embassies, government agencies, NGOs and other institutions that

are reliant on the U.S. financial system for trade facilitation and dollar remittent services.

Among the many businesses that have been affected are the tourist industry. Travelers are unable to use traveler checks or credit cards that are denominated in dollars. As of August 1, the latest information the Treasury Department has provided to us, the asset freeze has captured \$680,000. These measures were put in place to send a clear signal to the junta to release Aung San Suu Kyi and other political prisoners and to move down the path to democracy.

We hoped, by reducing hard currency available to the regime, to exert pressure on them. This approach may be less successful if Burma succeeds in shifting its trade to other currencies. Unfortunately, the sanctions also affect ordinary Burmese. I note that some international NGOs have expressed concern about the destruction of the already troubled export sectors, especially the garment sector and their concern that it will lead to significant unemployment, a spike of economic migrants seeking illegal work inside of Burma or over the border in Thailand or China.

Within the first months—within the first couple months, we estimate that 40,000 garment sector workers lost their jobs. In the long-term the garment sector will probably lose about 100,000 jobs. Noes have expressed the concern to us that some of these women are seeking employment in the flourishing illegal sex and entertainment industries in Burma and on the Thai-Burma border. These effects are most unfortunate, but Burma's greatest misfortune is the junta's misrule and suffering of the Burmese people. We also believe, Mr. Chairman, that the effect of these particular sanctions may be irreversible given that the garment industry in Burma was already under question because of the impending end of quotas under the WTO agreement.

It is unlikely, we think, that even if we lift the sanctions that those factories and jobs will return to Burma. We persevere in our effort to have multilateral approaches to the SPDC. Secretary Powell is active in the ASEAN post-ministerial conference and ASEAN regional forum. We continue to call for lifting all the restrictions, all of our policy goals. We note that former Indonesian foreign minister Ali Alatas visited Rangoon as part of ASEAN's effort to deal with the circumstances in Burma. And we made clear to ASEAN that those circumstances as they exist today negatively affect international perceptions of Burma, international perceptions of ASEAN and the other individual ASEAN States.

It has already complicated our efforts to make progress on a trade and investment framework agreement with ASEAN. ASEAN invited Burma to join it, in part, to encourage it to adopt international norms and Burma has failed to do that. The international community, Mr. Chairman, with a few exceptions, has voiced strong support for our goals. I have seen real movement toward improving the human rights situation in Burma and democracy. We work particularly closely with our counterparts, Japan, European Union and Canada and continue to work with them today.

We have a dialogue with other countries in the region, including China and India, and we encourage to join the rest of the international community in articulating our goals and dealing with the

regime. I note that a broad array of countries from Asia, including China, supported the release of Aung San Suu Kyi in the statement that was released in connection with the Asian Europe meeting in July. Mr. Chairman, interest was expressed in China's relationship with Burma. It has undergone a radical transformation in the past decade as previously Sinophobic Burma turned to China for arms, investment, assistance and trade.

China, in turn, has gained important strategic access and influence in an area that in the past was largely inaccessible to it. Beyond its strategic access, China is active in economic development, investment and trade. Its counternarcotics efforts in law enforcement and development assistance in the opium-producing regions that are beyond the direct control of the direct SPDC far exceed our own modest support for the U.N. office of drugs and crime projects in Burma. But China's increased role could also be harnessed for change in Burma. We hope China will encourage reform, even as it differs sharply with us on tactics. It prefers a quiet behind-the-scenes effort and it rejects sanctions. I would like to add a brief observation, Mr. Chairman, on Burma's relationship with North Korea.

The DPRK, along with China, Russia and a few other countries, has a military supply relationship with Burma. We are mindful that North Korea has a proclivity for ignoring international norms and concerns about regional stability to sell arms including missile systems. An extra measure of concern thus attaches to transactions that involve Burma. Burma is fully aware of our concerns on this score. Our own relations with Burma are obviously under increasing strain. Nonetheless, we have received effective cooperation from the SPDC on issues that involve counterterrorism. Our request for enhanced security at our Embassy in Rangoon were addressed effectively and promptly. Rangoon is continuing to facilitate our efforts to account for the American servicemen who lost their lives in the Second World War and whose remains were not recovered. We remain in dialogue with Rangoon with regard to circumstances that would permit us to be more active in addressing the challenge of HIV, AIDS in Burma and in neighboring countries.

At present our funding for HIV, AIDS assistance in Burma is limited to independent international Noes. We provide no funds directly or indirectly to the government itself. We obviously have some important policy differences on foreign policy and domestic policy in Burma. In those areas such as the treatment of Iraq and multi-lateral fora, Burma has expressed its views clearly, but it has not launched or taken the initiative to try and complicate our purposes. In recent decades, Burma, has generally kept a low profile in multi lateral meetings. The dimensions of the narcotics in the golden triangle have changed in important ways. The production of opium in Burma has declined significantly in the last 5 years. In 1998, it was estimated at 1,750 metric tons. This year, the estimates place opium production at only 484 metric tons.

Surveys indicate that the heroin produced in Burmese opium is of comparatively small importance in the United States heroin market today. I mean, Burmese heroin appears to account for less than 10 percent of heroin sold in the United States. Trying to dredge up past statistics, 5 to 10 years ago, 12 years ago, my guess

it would have been well over 50 percent. Although the methamphetamines that are produced in Burma do not enter the United States in significant numbers, they do pose a significant threat to countries of the region, especially Thailand, an important American ally.

The President determined again this year that Burma had failed demonstrably during the previous 12 months to adhere to its obligations under international counternarcotics agreements. Our current level of activity in Burma on the narcotics issue is limited for both legal and policy reasons. Mr. Chairman, I think it is impossible to understand the nature of the narcotics problem in Burma without also addressing the ethnic minority and the insurgence aspects. The opium growing and methamphetamine production problem is centered geographically in ethnic areas where the writ of the Rangoon government does not substantially prevail.

In the Shan State, the United Wa State Army, the major narcotics syndicate in southeast Asia fields an unusually well equipped Army of over 20,000 men. While there are additional steps Rangoon could and should take in the area of law enforcement that would complicate the life of the United Wa State Army, there is no alternative in the near term to eliminate UWSA opium and methamphetamine production short of major military operations that would be problematic from a number of perspectives including a number of American perspectives. We realize, therefore, that resolving the narcotics problem within the borders of Burma is going to take time and it is going to involve activities such as crop substitution. It will also require the active participation of neighboring States that thus far have not halted the flow from their countries of the essential chemicals to the narcotics organizations and narcotics production.

Moreover, Mr. Chairman, I think it is important that we appreciate it is going to require progress on national reconciliation to reduce the perceived need by some ethnic groups to maintain their own military forces, forces that are funded by the proceeds of narcotics trafficking. I would like to underscore that not all of the various ethnic groups and organizations are involved in the narcotics trade. I certainly do not want to tar very many decent people and organizations with that brush.

Mr. Chairman in response to the events of May 30, many countries have joined us in denouncing the SPDC and calling for democracy in Burma. To date, none have adopted an investment ban, import ban or financial services ban as has the United States. We continue our conversations with our partners in the international community and particularly the European union and other European states that are not part of the EU in an effort to make these measures as multi lateral as possible and thus increase their effectiveness.

Whatever the effect of sanctions, Burma and its people desperately need economic policy reform. And this is the subject I think is beyond the reach of the expertise of the SPDC military group. Economic reforms are essential to curb inflation, provide a civilian employment and higher standards of living. While the SPDC has been active in infrastructure development projects and probably judges that the international community doesn't appreciate these efforts, these infrastructure projects have had other ef-

fects. They produce pressure for forced labor. It is a century-old practice. And they have diverted funds that we think would be better used for education and for health.

When meaningful political change comes to Burma, the international community will be quick to extend a robust and generous helping hand. Some have asked us for our thoughts on the recent shifts in the makeup of the SPDC. Frankly, we don't have any. We are not concerned with who occupies what position. We are concerned about the policies they actually implement. We are seeking new avenues of progress through multi lateral institutions, Mr. Chairman. Our representative, our permanent representative at the United Nations, Ambassador Negroponte raised the situation in Burma at the Security Council in July and we are now exploring how best to deal with this challenge in a multinational fora including the Security Council.

To this end, we stay in close contact with the secretary General's special envoy Ambassador Razali Ismail, who is now in Rangoon. And we look forward to having a report from Ambassador Razali on the results of his mission. I would note that he has encouraged the international community to allow the SPDC time to make progress on its own road map for change in Burma, once again offering the generals an opening to bring positive change to the country. I will be interested to see if that remains his view after he leaves Burma.

Mr. Chairman, I would like to close with the observation on the question of road maps that none of these road maps can be meaningful unless the Democratic opposition, including the NLD and including representatives of the ethnic minorities are allowed to play a meaningful role. The debate that has to take place right now in Burma is a debate on broad constitutional issues. It cannot be a debate that takes place only with the participation of the military and their allies and the civilian sector. The NLD has made plain to us that there will be an important role for the military institution in the future of Burma. And we know that national reconciliation will also entail national forgiveness for past actions. These are not principles that we can elaborate in detail for the Burmese. They must be able to do it and it must be an inclusive process. There can be no plan, no road map, no convention to consider a new Constitution, no genuine political dialogue without Aung San Suu Kyi and members of the NLD, many of whom remain under arrest in circumstances that are not well known to us or the international community. Mr. Chairman, let me conclude my remarks at that point. Thank you very much.

Mr. GALLEGLY. Thank you Mr. Daley.

[The prepared statement Mr. Daley follows:]

PREPARED STATEMENT OF THE HONORABLE MATTHEW DALEY, DEPUTY ASSISTANT SECRETARY, BUREAU OF EAST ASIAN AND PACIFIC AFFAIRS, U.S. DEPARTMENT OF STATE

Thank you Mr. Chairman for the opportunity to speak today.

I wish to begin by noting the transfer of Aung San Suu Kyi to her residence and the reports that she recovered quickly from surgery. At the same time, we need to suspend judgment on the exact import of this step. Many key questions remain unanswered. Will ordinary Burmese, foreign diplomats, journalists and others have free access to her? Will Aung San Suu Kyi be free to travel? Will her colleagues who were incarcerated after the May 30 attack on her motorcade be released? To

these questions, I would add others that predated May 30. Will the State Peace and Development Council provide for a meaningful role for the National League of Democracy in shaping the political evolution of Burma? What approach will be taken to national reconciliation, dealing with Burma's emerging humanitarian crisis, its health emergency and its economy? We will not be able to answer these questions today.

Mr. Chairman, our concern at the end of August about the possibility of Aung San Suu Kyi being on a hunger strike was effectively addressed by the International Committee of the Red Cross (ICRC) which was able to visit her on September 6. The ICRC reported that she was not then on a hunger strike and was "in good health," but allowed that they could not say whether that included "the past and the present." Our expression of concern prompted suspicion and allegations that we were attempting to divert attention from the "roadmap" that had just been announced by Prime Minister Khin Nyunt. Those suspicions were simply wrong. There was no connection between the two issues. I will address the roadmap later in my remarks.

However, the fundamental problem remains that Aung San Suu Kyi, her colleagues and other political dissidents remain under detention. As best we can determine, her circumstances today are those of house arrest, while many NLD leaders who were arrested following the May 30 attack on her motorcade are in prison. Our position remains unambiguously clear: Aung San Suu Kyi and all others who have been detained for nothing more than peacefully exercising such fundamental rights as the expression of their political views must be released immediately. The offices of the National League for Democracy should be reopened, and all Burmese allowed to voice their views and participate freely in the political process of their country.

We have taken an active role on many fronts to address the many empty promises made by the SPDC with regard to a transition to democracy and improving human rights. On July 28, President Bush signed both the Burmese Freedom and Democracy Act of 2003 and a companion Executive Order. Together they impose measures including placing a ban on the import of all Burmese products, a freeze of the assets of certain Burmese institutions, and a ban on the exportation of financial services to Burma. These measures immediately disrupted the economy in Burma, particularly affecting industries reliant on exports to the United States. The garment sector was hardest hit and the junta has been unable or unwilling to assist affected businesses or their employees. The prohibition on financial services created instant difficulties for businesses, government agencies, foreign embassies, NGOs and other institutions reliant on the U.S. financial system for trade facilitation and dollar remittance services. The tourist industry has been affected, with travelers unable to use credit cards or U.S. dollar travelers' checks. As of August 1, the asset freeze had captured \$680,000.

