

BURMA 2013 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

While the constitution grants freedom of religion, some articles in the constitution, as well as other laws and policies, restrict those rights. The constitution notes that “every citizen is equally entitled to freedom of conscience and the right to freely profess and practice religion,” but explicitly makes that right “subject to public order, morality or health and to the other provisions of this Constitution.”

Continued significant deficiencies in the respect for and protection of the right to religious freedom included reports of unwritten government policies requiring adherence or conversion to Buddhism for promotion into senior government and military ranks, reported violence against Christians, the destruction of religious buildings in areas of active conflict in Kachin State, and policies prohibiting or impeding Muslim land ownership in some areas. Local government officials reportedly participated in anti-Muslim discrimination and failed to stop violence in Rakhine State, and local officials were slow to respond to anti-Muslim violence in Meiktila, Mandalay Division. Despite positive steps to address communal and sectarian violence, these deficiencies heightened tensions between faith communities. The government’s continued political and economic reforms improved respect for many human rights and some aspects of religious freedom, particularly in large urban areas like Rangoon and in those ethnic minority states where ceasefire agreements curbed conflict and reduced the footprint of both the military and armed groups, such as Chin State. In July the government disbanded the Nasaka border security forces in Rakhine State, in response to complaints of persistent human rights abuses aimed at the Rohingya Muslim community.

Societal abuses and discrimination based on a mix of ethnicity, socio-economic status, and religious affiliation, belief, or practice occurred. A dispute on March 20 at a gold shop in Meiktila led to attacks by Buddhist mobs, including monks, against Muslim residents and their property. The killing of a Buddhist monk – reportedly otherwise uninvolved in events – by a group of Muslims escalated the violence, ultimately leading to the deaths of between 44 and 87 people and leaving over 10,000 people displaced, mainly Muslims. Subsequent anti-Muslim violence in areas throughout the country generally followed a similar pattern, with seemingly random, low level disputes between members of different faiths leading to mob violence. Episodes occurred in Bago Division, Rangoon Division, Shan State, Kayah State, Kachin State and Sagaing Division, and resulted in at least one additional death, the displacement of thousands, and the destruction of homes and mosques. Violence in Lashio, Shan State, followed a rumor that a Buddhist

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woman had been set on fire by a Muslim man. Following a local dispute, Buddhist mobs in late September and early October reportedly attacked villages of Kaman people, an officially recognized Muslim “national race,” and burned Muslim homes to the ground in Thandwe Township, Rakhine State, resulting in seven to ten deaths and the destruction of more than 100 homes. The sermons of some prominent monks associated with the “969” Buddhist ultra-nationalist, anti-Muslim movement, circulated widely via DVD and the internet, denigrated Muslims, called for a national boycott of all Muslim-owned businesses, and cautioned Buddhists against interactions with Muslims. Some adherents of the movement used social media to label Muslims as terrorists and to incite violence against them. There were other reports of heightened tension between the Buddhist majority and Muslim and Christian minorities, many in ethnic minority states.

The U.S. government advocated religious freedom in meetings with all sectors of society, including government officials, religious leaders, private citizens, scholars, diplomats of other governments, and international business and media representatives. President Obama and Secretary Kerry urged their counterparts to take strong action to combat sectarian violence and to ensure respect for religious freedom. U.S. officials traveled extensively to Rakhine State and other ethnic border regions, offered support to local nongovernmental organizations (NGOs) and religious leaders, including through small grants and training programs, and hosted numerous events promoting religious freedom and diversity. Since 1999, the Secretary of State has designated Burma as a “Country of Particular Concern” (CPC) under the International Religious Freedom Act for having engaged in or tolerated particularly severe violations or abuses of religious freedom. The Secretary redesignated Burma as a CPC in August 2011. Although the United States has eased most sanctions in response to the Burmese government’s political and economic reforms, the U.S. government maintains specific sanctions against the country for its violations of religious freedom.

Section I. Religious Demography

The U.S. government estimates the total population at 55.2 million (July 2013 estimate). Theravada Buddhism is the dominant religion. The principal minority religious groups include Christians (primarily Baptists, Roman Catholics, and Anglicans, along with several other small Protestant denominations), Muslims (mostly Sunni), Hindus, and practitioners of traditional Chinese and indigenous religions. Some sources suggest approximately 90 percent of the population practices Buddhism, 4 percent Christianity, and 4 percent Islam, although these

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statistics likely underestimate the non-Buddhist proportion of the population. A very small Jewish community in Rangoon has a synagogue but no resident rabbi.

The country is ethnically diverse, with significant correlation between ethnicity and religion. Theravada