The measures now in place send a clear signal to the junta to release Aung San Suu Kyi and other political prisoners and move down the path to democracy. By reducing the hard currency available to the SPDC, we hope to exert pressure on them to restore democracy and bring an end to their extensive human rights abuses. This approach may become less effective if Burma succeeds in shifting its trade to other currencies. Unfortunately, the sanctions also affect ordinary Burmese. I note that some international NGOs have expressed concern that the destruction of already troubled export industries, especially the garment sector, will lead to significant unemployment and a spike in economic migrants seeking illegal work inside Burma or over the border in Thailand or China. Within the first month of sanctions, we estimate that more than 40,000 garment sector jobs were lost. In the long term, the garment sector will likely lose 100,000 jobs, most of which are filled by young women. We have credible reports that the concern voiced by some INGOs concerning the fate of these women is well founded and that some have entered the flourishing illegal sex and "entertainment" industries. Such effects are unfortunate, but Burma's greatest misfortune is the junta's misrule and the suffering of all the Burmese people, every day, under this military dictatorship. Much of the garment industry in Burma was already threatened by the impending end of quotas under the WTO's Agreement on Textiles and Clothing in 2005. It is therefore unlikely that the textile companies and their associated employment will return to Burma even if we elect to lift sanctions at some future point.

We persevere in our efforts to develop multilateral approaches to the SPDC. Following an unprecedented statement by ASEAN at its meeting in June in support of national reconciliation and dialogue and calling for the lifting of restrictions on Aung San Suu Kyi, we have continued a dialogue with key ASEAN member states. We note that former Indonesian Foreign Minister, Ali Alatas has recently visited Rangoon as part of ASEAN's effort to deal with the circumstances in Burma. We have made clear to ASEAN that the circumstances that exist in Burma today affect

negatively international perceptions of ASEAN and of the individual ASEAN states. It has already complicated our efforts to make progress on a Trade and Investment Framework Agreement with ASEAN. ASEAN invited Burma to join ASEAN in part to encourage it to adopt international norms; Burma has failed to do so.

Meanwhile, Thailand has proposed a "roadmap" toward democracy, envisioning the participation of the democratic opposition. However, I must stress the importance of seeing concrete steps taken with full participation of the democratic opposition and a real time frame established for a return to democracy in Burma. The international community, with a few exceptions, has strongly supported our goals of seeing real movement toward and real improvement in the human rights situation in Burma. We work particularly closely with our counterparts in Japan, the European Union, and Canada, and we are working with them on appropriate next steps. We continue to have dialogue with other countries in the region including China and India, encouraging them to join the rest of the international community in calling for Aung San Suu Kyi's release and for the junta to take concrete steps that would demonstrate its commitment to national reconciliation in Burma. I note that a broad array of countries from Asia, including China, supported the release of Aung San Suu Kyi in a statement released in conjunction with the Asia-Europe Meeting in July.

China's relationship with Burma has undergone a radical transformation in the past decade as previously Sinophobic Burma has turned to China for arms, investment, assistance and trade. China, in turn, has gained important strategic access to and influence in an area that in the past was largely inaccessible to it. Beyond its strategic access, China is active in economic development, investment and trade. Its counter-narcotics efforts in law enforcement and development assistance in the opium producing regions beyond the direct control of the SPDC far exceed our own modest support for UN Office of Drugs and Crime projects in Burma. But China's increased role could also be harnessed as a force for change in Burma. We hope China too will encourage reform even as it differs sharply with us on tactics, preferring a quiet, behind-the-scenes effort, while rejecting sanctions.

I would also like to add a brief observation on Burma's relationship with North Korea. The DPRK, along with China, Russia, and a few other countries have a military supply relationship with Burma. We are mindful that North Korea has a proclivity for ignoring international norms and concerns for regional stability in its effort to sell arms, including missile systems. An extra measure of concern thus attaches to transactions that involve North Korea. Burma is fully aware of these concerns.

Our own relations with Burma are obviously under increasing strain. Nonetheless, we have received effective cooperation from the SPDC on issues involving counter-terrorism. Our requests for enhanced security at our Embassy in Rangoon were addressed effectively and promptly. Rangoon has continued to facilitate our efforts to account for the American servicemen who lost their lives during the Second World War. We remain in dialogue with Rangoon regarding the circumstances that would permit us to be more active in addressing the challenge of HIV/AIDS in Burma and in neighboring countries. At present our funding of HIV/AIDS assistance activities in Burma is limited to independent, international NGOs, and we provide no funds directly or indirectly to the government itself. We obviously have differences with Burma on some important foreign policy issues. In those areas, such as the treatment in multilateral fora of Iraq, Burma has expressed its views without launching efforts that would complicate our own diplomatic initiatives. Burma in recent decades has generally kept a low profile in multilateral fora.

The dimensions of the narcotics problem in the Golden Triangle have changed in important ways. The production of opium has declined significantly in Burma over the last five years. In 1998, it was an estimated 1750 metric tons; this year, recent estimates place production at only 484 metric tons. Surveys indicate that heroin produced from Burmese opium is of comparatively small importance in the U.S. heroin market. By that I mean that Burmese heroin appears to account for less than ten percent of heroin sold in the U.S. Although methamphetamines produced in Burma also do not enter the United States in significant numbers, they do pose a significant threat to the countries of the region, especially Thailand, an important American ally. The President determined again this year that Burma had failed demonstrably during the previous twelve months to adhere to its obligations under international counter-narcotics agreements. Our current level of activity in Burma on the narcotics issue is limited for both legal and policy reasons.

It is impossible to understand the nature of the narcotics problem in Burma without addressing the ethnic insurgent aspects. The opium growing and methamphetamine production problem is centered geographically in ethnic areas where the writ of the Rangoon government does not substantially prevail. In the Shan State, the

United Wa State Army, the major narcotics syndicate in Southeast Asia fields an unusually well equipped army of over 20,000 men. While there are additional steps that Rangoon could take in the area of law enforcement that would complicate the life of the UWSA, there is no way in the near term to eliminate UWSA opium and meth production short of major military operations that would be problematic from a number of perspectives. We understand, therefore, that resolving the narcotics problem within the borders of Burma will take time and involve activities such as crop substitution and will require the active support of neighboring states that thus far have not halted the flow from their countries of essential chemicals to the narcotics organizations. It will also require progress on national reconciliation to reduce the perceived need by some ethnic groups to maintain their own military forces that are funded by the proceeds of narcotics trafficking.

In response to the events of May 30, a great many countries have joined in denouncing the SPDC and calling for democracy in Burma. However, none have yet adopted an investment ban, import ban or financial services ban as has the United States. We continue our conversations with our partners in the international community, in particular the European Union, in an effort to make these measures as multilateral as possible and, thus, increase their effectiveness.

Whatever the effects of sanctions, Burma and its people desperately need economic policy reform, a subject that often seems to be beyond the reach of military expertise. Economic reforms are necessary to curb inflation, provide civilian employment and higher standards of living. The SPDC has indeed been active in infrastructure development projects and perhaps judges that the international community has not sufficiently appreciated its efforts. But such expenditures have had other effects, such as producing pressures for forced labor, a centuries old practice in the area, and taking funds that would be better used for education and health. When meaningful political change comes to Burma, the international community will be quick to extend a robust and generous helping hand. Some have asked us for our thoughts on the recent shifts in the makeup of the SPDC. These changes will only be meaningful if they are accompanied by a meaningful change in policies. The hopes of the Burmese people for freedom and democracy have been put on hold for too many years. The United States and the world call on the junta in Rangoon to make good on its pledges to fulfill these hopes.

The Administration also seeks new avenues to progress in Burma through multilateral institutions. Ambassador Negroponte raised the situation in Burma at the United Nations Security Council in July. We are now exploring how best to deal with this challenge in multinational fora, including the UN Security Council. To this end, we stay in close contact with the Secretary General's Special Envoy for Burma, Ambassador Razali Ismail, as he seeks to encourage the development of a dialogue in Rangoon. I note that Ambassador Razali recently encouraged the international community to allow the SPDC time to make progress on its own "roadmap" for change in Burma, once again offering the generals an opening to bring positive change to their country. Ambassador Razali has just departed Burma and we look forward to receiving a readout on his mission. But I wish to reiterate that the immediate release and full participation of Aung San Suu Kyi and the other leaders of the NLD will be of paramount importance to the success of any such roadmap. The democratic opposition, including the NLD and the representatives of the ethnic minorities, must be allowed to play their indispensable role in Burma's future. To be meaningful, any roadmap will have to have a timeframe. In all of this, we are realists. We know that democracy and human rights will not be achieved in the coming weeks. We know also, as the NLD has made plain to us, that there will be an important role for the military institution in the future of Burma. We know that national reconciliation will also entail national forgiveness for past actions. But these are not principles that we can elaborate in detail for Burma. The Burmese themselves must elaborate them. But this must be an inclusive process.

There can be no plan, no roadmap, no convention to consider a new constitution, and no genuine political dialogue without Aung San Suu Kyi, the representatives of the National League for Democracy, and other members of the democratic opposition currently held under house arrest or in prison along with the other political prisoners.

Mr. GALLEGLY. And I apologize to the Committee, but I just received notice I have been summoned to the Intelligence Committee and a lot of things are happening, as you know. And after I introduce Mr. Craner, I will turn the gavel over to Mr. Pitts, who is more than capable to address this issue and I appreciate your understanding. At this time, as I said I would like to welcome Assist-

ant Secretary Lorne Craner. Mr. Craner was sworn in as Assistant Secretary of State for Democracy, Human Rights and Labor on June 4, 2001. Mr. Craner coordinates U.S. foreign policy and programs that support the promotion and protection of human rights and democracy worldwide.

Prior to his appointment, he served as President of the International Republican Institute, which conducts programs outside the United States to promote democracy, free markets and the rule of law. He served as the President of IRI from 1995 until assuming his current appointment.

Welcome, Mr. Craner and for Mr. Daley's sake and Mr. Craner, anything that you have beyond the summarizing of your statement will be placed in the record in its entirety, without objection.

STATEMENT OF THE HONORABLE LORNE W. CRANER, ASSISTANT SECRETARY, BUREAU OF DEMOCRACY, HUMAN RIGHTS AND LABOR

Mr. CRANER. Let me apologize for being a little late this morning. I want to thank all of you for scheduling this hearing. I read the accounts both from my staff and the newspapers of yesterday's hearing, and everything you are doing to keep attention focused on these egregious rights abuses is very much appreciated, both in the Administration and I know also in Burma. I can assure you this morning of the great interest of the President and Secretary of State in these issues. I was in New York last week and had the opportunity to know that both of them were pushing the Burma issue very, very hard in their meetings up there. I know you are short on time today. I therefore ask that my written statement be submitted in place of my opening statement in the interest of going straight to questions.

[The prepared statement of Lorne Craner follows:]

PREPARED STATEMENT OF THE HONORABLE LORNE W. CRANER, ASSISTANT SECRETARY, BUREAU OF DEMOCRACY, HUMAN RIGHTS AND LABOR

Mr. Chairman and Members of the Subcommittees, I know that the press of legislative business is heavy this late in the session, so I want to begin by expressing a special thanks to the Committee for holding this hearing. I appreciate the time on the Committee's calendar because we believe that it is important to keep up the unprecedented momentum that has been generated within the international community to press for change in Burma. We believe the hearing is helpful. Currently, we are preparing for the U.N. General Assembly meetings in New York and the APEC meetings in Thailand. Both offer opportunities to reiterate our demand for change.

My message to you today is to reiterate this Administration's unwavering commitment to support the long-suffering people of Burma as they battle for democracy, improved human rights, and freedom. As President Bush said when he signed the *Burmese Freedom & Democracy Act of 2003* and notified Congress by letter and Executive Order that he was extending sanctions:

"The U.S. will not waiver from its commitment to the cause of democracy and human rights in Burma. The U.S. has raised the situation in Burma at the UN Security Council and will do so again as developments warrant. The world must make clear—through word and deed—that the people of Burma, like people everywhere, deserve to live in dignity and freedom, under leadership of their own choosing."

President Bush also cited Burma in his Captive Nations Proclamation and his statement in support of Victims of Torture on United Nations International Day, when he said, "Notorious human rights abusers, including . . . Burma . . ., have long sought to shield their abuses from the eyes of the world by staging elaborate deceptions and denying access to international human rights monitors."

Exactly three months ago I testified before the Senate Foreign Relations Committee and expressed my outrage and disgust at the actions taken by the illegitimate Burmese regime. Unfortunately, serious problems remain and even intensified and I have no good news to report to you today.

Last week marked the 100th day that Aung San Suu Kyi has been detained in prison with virtually no access to visitors. You have heard it before but I will emphasize it again: the generals must release immediately and unconditionally Aung San Suu Kyi and all political prisoners languishing in Burma's jails and begin to take concrete steps toward true democracy. We will settle for nothing less.

There is unprecedented within both the executive and legislative branches of the U.S. Government to intensify pressure on the regime. We have taken the lead in instituting new sanctions against the regime and Mr. Daley from the Department's East Asia and Pacific Bureau will be updating you on their implementation. Our efforts also have succeeded in galvanizing members of the international community to join us—some publicly and others privately—in pressuring the Burmese regime. We are still urging more concrete action from other nations, especially Burma's neighbors in the region.

Over the past months, our worst fears for democracy in Burma have been realized. We have always doubted the sincerity of the junta's claim to desire a peaceful transition to democracy. Now we know our doubts were justified. The junta's orchestration of the ambush of Aung San Suu Kyi and her supporters on May 30, her imprisonment, and the junta's refusal to account fully for what happened that day leaves no room for debate. The junta calling itself the State Peace and Development Council (SPDC) rules through fear and brutality with complete disregard for the rule of law, human rights and fundamental freedoms, and the hopes and welfare of the Burmese people. Their recent actions make clear the depths to which these thugs will sink to retain power. Our response has been equally clear.

The SPDC's renewed campaign of violence and repression against the National League for Democracy (NLD) and Aung San Suu Kyi shows the junta's blatant disregard for the basic rights of the Burmese people and the desire of the international community to see those rights protected. The most recent crackdown is just one link in a long chain of appalling behavior toward the people and the nation that the military regime claims to be protecting.

The SPDC's disregard for human rights and democracy extends to almost every conceivable category of violation. The junta suppresses political dissent by censorship, persecution, beatings, disappearances and imprisonment. It harasses ethnic minorities through brutal campaigns against civilians. It sharply curtails religious freedom. It subjects its people to forced labor. It recruits children to serve in the military contrary to international law and then brutalizes them.

The litany of abuse endured by civilians in ethnic minority regions is especially deplorable. We remain deeply troubled by widespread and brutal rapes, torture, murders, forced relocations, forced labor, confiscation of property and suppression of religious freedom in Burma's ethnic minority regions. The violation of the human rights of these individuals belonging to minority groups has devastating effects on individuals, their families and communities but also has regional and international implications.

The oppression of the Burmese junta places huge burdens on its neighbors. Victims of the brutal abuses listed above and those fleeing economic oppression continue to stream into Thailand, Bangladesh, India and other countries in the region for refuge. Thailand hosts more than 140,000 Burmese in refugee camps along the Thai-Burma border and its Burmese migrant population is estimated to be nearly one million people.

We remain deeply concerned for the vulnerable Burmese population living in Thailand and we support them in every way possible. We have encouraged Thailand to improve its migrant worker policies, to move toward acknowledging bona fide refugees among their Burmese migrant population, and at a minimum, to become a Party to the 1967 UN Protocol to the 1951 Refugee Convention.

With funding from the Burma earmark, we support many Burmese democracy groups in Thailand. U.S. Government-funded programs focus on democracy and capacity-building activities and the collection and dissemination of information on democracy and human rights. We also provide scholarships to send Burmese students to Thailand or the U.S. to study law and governance. All these USG funds are used to promote democracy in Burma and prepare many of Burma's future leaders for good governance after transition.

The widespread use of forced labor by the SPDC has been an ongoing concern to the United States and the International Labor Organization (ILO). Forced labor is one of the most egregious violations of worker rights. Since the ILO's request to its constituents in December 2000 that they review their relations with Burma in light

of the system of forced labor, the ILO has been trying to work with the SPDC to eliminate forced labor. But as the ILO liaison officer in Burma said recently, forced labor continues to be a serious problem especially in border areas controlled by the military.

The SPDC has tried to appease the international community through slow increases in the level of cooperation with the ILO, but this has yet to lead to any serious action to combat the problem. In May, the SPDC and the ILO agreed on a plan of action to eliminate forced labor, which if implemented in good faith could have produced some substantive progress. But the International Labor Conference decided in June that the climate of uncertainty and intimidation created by the events of May 30 did not provide an environment in which the plan could be implemented in a credible manner. Forced labor is yet another area in which the SPDC continues to evade its responsibility to protect the basic rights of the people of Burma and shows disdain for the rule of law.

Our recent report on Trafficking in Persons sheds further light on the problem and the Burmese regime's insufficient response. Burma is a Tier 3 country in the 2003 Report issued under the Trafficking Victims Protection Act of 2000. On September 9th, the President imposed sanctions pursuant to that law.

The SPDC's practices of using child soldiers contrary to international law are egregious. In October 2002, Human Rights Watch estimated that nearly 20% of Burma's army of 350,000 were under 18: as many as 70,000 youths, some as young as eleven. It also reported, based on evidence provided by those who had fled Burma, that these boys are often kidnapped from bus stations, local markets, and other public places, and forced to fight against rebel insurgencies armed with machine guns, grenades, and land mines, often under the forced influence of amphetamines and alcohol. Boys who refused to train or fight are reportedly beaten, whipped, or otherwise tortured, sometimes to death. It is impossible, at this time, to verify these reports inside Burma. However, my bureau is working with our embassy officers in the field to plan for special investigative attention to high priority human rights issues in Burma, including the brutal use of child soldiers by the Burmese military. We will do what we can to continue to shed light on these atrocities.

In addition to special reporting, we are working through multilateral channels to make progress in combating the use of child soldiers. The U.S. has recently ratified the Optional Protocol to the UN Convention on the Rights of the Child on the Involvement of Children in Armed Conflict. We also consistently co-sponsor resolutions on Burma at the UN General Assembly and the UN Commission on Human Rights that condemn the deplorable human rights situation in Burma and call for an end to the recruitment and use of child soldiers contrary to international law. The U.S. also recently supported a UN Security Council resolution that calls upon "all parties to armed conflict, who are recruiting or using children in violation of the international obligations applicable to them, to immediately halt such recruitment or use of children." It should also be noted that some ethnic minority rebel groups in Burma have also been reported to force children to take up arms, especially the Wa which have the largest ethnic army.

The Burmese regime systematically represses religious freedom, with the secret policy infiltrating virtually all religious groups and repressing the rights of religious freedom for believers of many faiths. Buddhist clergy are restricted from promoting human rights and religious freedom, minority religions are prohibited from constructing new places of worship, and minority Christian groups have had their churches destroyed and clergy arrested.

Throughout Burma, there is no freedom of association, no freedom of expression, no freedom of the press. Well over 1,000 political prisoners languish in Burma's jails and the arrests and unlawful detentions continue. We need to keep the most disturbing fact at the front of our minds: these individuals, mostly students, teachers and lawyers, were unjustly arrested—often arbitrarily—and are being held under abhorrent conditions for peaceably promoting democracy and freedom. In addition to Aung San Suu Kyi, at least 100 NLD supporters were detained, or are missing or dead after the incident in late May. NLD leaders both young and old were targeted in this assault. Today, we continue to fear for the welfare of senior leader U Tin Oo and other senior NLD leaders under detention. We will not forget any of these extremely brave individuals who put their lives on the line over the past two decades to stand for justice, democracy, freedom, rule of law and the right to be heard. We, together with the international community, have pressed for the immediate and unconditional release of all political prisoners at every opportunity. We will continue to do so until every prisoner is released to live a life in freedom and peace.

The State Department also will continue to report honestly and accurately on the crimes of the SPDC in our reports on human rights, religious freedom, and traf-

ficking in persons. The truth will not be hidden. The oppression of an entire nation must not stand.

The international community must pull together as never before to put an end to the unchecked abuse perpetrated by this illegitimate and brutal junta. The generals must learn that such appalling behavior will deny them the benefits of participation in the global community and eventually will deny them the ability to maintain the power that they so consistently abuse and that they stole from the legitimate democratic leadership of Burma in 1990.

I'd like to close where I began, by emphasizing that this Administration is unwavering in its commitment to support the long-suffering people of Burma as they battle for democracy, improved human rights, and freedom. When President Bush signed the Burmese Freedom and Democracy Act he acknowledged that the act was the result of close cooperation between the Administration and Members of Congress on both sides of the aisle. We appreciate Congressional resolutions and statements that call for democratic change and human rights in Burma. We want to work closely with Congress to speak with a unified voice so that there can be no doubt that it is U.S. policy that the generals must release immediately and unconditionally Aung San Suu Kyi and all political prisoners languishing in Burma's jails and begin to take concrete steps toward true democracy. Again, we expect nothing less.

Mr. PITTS [presiding]. Thank you, Mr. Secretary. Gentlelady from Minnesota, are there any questions?

Ms. MCCOLLUM. Thank you, Mr. Chair. Part of what is at times alarming is the amount of refugees that are trapped in Burma who would very much like to escape the terrible oppression and disrespect to their dignity as individuals. Yet the Thai government is—feels it is at a saturation point. And the Thai government tries to keep—I am interpreting it as an open line of communication because they would like to see the situation resolved, changed, so they are in a very unusual predicament. What is the international community and what is the United States Government doing to support Thailand in this refugee buildup?

Mr. DALEY. Thailand today hosts approximately 140,000 displaced persons and refugees in camps that are distributed for the most part along the Thai-Burmese border. The main multi-lateral mechanism trying to help Thailand deal with that is through the United Nations high commissioner for refugees, that office, which we help fund to a considerable extent as do other members in the international community. Certainly we can't claim credit for it all.

We also provide well over \$5 million of assistance from our democracy and human rights funds, from our refugee moneys and from our agency for international development moneys to help support this population in different aspects of their well-being, whether it is health, nutrition, clothing and so forth. And we have done that for a very considerable period of time. We also resettled Burmese refugees who have expressed an interest of resettlement in the United States. And we have had more than adequate resources in terms of resettlement numbers and the accompanying dollars to take those who express an interest in coming here. And we work with other international partners, such as Australia, Canada, various European countries on the resettlement aspects of the effort.

Some of the assistance that we provide goes to organizations which try to provide as difficult as it is, services to displaced persons—internally displaced persons within Burma. That is not easy because of the terrain and it is not easy because of the fighting and the potential for encountering narcotics traffickers or one kind of unpleasantness or another. It is a very major challenge.

Ms. MCCOLLUM. Thank you. I am concerned that we do what we can to help Thailand in this, because it is one of the few countries in the area which many individuals to find themselves in governments that do not support human rights and commit horrific crimes against their own population flee to. I am from St. Paul, Minnesota. We have a large Hmong population. Many, many of my constituents came through Thailand and Thailand has been facing this when you accumulate the amount of refugees that have been going through for a long time and they would also like to see their own country grow and prosper.

I have a question also on one of the sources of humanitarian relief and self-development that you mentioned, and that is the education opportunities that are afforded some individuals that are refugees from Burma. And I am wondering how that is going. My question is because I also serve on the Education Committee. And we are having horrific problems and challenges with our higher education institutions in getting student visas approved, even for people to come back and finish college in which they have started. If you are a physician, you go home for 6 months, sometimes you can't get back in to finish your medical school. Is there any preferential treatment that is given these refugees or are they in the same mix as all the other international students?

Mr. DALEY. Ms. McCollum, first, I take and I have no quarrel with your point that it is very important for us to support Thailand as it deals with not only refugee population and displaced persons from Burma, but from other areas in the region as well. We are going through a very difficult patch on processing visas. It is a subject where we have—an area where we have considerably improved and toughened the issues for visa process. The process is a much lengthier process. I think the main distinction between the ordinary person abroad who would want to come here for education and someone from the Burmese population that has made its way to Thailand is that we are in a better position to provide funding to the refugee population in various guises that would not be available to people who don't meet that category or that definition.

And I would have to provide you—I don't have the data now on how many people we sponsor each year, but I would be happy to get that information and send it to you and to the Committee.

Mr. PITTS. The lady has a follow-up question?

Ms. MCCOLLUM. I am sorry, Mr. Daley. It is not a question of financial aid to the students. It is a question of process. It is a question of getting a visa application to attend a university or school here in the United States. It is a question of the higher education institutions having been given an unfunded mandate by the Department of Homeland Security and all kinds of vail threats that they don't comply. They are having problems with the students' visas being approved and then their responsibility for tracking the student once they are here.

My question was, is our government giving international students preferential treatment when they are part of the programs that you described that are targeted toward promoting democracy and our form of capitalist economic government to those students or maybe you are not aware?

Mr. DALEY. Let me try again. You have pinpointed some very real problems in the visa process, particularly for educational institutions that function on a firm time schedule. With respect to the people that were promoting for democracy and are part of our programs, we probably do a better job because we are involved in the process earlier and we get their applications going through the system earlier so they probably have in that sense—I wouldn't say preferential treatment, but they are dealt with and subjected to less arbitrary delays. But there is not a day that goes by when I do not receive a very well grounded and loud complaint from somebody I have known personally for some period of time on the problems occasioned by very decent people not getting visas in a timely way everyday.

Mr. PITTS. The Chair thanks the lady. The gentleman from Ohio.

Mr. CHABOT. Thank you. Secretary Daley, I might say an aside, when I married my wife 30 years ago, her maiden name was Daly without the E and I was interested in politics at the time, and we always thought that would have been a better name to go with than the name I was stuck with, considering the mayor of Chicago who was very popular at the time. In any event, my question is this: If Aung San Suu Kyi had become the leader of Burma, as she certainly should have, since she won the election in 1990, what type of leadership do you think that she would have carried out for Burma and what changes in the country might we have seen and what could we see if the peoples' will were actually what happened in Burma?

Mr. DALEY. I think, sir, the changes would have been enormous, because and I hope I don't get involved in a dispute with my colleague here. I think that democracy and human rights, sir, are not the same thing. One can have a system where majority rule prevails and minority rights are trampled upon. But I don't think that there is any prospect for improving the issues of minority rights unless you have a democracy. I think it is essential. And so to begin with, her coming to having the results of the election go the way they should have and been honored would have produced a much more open political system that would created, I think, enhanced possibilities for national reconciliation between the different peoples of Burma. And that would be of enormous of importance in a lot of other areas such as the narcotics area.

Secondly, had her government come to power—had a government—she was not actually a candidate for office herself. But had the NLD been able to form a government, the international community would have made, very, very significant efforts to assist with Burma's economic development, with its health problems, the whole range of problems. We would have been there in a major way. I think our strategic interests would have benefited because Burma, in its isolation, would not have turned to other countries that, quite frankly, do not place the same emphasis as we on democracy, on human rights and countries which may have their own strategic objectives that are not necessarily the same as ours. It would have been an enormously different circumstance.

Mr. CRANER. The only thing I would add is you have to consider what a naturally wealthy country Burma is. There is no reason for Burma's economy to be in the miserable shape it is in today except

the policies of its government. And I think had Aung San Suu Kyi or those around her been leading the government, the people of Burma would be much, much better off economically. I think they have a much better sense on how to handle the country's economy. In addition to all the aid that would have been given, you would have found a country that, on its own, naturally is quite capable of having an excellent economy.

Mr. CHABOT. Sounds quite a bit like Iraq.

Mr. CRANER. It has a huge amount of potential that is being squandered.

Mr. CHABOT. Thank you very much. I yield back the balance of my time, Mr. Chairman.

Mr. LEACH. Let me express my great appreciation for your leadership on these Burmese issues. I know of no more sensitive country circumstance in the world in which more good could come to a country if its leaders shifted gears than Burma. And the fact that they have not is a tragedy for the world. We all watch Burma with great affection and closeness and sadness. And I think we are all obligated as citizens of the world to express our concerns for the human rights dilemma, and certainly for the symbol of that dilemma, Aung San Suu Kyi.

In any regard, I just want to indicate that we are very appreciative of the good leadership at the State Department on this issue. Mr. Daley, you are well known to this Committee and we are very much appreciative. And Mr. Craner, you are welcome as well. And I can think of few things that American foreign policy could turn more swiftly than on a series of political developments in Burma. And I think there is no country in the world more desirous of shifting policy than the United States, but nothing can occur until the Burmese change themselves, and that is up to the Burmese to do. And so we watch with great care and great interest. Thank you.

Mr. PITTS. Do you have any questions?

Mr. LEACH. No, I don't have any questions.

Mr. PITTS. Mr. Daley, we heard testimony that there are over 1 million internally displaced people in Burma who cannot flee to refugee camps, both because of the hostile environment or because the Burmese troops are blocking their way. Can you detail what our government is doing to provide cross border humanitarian assistance to these people? Are we doing anything? If so, what? Can we do more?

Mr. DALEY. Mr. Pitts, there is a fair amount of traffic across the border in both directions, and I believe that some of the assistance, humanitarian assistance which we provide in Thailand does end up benefiting some of the populations inside of Burma. I doubt very much that it is in any way adequate to the challenge that is faced. The nature of our current relationship with the Burmese government is such I doubt we would have their cooperation in running major programs. And most of the funding in this area actually, I believe, goes from Secretary Craner's bureau to the National Endowment for Democracy. And I am reluctant to detail or identify the groups that are involved in that, because I would not inadvertently want to complicate their ability to continue their work.

Mr. PITTS. Mr. Craner, do you want to elaborate?

Mr. CRANER. The funding that is provided on the border, mainly my bureau covers a range of activities on efforts to keep people informed of what is actually going on in their own country and the outside world. We also offer scholarships for people to come the United States, Great Britain and other places, and to maintain the ability of the NLD in the liberated areas as they call them to continue to function and basically to try to keep them in shape in addition as a political party as best we can to teach the functionings of internal democracy within parties.

And finally, I would say to enable them to continue planning for the day when Burma is a free country and it can live up to its potential.

Mr. PITTS. So there are groups that we do provide funding for who do work with IDPs; is that correct?

Mr. CRANER. Groups that we provide funding to that work with refugees on the border and also work with people inside, but I don't want to mislead you. We are not able to provide a great amount of funding within Burma for IDPs because of the thinking we have on working on inside Burma. And also, I think more importantly, because of the conditions inside Burma itself.

Mr. PITTS. If you could provide the Committee with a list of the groups that you provide funding for. What is our position regarding the humanitarian groups that go into Burma with humanitarian aid? Do we condemn those groups? What is our position, our government's position on that?

Mr. CRANER. We don't condemn those groups. Much of the assistance we provide enables humanitarian and Democratic groups to work inside Burma, so they are not condemned.

Mr. DALEY. Mr. Chairman, I would add that we do make a distinction between groups that are involved in purely humanitarian activity and groups that are involved in supplying insurgent forces. We stay away from the latter. I think—one thing we have not done and I would not try to hazard a guess is what the outcome would be to seek to provide humanitarian assistance ourselves with the consent of the authorities in Rangoon.

Mr. PITTS. Let me just explore that a little further. What if the humanitarian groups just provide security for themselves, to protect themselves and their borders to go in and deliver food and medicine. Do we frown on that?

Mr. DALEY. Mr. Chairman, when people—if you mean by security bearing arms in a war zone, we would not want to be involved in funding that activity. I would note that that kind of activity would put the groups in question potentially at cross purposes with Thai law and regulation and create hazards for Thailand and thus jeopardize the ability of other groups that are not involved with weaponry and such to continue their humanitarian mission. And so, yes, we would frown on that, sir.

Mr. PITTS. Yesterday we received testimony what the ethnic minority leaders described as crimes against humanity, basically ethnic cleansing. What is the State Department's view on this and whether or not the systematic attacks against ethnic minorities constitute, according to the international definition, genocide? What is the State Department's view?

Mr. CRANER. Mr. Chairman, we do not see—we do not have the information available yet to be able to say that these crimes and their crimes rise to the level of genocide. As of earlier this year, we are aggressively seeking to gather information both on the rape issue and now on the child soldiers issue, including working with some on this Committee to see if we can gather enough information to be able to make that kind of judgment.

Obviously, the process of gathering information inside Burma is very, very difficult. But what we are doing is working with people on the border as they come out to try and gather that kind of information that would enable us to make a more informed judgment.

Mr. PITTS. I have a stack of reports here from the ethnic minorities on systematic rape and other atrocities. We would be happy to provide these to you. Have you met with the organizations that work with these ethnic minorities?

Mr. CRANER. Absolutely. A member of my staff has out there earlier this year and I suspect she has all of those in her office.

Mr. PITTS. And that is not enough documentation for you?

Mr. CRANER. She was also able to interview people on the border.

Mr. PITTS. And that is not enough documentation?

Mr. CRANER. Not to be able to say that it is genocide, no.

Mr. PITTS. All right. Just to conclude, the United States is preparing for the U.N. security council action. Are we preparing for action on Burma and will the United States request an open session of the U.N. Security Council briefing by U.N. Ambassador Ismail on his assessment of the current situation in Burma?

Mr. DALEY. Mr. Chairman, about 6 weeks ago, we were actively involved in trying to make it possible for that to happen, and we are in discussions with other members of the security council and with the senior leadership of the United Nations in New York. There was opposition to doing that and we were not able to go beyond the subject being raised by Ambassador Negroponte in his capacity as the United States representative. More recently, Ambassador Razali Ismail suggested to us that this is not a good time to raise it in the United Nations security council. He wanted to take his trip to Burma, have his meetings and he is there now. When he returns, we look forward to talking to him.

But again, as I mentioned in my prepared remarks, trying to deal with this issue in the security council is one of the options that we are keeping under active review.

Mr. PITTS. Mr. Craner?

Mr. CRANER. Nothing to add.

Mr. PITTS. Could you elaborate who in the U.N. resisted and why—what were the reasons?

Mr. DALEY. Mr. Chairman, if you indulge me, I would rather not answer that question because we hope to turn some of those countries around and naming them now might complicate the process of getting them to take a different posture in the future.

Mr. PITTS. Could you provide us with a list of actions and at what level they will take place at which you will raise these issues with the UN?

Mr. DALEY. I can do so in kind of broad general terms, and I can see what additional information I can gather. I will be going to New York tomorrow, which is the principal focus of my activities.

Mr. PITTS. One final thing. When I was in Thailand in January, the announcement by the prime minister that they were closing down the democracy activist offices occurred, can you elaborate on what our government has done or the State Department as far as the issue of the Thai prime minister's crackdown on the democracy and humanitarian groups. Have we raised these issues with the Thai government?

Mr. DALEY. We continue to have a dialogue with the Thai government on not only the democracy groups but the plight of non-political individuals from other countries that are in Thailand. It is more than a staple of our discussions. I would note, for example, that yesterday, the Committee and the government learned of a particular problem that Dr. Cynthia's clinic is experiencing. We are through our Embassy in Chiang Mai immediately in touch with her directly to discuss exactly what was going on and the nature of the problem. And on the same day, we—that is Thursday, today, Bangkok's 12 hours ahead of us, we raised the question with senior levels in the foreign ministry.

As particular problems come up, we try to work with the Thai government to try and find solutions to them.

Mr. PITTS. Thank you. Any other questions? Gentlelady from Minnesota.

Ms. MCCOLLUM. Thank you, Mr. Chair. I recently put in a bill to normalize trade relations with Laos, one of the four countries we have diplomatic relations but we have no trade relations. And from the testimony, I heard testimony yesterday and listening carefully to what you said and what is in some of the written testimony, I want to first make clear that Laos is a repressive government. It has many violations of human rights. It has some Hmong refugees in the forested area, which I am very concerned about. But from my conversations with Ambassador Hartwick on that, Laos looks like it is a much—it is much further along right now in working toward religious freedom and having an open dialogue and being more transparent and more open to criticism on how they should improve their human rights than Burma is.

We currently have normalized trade relations with Burma. Has there been any discussion about changing that?

Mr. DALEY. Ms. McCollum, the Administration very much appreciates your introducing the legislation because in the case of Laos, we see normal trade relations as one of the avenues that is going to help open up the country and help mitigate the very bad circumstances that exist on a number of fronts there. So we see this as a mechanism to achieve our objectives.

In the case of Burma, we have stopped the import of all Burmese products on a commercial basis, so we don't have trade from Burma to the United States. Exports from the United States to Burma, with the exception of arms, are generally allowed, but that is a relatively small trade. It is something on the order of \$10 million a year.

Ms. MCCOLLUM. Mr. Chairman, just one other follow up dealing with trade. Sometimes actions have totally unintended consequences. And so some of the actions that we have taken with trade in Burma affecting the textile industry appears to have had a very, very unintended consequence of putting women in par-

ticular out of work and putting them into the occupation of becoming a sex worker out of total lack of desperation. Are we, as a government, as a people who care about human rights and women's rights, are we developing ways in which to reach out to these women, in particular, to turn that around, offer them hope and opportunity? I know we have challenges with the government, but if those women in particular, make it to Thailand, are we extending extra effort not punishing them for what they did to feed themselves and to feed their families, but helping them to turn their lives around?

Mr. DALEY. Two-part answer: First, if they do make it to Thailand, we will be very sympathetic and try to do whatever we can to help them through the kinds of programs that we have in place now. They will not be subject to discrimination because of steps that they may have taken and extremes to feed themselves and their families. Within Burma, some of our best information on this subject comes from international Noes that have been active in the specific neighborhoods where the textile industry has been predominantly located and we have received some very good reporting from them on this. It is my hope that within the relatively near future that we will receive some ideas from them on steps that can be taken directly to address the plight of these women, but we don't have that.

Ms. MCCOLLUM. Thank you gentlemen. Thank you so much, Mr. Chair. And I really appreciate your comments on Laos although that is not the purpose of the hearing and pleasure to work with you on that. I concur with your view of that—what is happening there. Indonesia and the Philippines have been more forceful for pressing for Aung San Suu Kyi's release than the rest of ASEAN, especially Thailand. As President Bush prepares to head to Bangkok for the upcoming APEC summit, are we sending positive feedback to the Indonesians and Filipinos. What are we doing to pressure the Thai government? Do you know is the President planning to say anything about Burma during his ASEAN trip?

Mr. DALEY. With respect to Indonesia and the Philippines, we have been in an active dialogue that has been conducted not only at the working levels, at level, but this is the subject that the Secretary of State and the President have raised in their bilateral meetings and in multi lateral fora. Specifically, the President will raise this topic when he goes to Thailand. I would phrase our approach a little bit differently. I think we have to try to work with and support Thailand rather than to pressure them. I don't think an approach to pressuring Thailand is going to help us achieve the objectives we want. So I would use a different way of describing what it is we want to do, but I assure you that this is going to be a very important item on the President's agenda when he goes to Bangkok in his meetings with the Thai prime minister and others in Thailand who are in a position to be helpful.

Mr. PITTS. What diplomatic measures are we taking in the U.N. with Russia and China, Moscow and Beijing to raise the issue of Burma?

Mr. DALEY. The focus is on getting an updated resolution from the general assembly that will deal with Burma in a very strong forthright fashion. With respect to Russia, our principal concern—

Russia has not—let me say, Russia has not been an obstacle to addressing this issue in a serious way in New York. Our actual highest priority concern with the Russians has been the shipment of advanced fighter aircraft to Burma and the apparent plan to sell a nuclear research reactor to Burma. We continue to look at that and we want to be absolutely certain that any such facility would not be directly usable for nuclear weapons and that it would be subject to the full panoply of international economic and energy safeguards.

Mr. PITTS. Thank you. And you have been generous with your time and we want to wrap this up, just to follow up, Mr. Craner, when will you issue a report or decide on the issue of human rights abuses occurring in Burma? You are looking at the evidence. Do you have a time line in mind?

Mr. CRANER. As you know, we issue reports regularly. The most recent was posted on the Web about the rape issue. If you are asking what is my timetable to be able to tell you again it is a genocide or not. The answer is when I have the information to do that. I can't tell you it will be a week from now or a month from now or 3 months from now. If you are asking when I can declare a genocide, the answer is when I possess the information that enables me to do that.

Mr. PITTS. And will you talk directly to the representatives of the ethnic groups that go in and out of Burma or come from Burma? I talked to eye witnesses, when I was there, of slave labor by the thousands. I talked to the ladies who did the rape report. Are you in direct contact?

Mr. CRANER. I am in direct contact with them, not only on this job, but the previous job I had where I was trained to help them. As you know, in our annual human rights report, and again in my testimony today and in a speech I gave in February and testimony I gave 3 months ago on the Senate side, we have been very, very forthright and very, very honest about stating all the travesties and the disgusting practices that go inside of Burma. So we have not—certainly not held our fire on those issues.

Mr. PITTS. We had testimony and pictures of children who had been shot, 8-year-old little girl, I think it was. There are a number of them who need medical attention. If we seek to bring them over for medical attention if it can be accomplished, would the State Department assist in facilitating that for medical assistance?

Mr. CRANER. Of course.

Mr. PITTS. We will submit the rest of the questions for the record if you would respond in writing. Thank you very much for your testimony and for what you are doing on behalf of the situation in Burma. And at this time, we will adjourn the hearing.

[Whereupon, at 9:30 a.m., the Subcommittees were adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF THE HONORABLE JAMES A. LEACH, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF IOWA, AND CHAIRMAN, SUBCOMMITTEE ON ASIA AND
THE PACIFIC

OCTOBER 1, 2003

Let me express my appreciation to Chairman Gallegly and Representative Pitts for their leadership in holding this important series of hearings on the deplorable situation in Burma. Let me also extend a warm welcome to our witnesses today, most particularly the Burmese freedom activists, all of whom were forced to flee that country because of the repressive policies of the military regime. We honor your leadership and stand with you in a common determination to bring decent democratic governance and national reconciliation to Burma.

As this hearing demonstrates, what happens to Burma and the peoples of this extraordinary country matters deeply to America and affects the interests of the United States. Broadly speaking, our primary interests will of course continue to be focused on human rights, democracy, refugee assistance, and an end to Burmese production and trafficking of illicit narcotics. However, we also seek to reach out to the Burmese people with humanitarian assistance, including medical interventions to help stem the devastating spread of HIV/AIDS. In addition, Burma's uniquely rich biodiversity is jeopardized by ongoing civil conflict and the regime's naked exploitation of its natural resources.

Then there is the regional security dimension. Burma occupies an important strategic crossroads in East Asia, sandwiched between China and India, the world's two most populous countries. A stable and democratic Burma is not only less likely to be a source of tension and conflict in the region, but is also more likely to be an asset to our friends in the Association of Southeast Asian Nations (ASEAN).

The great tragedy of the current circumstance is that in the early 1960s Burma was potentially the most prosperous country in Southeast Asia. Today, after forty years of military misrule, its economy is in a shambles, health and educational services are in precipitous decline, while its citizens continue to suffer human rights abuses and repression. The vexing dilemma for the United States and other interested outside parties is how to craft policies that can best help the people of Burma to move forward toward democracy and national reconciliation, as well as economic and social development.

At this time, we have chosen the route of economic sanction and diplomatic isolation. However, there are no guarantees that this policy will be effective. On the other hand, attempts by ASEAN and others at constructive engagement with the military regime have proven singularly ineffective.

Hence there is no alternative at this time but for the U.S. and other concerned members of the international community to continue to find ways to increase the pressure on the ruling Burmese junta, including family members and supporters. Only then will there be a credible prospect that the regime will release Aung San Suu Kyi, as well as other political prisoners, and engage with the National League for Democracy and the ethnic minorities to bring about national reconciliation and urgently needed domestic reforms.

RESPONSES OF MICHAEL MITCHELL, ORION STRATEGIES, TO QUESTIONS ASKED BY THE HONORABLE JOSEPH R. PITTS, A REPRESENTATIVE IN CONGRESS FROM THE COMMONWEALTH OF PENNSYLVANIA

Mr. Pitts' Question:

How have the policies of the government of India either helped or hindered the prospects for democracy in Burma?

Mr. Mitchell's Response:

India's long-standing policy of providing assistance to democracy activists (both monetarily and politically) seems to have ended. India has a long border and many security concerns with Burma. They are also deeply concerned about the influence of Chinese military and economic cooperation with the Rangoon regime and China's desire to project power into the Indian Ocean. China has provided military credits to maintain and update Burma's port facilities and operates a naval radar station on Burmese soil that monitors the strategic Straits of Malacca.

India has long touted itself as the world's largest democracy. However, their walking away from Burma's democracy movement and building political and economic bridges to the regime is certainly not in the finest traditions of Mahatma Gandhi. Moreover, India has sometimes sought to keep U.S. activists and non-government organizations (NGOs) involved in working with the Burmese democracy movement out of India by withholding visas. It is recommended that the issue of Burma become an integrated part of our ongoing diplomatic dialogue with Delhi. India can play a catalytic role in fostering and promoting the Burmese democracy movement and bringing permanent change that will bring peace, human rights and democracy to that country. Unfortunately, as it stands now it is moving in the opposite direction.

Mr. Pitts' Question:

What role should the United Nations play in resolving the conflict in Burma?

Mr. Mitchell's Response:

More than three years ago, Razali Ismail was designated the Special Envoy to help broker an agreement that would bring an end to the political impasse in Burma. Since that time, there has not been any progress made in fostering a transition to democracy. In fact, the country is now worse off than at any time in Burma's history. The bottom line is that the regime has absolutely no interest in giving up any power to the democratically elected National League for Democracy (NLD). Their actions have spoken volumes as to their intentions. Today, after the massacre of over 100 NLD members on May 30th, and the near murder and arrest of Aung San Suu Kyi, the days of trying to negotiate with the regime should be over.

I am disappointed to say that Razali's actions have provided cover for the regime on a number of fronts to carry out their brutal repression against the democracy movement. For example, his visits create the illusion of a political "dialogue;" protect the junta from tough action by states and international organizations through his continual urgings to give "dialogue a chance;" and violated his mandate of neutrality by voicing his endorsement of a political "road map" offered by junta member Khin Nyunt while the leader of the Burma's democracy movement, Aung San Suu Kyi, sits in jail. This is the same "road map" Suu Kyi and the National League for Democracy (NLD) walked away from in 1995 because the plan was so heavily tilted to enshrine permanent military control over the country. His approval of this plan is outrageous. Razali's silence after the massacre of more than 100 NLD members on the night of May 30th continues to be deafening. He conveniently has overlooked any mentioning of their fate or condemned the regime for this barbaric action preferring instead to divert international attention to the release of Suu Kyi. Razali has compromised his mission through his collective actions and leaves one to seriously question if he has placed his business interest with the generals before the interests of the Burmese democracy movement.

We need to keep in mind the context of the re-release from house arrest of Suu Kyi when Razali first began his mission. This was not due to the junta's efforts at finally beginning a meaningful dialogue. It stands not as a measure of Razali's negotiating skill. It represents yet another cynical attempt at manipulating the international community into believing that political progress is being made in Burma and economic ties and foreign aid be restored.

We need to move beyond Special Envoys. We need a strong U.N. General Assembly resolution that directly empowers the Secretary General to take a decisive role in using all the resources of the U.N., including the Security Council and the instruments at its disposal, including sanctions, to enforce the will of the international community in recognizing the results of the 1990 elections.

Mr. Pitts' Question:

What is your perspective on the testimony from the Administration officials regarding the current situation in Burma?

Mr. Mitchell's Response:

I am puzzled by Deputy Assistant Secretary Daley's reference in his testimony to the impact of U.S. sanctions on Burma's migrant workers and the sex trade. Although carefully worded, it leaves the impression that the U.S. Congress's legislation and President Bush's policy are responsible for any job losses that occur due to the imposition of economic sanctions and driving some women into the sex trade. To the best of my knowledge, there are no factually accurate numbers on job losses due to the U.S. taking action against the regime. According to labor union representatives with contacts in Rangoon, no such numbers exist. The military junta has a long history of pumping out statistics that have absolutely no basis in fact to try and cloud a true understanding of the sorry state of the Burmese economy or trumpeting a political point.

Information coming from non-government organizations, although able to provide vignettes on the impact of sanctions, would not be able to thoroughly document the social impact of the U.S. sanctions and issue accurate numbers without substantial effort over a longer period of time. It is spurious to believe that economic sanctions imposed by the U.S. are driving women into the sex trade industry. According to the Department of State's Trafficking In Person's Report, Burma's regime is listed as a Tier III country. A Tier III designation meaning "Countries whose governments do not fully comply with the minimum standards [of the Act] and are not making significant efforts to do so." This from the report:

"The Government of Burma does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The military is directly involved in forced labor trafficking. The ILO's attempts to work with the government to address forced labor abuses have had only limited success. Burma's failure to make progress on forced labor more than offsets the government's improving, but still inadequate, record of combating trafficking for sexual exploitation."

Clearly, Burma's trafficking problems stem not from any U.S. economic sanctions, but from the regime's destruction of the Burmese economy and their decision to allow and support both forced labor and the sexual trafficking of women and children.

PREPARED STATEMENT OF THE HONORABLE JOSEPH R. PITTS, A REPRESENTATIVE IN CONGRESS FROM THE COMMONWEALTH OF PENNSYLVANIA

OCTOBER 2, 2003

Mr. Chairman, thank you for holding this very important and timely hearing to examine the current situation of human rights in Burma. The witnesses here today, as well as organizations who have submitted statements for the Record, will share only a glimpse of the horror experienced by the people of Burma at the hands of the military dictatorship. As it is clear from so many past and current reports, the situation is not getting better. The military dictators use forced labor, systematic rape, forced human landmine sweepers, destruction of villages, destruction of food sources and fields, and cold-blooded murder to impose its illegitimate reign over the people. Unfortunately, the regime is not held accountable for its widespread, deliberate human rights violations against the people. Sadly, the international community has failed to act strongly to make it clear to the military dictatorship that its time in power is coming to an end.

The Burmese Freedom and Democracy Act of 2003 is an important step in making clear the response of the United States government to the violations of the Burmese government. The economic sanctions, freezing of financial assets, and visa restrictions help increase the pressure on this regime. However, the international community needs to respond much more strongly. It is vital the United Nations Security Council begin to address the many issues related to Burma and the current ruling regime: human rights violations, its contribution to regional instability, its leading role in drug production and trafficking, its inaction to stop the spread of HIV/AIDS, and other issues.

The regime's shocking attack in May against Aung San Suu Kyi and the NLD members is a reflection of its basic character. I strongly urge the regime to release Aung San Suu Kyi from detention and house arrest. Over the years, there has been reported "progress" in establishing a United Nations-facilitated dialogue between

the NLD, the regime, and the ethnic groups. Yet, each time there seems to be progress, the regime commits human rights violations and sets the talks back once again. Recently, the military dictatorship released a road map for Burma that includes holding elections. This road map is just one more step to attempt to fool the world into thinking the military thugs might be making progress, when it is simply another delaying tactic to maintain its hold on power. The fact that the regime is proposing democratic elections is outrageous when it continues to ignore the legitimate results of the 1990 elections and imprison the democratically elected leader of the country.

Earlier this year, I traveled to the Thai-Burma border to visit refugees and hear their stories. It was heartbreaking. The conditions of life that these refugees have fled, and their stories of the Internally Displaced Persons (IDPs) who remain inside of Burma are shocking. In Thailand, my delegation met with organizations working with refugees along the Thai-Burma border and with the Internally Displaced People (IDPs) inside the jungles of Burma. The situation in Burma is dire, and I would not hesitate to call it, according to international legal definitions, genocide. In Article 2 of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, genocide is defined as "any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group." Reports make clear that the ironically-named State Peace and Development Council (SPDC) of Burma, the ruling military junta, has engaged in a deliberate policy to eliminate the ethnic minorities. Sadly, the international community has turned a deaf ear to the cries of the ethnic minorities, the refugees, the IDPs, the democracy activists. There are a large number of organizations that carefully track the violations in Burma so there is no shortage of evidence of the human rights abuses the SPDC commits. The Karen Human Rights Group, the Shan Human Rights Foundation, the Shan Women's Action Network, the Committee for Internally Displaced Karen People, the Assistance Association for Political Prisoners, Christians Concerned for Burma, Partners Relief and Development, and many other Burma groups produce reports of current and past atrocities committed by the SPDC. The stack of reports I have with me today only represents a fraction of what is available.

In the refugee camps north of Mae Sot, Thailand, my delegation and with Karen refugees, Christians, Buddhists, and Muslims who all had fled the attacks of the SPDC on their communities. We saw landmine victims, orphans and school children, who all had suffered from the actions of the SPDC. Our visit with the refugee orphans was both heart-wrenching and a delight. It was a delight to see these young children and to hear the songs they sang to us, but it was heart-wrenching to hear the amount of tragedy in these young lives. One group of four children, the oldest was 12, had lost their father; their mother could not take care of them so she brought them to the orphanage. An eight-year-old boy, who could not smile, had lost both parents, was then trafficked across the border to Thailand, somehow escaped from his "owners," and reached the safety of the refugee camps. It is heartbreaking to know that many of the young children, including the orphans, in the refugee camps had watched family or community members being killed by the SPDC, wounded or killed by landmine explosions, raped, or even burned alive.

The attacks on the people continue. I recently received a report that on September 11, 2003, 30 Karen families from Paan District fled to the Thai border as a result of an offensive being carried out by Burmese military troops.

The plight of the IDPs must be addressed at the highest levels of our government, other governments and the United Nations. I commend our government's support for programs assisting the refugees and democracy groups. However, I am dismayed at our lack of assistance to the IDPs. What is our government doing to help the estimated one million people living their lives on the run in the jungles, the people who have no access to food, medicine, clothes, or even a basic education? While the world sits around debating whether or not Burma is important, or whether or not pressure should be increased to continue the tri-partite dialogue, people in Burma are dying. Little children are deliberately being raped and murdered by the Burmese military. What will help? Decisive action.

The U.S. and the international community need to press for the immediate and unconditional release of Aung San Suu Kyi and the immediate and unconditional release of all political and religious prisoners, send monitors to Burma, pursue prosecution of those responsible for these crimes against humanity, press for the immediate end to deportation of democracy groups back to certain death in Burma, press

strongly for the recognition of the democratically elected government of Burma, and send international peacekeepers to Burma.

Thank you again, Mr. Chairman, for holding this hearing on human rights in Burma. I look forward to hearing from our distinguished witnesses.

PREPARED STATEMENT OF THE HONORABLE JAMES A. LEACH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF IOWA, AND CHAIRMAN, SUBCOMMITTEE ON ASIA AND THE PACIFIC

OCTOBER 2, 2003

Let me express my appreciation to Chairman Gallegly and Representative Pitts for the leadership in holding this important series of hearings on the deplorable situation in Burma. I would also like to extend a warm welcome to Deputy Assistant Secretary Daley, who is an old friend of the Asia Subcommittee, as well as Assistant Secretary Craner.

I have no formal opening statement but would like to make a few brief comments.

- We are all of course deeply concerned for the health of Aung San Suu Kyi after her recent surgery. We hope to receive an update on her condition later from UN Special Envoy Razali Ismail.
- The failure of the regime to release this courageous leader during Ambassador Razali's visit, however, would appear to be yet another signal to ASEAN and the broader world community that the current Burmese regime has no interest in complying with minimal international standards of conduct.
- More broadly, if history is a guide I fear that recent developments in Burma—including the August leadership reshuffle, the junta's unveiling of a so-called "Roadmap to Democracy," and the late September transfer of Suu Kyi to house arrest—are simply cosmetic actions designed by the regime to ease mounting international condemnation.
- Over the next few weeks, there may be an opportunity for the U.S. to leverage our presidency of the UN Security Council, as well as the pending ASEAN and APEC leader meetings, to turn up the heat on the Burmese regime. From a Congressional perspective, the world community should be unambiguous and steadfast in its demand that the junta release Aung San Suu Kyi and other political prisoners, as well as establish a credible timetable for the return of democracy. Likewise, it is also critical that the regime allow the democratic opposition and the ethnic minorities to play their essential role in addressing the urgent socio-economic and governance crises afflicting the country today.
- In the near term, the question is whether diplomatic efforts to deepen and broaden multilateral pressure on the Burmese military will prove successful and, if so, when they will begin to take their toll on this odious regime. To the extent sanctions begin to show a significant impact, will Burma's military leaders be able to reach out to their neighbors - particularly China, India, and Thailand - for sustenance and support? If the tottering economy takes a turn for the worse, is region and the world prepared for the possibility of a deepening humanitarian crisis in Burma in the not too distant future? And in this context, how does the U.S. balance its commitment to support democracy and national reconciliation in Burma with our interests in counterterrorism, stemming the flow of illicit narcotics, and providing humanitarian relief to Burma's beleaguered citizens.

We look forward to your testimony and your responses to these and other questions.

PREPARED STATEMENT OF CHIN HUMAN RIGHTS ORGANIZATION

The Chin Human Rights Organization is an independent non-governmental human rights organization. We aim to protect and promote human rights among the Chin people, and to contribute to the movement for the restoration of democracy and human rights in Burma. Founded in 1995, CHRO has worked to document the human rights situations of the Chin people in Burma's western region. CHRO's reports have been cited by the US State Department, Amnesty International and the International Labor Organization.

CHRO wishes to express its gratitude for the opportunity to deliver this submission to this important hearing. The United States has always been at the forefront

of support for democracy and human rights in Burma. We are grateful for the State Department's annual reports on International Religious Freedom on Burma, which have been highlighting the suffering of persecuted religious minorities. Especially, CHRO considers the promulgation of Burmese Freedom and Democracy Act of 2003 a very important impetus for the achievement of democracy and human rights in Burma.

Despite recent cosmetic changes that have taken place in Rangoon, human rights conditions among Burma's ethnic people, including the Chin people continue to remain a matter of grave concern. In fact, human rights conditions of the Chin people have become worse and the number of displaced persons and refugees has increased in recent years. Until the incident of May 30 in which the regime launched an orchestrated campaign of terror and violence against the NLD, the regime has enjoyed international applause for 'progresses' it had made in initiating national reconciliation. However, this has not been accompanied by a parallel improvement in the areas of human rights. Under the reign of the State Peace and Development Council, the Chin people have continued to experience untold miseries and hardships as a result of the systematic abuse of their fundamental human rights.

There is a direct link between the growing abuse against the Chin people and the increase in militarization of the Chin areas. In the last fifteen years since the regime took over power, the number of army battalions stationed in Chin State has increased up to 10 times. This increase has been accompanied by the rapid acceleration in the level of human rights abuses across Chin State. The kind of human rights violations suffered by the Chins today are the same as those that have been extensively reported among ethnic Karen, Shan, and Karenni on the eastern border. These violations manifest in the forms of arbitrary arrest and detention, forced labor, tortures, rape and extrajudicial executions. Moreover, the overwhelming percentage of Christians among the Chin people has also attracted abuses in the form of religious persecution. Today, religious persecution is a matter of primary concern among the Chin people. Since 1999, the US State Department has singled out Burma as a country that systematically violates religious freedom.¹ The annual reports have cited a significant amount of cases of religious persecution involving the Chin people.

Religious Persecution

Religious persecution poses a matter of grave concern among the Chin people. Chin Human Rights Organization, since 1995, has documented a range of human rights abuses by the military regime against the Chin people, including violations of religious freedom.

Christian religion takes a deep root in the Chin society. Since the first Chin conversion in the late 1900 following the arrival of American Baptist missionaries to the Chin Hills, Christianity gradually became accepted by a large majority of the Chin populations, who had practiced traditional animism for centuries. After a century since then, Christianity has grown up to be almost a second culture of the Chin people.² Chin people today claim that more than 90 percent of Chins are Christians. Because of the overwhelming importance of Christianity among the Chins, the junta which strongly identifies itself with Buddhism and has been preoccupied with building national unity has been trying to promote Buddhism over Christianity in Chin State with the belief that once the Chins are converted to Buddhism they can be easily subjugated. For this reason, the regime has resorted to persecuting the Chins, a drastic action that involves arbitrarily removing Christian crosses erected by churches on hilltops throughout Chin State and openly directing and supporting coerced conversions of Christians into Buddhism. The regime has also destroyed several Church buildings. For example on February 20, 2000, Captain Khin Maung Myint ordered the destruction of a Chin Christian Church at Min Tha village in Tamu Township of Magwe Division, an area mostly populated by the Chins and is adjacent to the Chin State. In the same township on July 13, 2001, the same army officer forced villagers to destroy a United Pentecostal Church in Ton Kyaw village. Captain Khin Maung Myint gave similar order to destroy an Assembly of God Church building in Chauk Nat Kyi village in Tamu Township.³

Through the Hill Buddhist Mission, a program directly sponsored by the military regime, Buddhist monks have migrated to the Chin State. In every town and major villages in Chin State, the regime has established a Buddhist pagoda and station

¹ 2002 US Department of State's International Religious Freedom Report on Burma <http://www.state.gov/g/drl/rls/irf/2002/13868.htm>

² Excerpts from the upcoming CHRO's report on abuses of religious freedom entitled "Religious Persecution: A Campaign of Ethnocide Against Chin Christians in Burma"

³ Copies of these reports (in Burmese versions), are available upon request.

monks who are closely working with local army battalions. Buddhist pagodas are often built in places where Christian monuments such as crosses have formerly stood, and Christians have been either forced to donate money or forced to build the pagodas.⁴

The regime is putting close scrutiny on preachers and evangelists, and in many instances has made effort to censor the contents of sermons delivered by Christian pastors and ministers. Citing the risk of security, authorities have either not permitted or arbitrarily set the number of people who could attend religious festivals and conferences. Moreover, the regime has still not permitted the printing and publication of Bible, forcing Chin Christians to smuggle Bibles in from abroad. In several instances, army authorities have confiscated Chin-language Bibles imported from India, and burnt or destroyed them.⁵ Construction of new church buildings is prohibited and Christians must obtain prior authorization for even renovation of church buildings. These are all in stark contrast to the freedoms enjoyed by monks and Buddhists whose activities are openly supported and encouraged by authorities. Several reports documented by CHRO show that army patrols have deliberately use Church compounds for shelter and camps, and have purposefully disturbed Church services by entering into Churches during Sunday worship services.

The regime has also targeted Christian leaders by falsely implicating and accusing them of supporting anti-government groups, and has jailed and tortured many pastors. Pastor Grace, a woman Baptist minister was accused of providing accommodation to Chin rebels and sentenced to 2 years in prison with hard labor in 2001.⁶ In remote villages and other rural areas in Chin State, army units on patrols have frequently mistreated, assaulted and tortured Christian pastors.

Coerced conversions of Christian families and children have also been reported in several parts of Chin State. Those who convert to Buddhism were exempted from forced labor and given special privileges. Local authorities have frequently recruited Christian children under the pretext of giving them formal education in cities. As recently as early this year, five Christian children, between the ages of 7 and 18 years old from Matupi township of Chin State who had been placed in monasteries in Rangoon escaped confinement in Buddhist temples where they have been forced to follow Buddhist teachings.

Restriction on the use and teaching of Chin language

Under the military regime, the teaching of Chin language in school is prohibited. In elementary schools, the permitted level of teaching Chin language is grade 2. Publications of textbooks in Chin are not provided for by the government and Christian churches are forced to bear the burden of supplying these texts. Chin school teachers of all levels of high school in Chin State are instructed to use Burmese as a medium of communication with their students. This measure has greatly diminished the level of understanding by the students in school and has served to downgrade student performance. Since mid 1990s, the new curriculum has incorporated Civic as a separate subject for students. The subject is entirely drawn from the perspectives of Burmese or Burman culture and history, and students have complained about the lack of substance that reflects Chin perspectives in the subject. This has also been seen as an open attempt to assimilate the Chin youth into mainstream Burman culture.

Because of the limited number of government school available for the Chin populations in Chin State, communities in rural villages have set up private schools to allow the children access to primary education. Unsupported by the government, villages have to seek their own means of running the school by contributing money and resources for the schools. However, since 1998, the regime has banned these self-support private schools⁷, depriving many children in rural communities of primary education. It should be noted that because these private schools are not under direct control of the government, they were able to offer alternative learning in Chin language. Restriction on the learning of Chin language has already taken its toll on the Chin youths. A high percentage of Chin teenagers are not able to read and write in their own language. This has been exacerbated by the fact that many Chin children no longer appreciate their own language and had instead chosen to use Burmese.

⁴ For detailed information, see www.chro.org under Religious persecution report

⁵ See for example Rhododendron Volume III, No VI. Junta Orders Burning Of 16,000 Bibles, Halts Church Construction

⁶ Rhododendron News Vol. IV No. IV July–August 2001 www.chro.org

⁷ See a copy of SPDC order at www.chro.org Rhododendron VOL.I No. VI December 1998

Forced Labor

Burma has claimed that it has outlawed the practice of forced labor in 2001. However, independent investigations into this claim have found the pervasiveness and the continued use of forced labor in the Chin State. Local army battalions have routinely exacted forced labor from villagers and rural communities in building roads, army camps development infrastructures and agricultural projects. In major townships of Chin state such as Hakha, Falam, Matupi and Thantlang, civilians are being routinely forced to work at government tea plantation farms⁸. Major Ngwe Toe of Light Infantry Battalion 266, who is in charge of a new township development in Ruazua in central Chin State have ordered a dozen villages to contribute money and human labor to construct high school, hospital and army base in Ruazua. During the entire year of 2002, these villages were forced to participate in the forced labor in Ruazua. Refugees fleeing into India have told that the pervasiveness of forced labor in their areas have left them no time to work for their own survival. Army unit on patrol have recruited villagers to porter army supplies and ammunitions over mountains and jungles.

Political Suppression

The Chin people are not represented in the state or central administration under the military regime. After the regime nullified the results of the 1990 elections, all Chin political parties were declared illegal. These political parties include the Chin National League for Democracy, the Mara Peoples Party and Zomi National Congress Party. Subsequent crackdowns on political dissidents have forced 3 of the 13 Chin Members of Parliament to flee the country while 2 others were arrested and imprisoned for several years. Since early 1990s, the entire Chin populations have forced to live under virtual curfew. Dozens of civilians accused of supporting, Chin National Front, underground movement were arrested, tortured and imprisoned under the Unlawful Association Act. Civilians charged under this act are routinely tortured in interrogating chambers. According to a former a woman prisoner, she was humiliated, tortured and deprived of food and sleep for one week before she was arbitrarily sentenced to 3 years in prison.⁹ Since the May 30 incident, authorities have crackdown on local NLD leaderships who were responsible for welcoming Aung San Suu Kyi during her trip to Chin State in April 2003. According to reports, on May 4, 2 NLD leaders in Matupi township were arrested by military intelligence and were sentenced to 11 years in prison.

Refugees

In this submission, CHRO wishes to highlight the particularly grave situations of Chin refugees and to draw the special attention of the Subcommittee. In the year since the military regime took over power in 1988, more than 50,000 Chin refugees have fled to India, Bangladesh and Malaysia. At least 50,000 Chin refugees have lived in Mizoram State of northeast India. Neither the Government of India nor the United Nations High Commissioner for Refugees has recognized them as refugees. As a result Chin refugees have frequently been forced back to Burma. Since July 19, 2003 a campaign by local youth groups, with the cooperation of State authorities have resulted in the forcible evictions return of thousands of Chin refugees to Burma. As of this week, at least 6000 people have been forcibly returned to Burma. India has also closed down its border with Burma to prevent returnees from sneaking back into the country.

We are very alarmed by the ongoing evictions and deportation of Chin refugees in India. There is an urgent need for intervention in the ongoing deportation of Chin refugees. Refugees International has recently petitioned the Prime Minister of India requesting him to stop the repatriation and to allow the UNHCR access to Mizoram to help care for the protection and humanitarian needs of Chin refugees. CHRO strongly requests the United States Committee for Refugees and other international agencies concerned with refugees to urgently take measures to prevent the ongoing evictions and deportations of Chin refugees in India.

The need for protection of Chin refugees in Malaysia is no less important. Over the past few years, close to 5000 Chin refugees have also sought sanctuary in Malaysia. Like the Chin refugees in India, they are identified as 'illegals' and risk frequent arrest and deportation by Malaysian authorities. The United Nations High Commissioner for Refugees has recognized only a very small fraction of Chin refugees.

⁸ Oral statement of Salai Za Uk Ling, Editor of Rhododendron News at the 21st session of United Nations Working Group on Indigenous Populations, 23 July 2003, Geneva, Switzerland.

⁹ Rhododendron VOL.V No.1 JANUARY-FEBRUARY 2002, www.chro.org

Conclusion

The problems faced by Burma's ethnic groups, including the Chin people are the direct consequence of military rule and its campaign of State terrorism directed primarily against the ethnic people who constitute more than 40% of the country's population. Today, the Chin people and all the ethnic people are fighting for our very survival as a people. Our cultural, ethnic and religious identities are being rapidly eroded, and our very survival as a people being threatened by the policies of ethnic cleansing relentlessly conducted by the military regime. The sufferings of the ethnic nationalities could only be remedied through fundamental change in the political system, a change that would allow the ethnic people equitable representation in the decision-making process of the country. Time is passing and innocent lives are being lost. The international community needs to take effective and urgent actions on Burma before the problems develop into an irreversible stage.

Thank You.

LETTER TO CONGRESS FROM THE KARENNI NATIONAL PROGRESSIVE PARTY DATED
SEPTEMBER 17, 2003

KARENNI NATIONAL PROGRESSIVE PARTY
September 17, 2003.

The Congress of the United States of America,
Washington, DC.

On behalf of the Karenni National Progressive Party and the Karenni people, I would like to take this great opportunity to thank you for what you have to address the situation in Burma. I have been following up what you are doing for the people of Burma.

There are fifty thousands Internally Displaced Persons (IDPs) in the Karenni State due to the forced relocation program by the Burmese regime known as the State Peace and Development Council (SPDC). Under this program tens of thousands of Karenni people have lost their homes and land. The IDPs have been hiding in the jungle with no food and no medicines. There is also no access to education. Human rights violations committed by the Burma Army in the Karenni State continue unabated. Forced labor and forced portering continue despite the warnings from the International Labour Organization (ILO).

The SPDC's plan to build dams across the Salween river will displace thousands of Karenni and will also destroy forests and wild life in eastern Karenni. Half of the Karenni State will be under the water if the dams are constructed. These dams are only the most recent actions that the dictators of Burma have taken against us.

We have the right to protect ourselves, our people and our land from the attacks of the Burma army and to provide emergency assistance to the thousands of IDPs. The evil we are facing is many times stronger than us and we need your help. In the meantime, we will not give up trying to help our people and would like to request humanitarian assistance for the IDPs and for your help to keep the door open help these people.

May God bless you for your good work of helping the oppressed people of Burma.

Sincerely yours,

AUNG THAN LAY, *Vice-Chairman.*

LETTER TO CONGRESS FROM THE RESTORATION COUNCIL OF THE SHAN STATE DATED
SEPTEMBER 10, 2003



RCSS Restoration Council of the Shan State
ရှင်,သီ,ကပ်စိုခမ်းလှိုင်းတံး

The Congress of the United States of America.

Date: 10th September 2003.

Ladies and Gentlemen,

I feel very much honored to have this opportunity to present the issue of the persecuted people of the Shan State. Shan State became a part of the Union of Burma in 1948. Before that, the Union of Burma never existed. The Shan people joined the Union based on the promises of the Pang Long Agreement and the right to secede if these promises were broken.

However, since 1949 the Shan and other ethnic peoples of Burma have faced brutal attack and oppression by the dictators of Burma that continues to this day. The people of the Shan State have been deprived of their hereditary rights and been persecuted by the Burmese Army. Burmese troops capture Shan villagers and use them as porters and human mine sweepers. Shan women are raped and extrajudicial executions are common. Forced relocation and the burning of villages are common. Hundreds of thousands of Shan State people have been displaced from their ancestral homes. For many, there is no place to call home, no land to plant their crops, no way to make a living and sustain their families. In addition to these violations of basic human rights, the majority of the Shan State people have no identity cards and are not included in the census of Burma nor do we have the rights that all human beings should enjoy. We feel we are worth less than animals, as the Burma Army uses and kills us with an impunity and recklessness with which they would never treat their own animals. We Shan desire a democratic and just Burma with a Federation of Eight States where basic ethnic rights are protected. We also desire to be free from the stain and bondage of the narcotics trade, a trade that only exists at the current level because of the active support of the dictators of Burma.

We fully support the US sanctions on Burma and join you in an appeal for the release of Daw Aung San Suu Kyi, and the restoration of democracy. Thank you for this opportunity to testify. Thanking for helping us to be free from the dictators' reign of terror. May our people enjoy the taste of freedom and a secure life. We wish to invite you to come and observe the true situation in Shan State and join us in the cause of freedom, democracy, equality and justice. We thank you America, for shining the light of liberty to the world and for your compassion for all people.

Sincerely,

RESPONSE OF THE HONORABLE LORNE W. CRANER, ASSISTANT SECRETARY, BUREAU OF DEMOCRACY, HUMAN RIGHTS AND LABOR, TO QUESTION ASKED BY THE HONORABLE JOSEPH R. PITTS, A REPRESENTATIVE IN CONGRESS FROM THE COMMONWEALTH OF PENNSYLVANIA

Mr. Pitts' Question:

What further information would be helpful in furthering the report the State Department plans to issue regarding whether or not the widespread human rights abuses occurring in Burma constitute ethnic cleansing or genocide?

Mr. Craner's Response:

The Department of State is in the process of preparing its comprehensive Country Reports on Human Rights Practices for 2003, which will include a detailed description of human rights practices in Burma and other countries. With respect to Burma, the Bush Administration is deeply concerned by the widespread human rights abuses occurring in that country. We are especially concerned about the numerous reports of rape, torture, extra-judicial killing, forced labor, forced relocation, and other human rights abuses by the Burmese military against ethnic minority civilians.

The State Peace and Development Council is one of the most repressive regimes in the world. It engages in serious and systematic human rights abuses against the people of Burma. Although such abuses are especially severe for ethnic groups that maintain armed resistance to the regime, the regime deals brutally with all who oppose its grip on power. We do not, however, have evidence that these human rights abuses, as serious and reprehensible as they are, are being undertaken with the specific intent to destroy, in whole or in part, a national, ethnic, racial, or religious group. We are thus not in a position to assert that the Government of Burma has engaged in genocide, as the United States defines that term under the Convention on the Prevention and Punishment of the Crime of Genocide.

The Department is continuing to monitor carefully the human rights situation in Burma. We will continue to report fully the abuses we uncover there.

RESPONSES OF THE HONORABLE MATTHEW DALEY, DEPUTY ASSISTANT SECRETARY, BUREAU OF EAST ASIAN AND PACIFIC AFFAIRS, U.S. DEPARTMENT OF STATE, TO QUESTIONS ASKED BY THE HONORABLE JOSEPH R. PITTS, A REPRESENTATIVE IN CONGRESS FROM THE COMMONWEALTH OF PENNSYLVANIA

Mr. Pitts' Question:

For Subcommittee Member and staff use, please provide a comprehensive list of organizations or individuals receiving funding from the U.S. government for work with internally displaced persons (IDPs) inside Burma.

Mr. Daley's Response:

The United States does not fund organizations or individuals for work inside Burma among IDPs.

Some projects operating along the Thailand-Burma border, including health and educational programs, do provide spillover benefits to those still in Burma.

Mr. Pitts' Question:

For Subcommittee Member and staff use, please provide a comprehensive list of organizations or individuals receiving funding from the U.S. government for work on democracy development, civil society development, and refugee programs.

Mr. Daley's Response:

From the Burma earmark (ESF funds):

International Rescue Committee
International Organization for Migration
Internews

National Endowment for Democracy

Subgrantees:

All Burma Young Monks' Union

American Center for International Labor Solidarity/Federation of Trade Unions-Burma

Asian Forum for Human Rights and Development

Assistance Association for Political Prisoners

Burma Lawyers' Council

Burma Relief Center

Burmese Women's Union

Chin Forum
 Chin Human Rights Organization
 Committee for Internally Displaced Karen People
 Democratic Party for a New Society
 Friends Without Borders
 Human Rights Education Institute of Burma
 Human Rights Foundation of Monland
 International Republican Institute/Political Defiance Committee
 International Republican Institute/National League for Democracy-Liberated Areas
 Irrawaddy Publishing Group
 Karen Information Center
 National Coalition Government of the Union of Burma
 National Council of the Union of Burma
 National Council of the Union of Burma-Foreign Affairs Committee
 National Democratic Institute for International Affairs
 National Health and Education Committee
 New Era Journal
 Shan Herald Agency for News
 Shan Human Rights Foundation
 Shan Women's Action Network
 Women's League of Burma
 Women's Rights and Welfare Association of Burma
 Open Society Institute
 Prospect Burma
 World Education/World Learning Consortium
 World Learning

From Migration and Refugee Assistance (MRA) funds:

American Refugee Committee
 International Committee of the Red Cross
 International Rescue Committee
 MHD (Malteser Germany)
 United Nations High Commissioner for Refugees

Mr. Pitts' Question:

What are the immediate and long-term actions the Administration will be taking at the United Nations and with the international community in order to address the overall situation in Burma and implement assistance programs to the IDPs inside Burma?

Mr. Daley's Response:

Respect for internationally recognized human rights and the restoration of democracy are our primary goals in Burma. We focus our energies bilaterally and multilaterally in bringing those goals to fruition and ameliorating the situation for all people of Burma, including those currently displaced. There is concern that the growing humanitarian crisis in Burma affects all ethnic groups.

The immediate U.S. policy objective in Burma is to encourage a genuine dialogue on democratic political reform, including securing the release of Aung San Suu Kyi and the re-opening of all NLD offices. Following the May 30 ambush on Aung San Suu Kyi and her NLD convoy, the United States redoubled efforts to encourage all countries with a major interest in Burma, particularly Burma's immediate neighbors and members of ASEAN, to use their influence to convince the junta to undertake these immediate steps. It is in the interest of Burma's neighbors and other ASEAN countries, and in the interest of regional stability, to press the SPDC for a more constructive position on political dialogue, economic reform, and the institution of rule of law. Many countries in the region have expressed concern and agree that the SPDC must work with the democratic opposition in order to effect a smooth transition.

We will also continue to rally the international community to support the U.N. Secretary General in his efforts to start genuine talks on a political transition in Burma. Specifically, we will use every useful opportunity available in regional forums and at the U.N. to secure support for Special Envoy Razali and Special Rapporteur Pinheiro. The United States co-sponsored the annual resolution on Burma at the 2003 U.N. General Assembly and supports the efforts of the International Labor Organization to deal effectively with the severe forced labor problems in Burma.

We remain very concerned about the situation faced by the internally displaced persons in Burma. We support the work of international organizations, such as the International Committee of the Red Cross and the International Labor Organization that have access to these areas.

Mr. Pitts' Question:

When was the most recent time the issue of Burma was raised by the U.S. government at the United Nations? At what level was the issue raised, by whom, and what was raised?

Mr. Daley's Response:

The United States has co-sponsored the 2003 UN General Assembly resolution on Burma. The resolution calls attention specifically to the events of May 30 and the need for international participation in an investigation of the incident. It also expresses grave concern for the ongoing detention of Aung San Suu Kyi. U.S. negotiators, including Ambassador-level representatives, were involved in negotiation on the crafting of this text, and its subsequent adoption by consensus. A U.S. public delegate raised Burma under the Human Rights agenda item in the Third Committee on November 10. Deputy Assistant Secretary Daley discussed Burma with UN Special Rapporteur Paulo Sergio Pinheiro in November and December.

Our Permanent Representative to the United Nations Ambassador Negroponete raised Burma at the Security Council on July 16. He reported on our meetings with Special Envoy Razali Ismail and expressed our concerns for the detention of Aung San Suu Kyi, the closure of the offices of the National League for Democracy, and the terrible events of May 30. Embassy officials meet regularly with Ambassador Razali in Kuala Lumpur.

Mr. Pitts' Question:

In one statement during the hearing it was said that there are individuals wanted in New York City for heroin smuggling who are now receiving protection in Rangoon. What is the State Department's response to this information and what is the U.S. doing to press Rangoon to send the criminals back to the U.S. for prosecution?

Mr. Daley's Response:

Several Burmese nationals are wanted on Federal drug violations in the Eastern District of New York. Among them is Wei Hsueh-Kang, the leader of the dominant heroin trafficking group in Southeast Asia, the United Wa State Army. Wei Hsueh-Kang is one of the senior-level commanders of the United Wa State Army, which has 20,000 well-equipped troops.

The Department of State, through its Narcotics Rewards Program, offers rewards of up to \$5,000,000 for information leading to the arrest or conviction of major drug traffickers like Wei Hsueh-Kang.

In addition, through our Embassy in Rangoon, we have urged the Government of Burma to take action against major drug traffickers and their organizations and to render fugitives from U.S. justice to us for prosecution. However, some of the cases may now be so old that successful prosecution could be problematic. The Drug Enforcement Administration (DEA), which maintains an office in Rangoon, makes efforts to encourage greater cooperation from the Government of Burma.

Mr. Pitts' Question:

What reports substantiate the claims that an estimated 40,000 garment workers lost their jobs from U.S. sanctions? In addition, what reports substantiate the claims that those garment workers are seeking employment in the illegal sex and entertainment industries in Thailand as a direct result of U.S. sanctions? How many workers were actually traced moving willingly from the garment sector to the sex industry?

Mr. Daley's Response:

Our sanctions on Burma are intended to press the junta to move toward national reconciliation and democracy. The government denies human rights and has produced only economic decline for a country that was once a star economy of Southeast Asia. As a result of the government's mismanagement, Burmese citizens face a number of social ills, including trafficking in persons, displaced people, poverty, limited employment opportunities and terrible health conditions. We reject any implication that the plight of the Burmese is the "fault" of U.S. sanctions. The fault lies with the junta.

Conversations with factory owners and representatives of non-governmental organizations in Burma led us to estimate the loss of 40,000 jobs in the wake of the imposition of the import ban in August 2003. One non-governmental organization in Rangoon expressed concern, based on interviews, that former garment workers

would have limited employment opportunity and might turn to work in the sex industry or be forced or duped into prostitution by traffickers. We do not have a figure for how many women may have moved willingly or unwillingly into the sex industry. Due to the illicit nature of the sex industry, tracing workers moving into that area is problematic. A visiting U.S. official spoke with two women in Rangoon who became prostitutes after losing garment factory jobs.

United States policy and actions toward Burma, including sanctions, seek to achieve meaningful steps toward reform in a number of areas, including greater respect for human rights, the development of democracy, and progress on countering trafficking in persons and narcotics.

Mr. Pitts' Question:

What concerns has the U.S. government raised with the Chinese government about Chinese officials' role in supporting the military dictatorship in Burma? What was the most recent date these issues were raised and at what level? What is the highest level of interaction between the U.S. government and the Chinese government regarding U.S. concerns relating to China and Burma?

Mr. Daley's Response:

The United States consults on Burma with all concerned countries on a regular basis. China has important interests in neighboring Burma and can contribute to resolution of the problems there. China has publicly called on Burma to make progress toward national reconciliation.

The President raised our concerns in Burma with Chinese Premier Wen Jiabao during a meeting on December 9. Deputy Assistant Secretary Daley raised Burma in a December 11 meeting in Beijing.

Mr. Pitts' Question:

When, and at what level, will the U.S. government request that the UN Security Council be briefed on the issues in Burma?

Mr. Daley's Response:

In July U.S. Permanent Representative to the United Nations Ambassador Negroponte briefed the Security Council on our discussions with U.N. Special Envoy Razali concerning Burma. The timing of another briefing is under consideration.

Mr. Pitts' Question:

At what level have U.S. concerns been raised with Thai officials regarding current Thai policies toward refugees, humanitarian organizations, and democracy groups assisting the people of Burma?

Mr. Daley's Response:

We have regular discussions with Thailand on Burma at all levels. The President discussed the situation in Burma with Prime Minister Thaksin most recently in October. Secretary Powell talked about Burma with Thai Foreign Minister Surakiart during the same visit.

Mr. Pitts' Question:

What is the most recent date you traveled to Burma? How is your office in particular implementing the Burmese Freedom and Democracy Act?

Mr. Daley's Response:

Deputy Assistant Secretary Daley last visited Burma in April 2003 and met with Aung San Suu Kyi on April 27, 2003.

The Bureau of East Asian and Pacific Affairs continues its efforts to ensure that our sanctions policy is administered fully. We work closely with colleagues in the Department of the Treasury and the Department of Homeland Security in implementation of the provisions of the Act.

We remain engaged with all concerned countries noting the important roles each can play in urging reform by the State Peace and Development Council.

We have already submitted to Congress the first of three reports required by the Burmese Freedom and Democracy Act. This report covered our support for democracy activists in Burma.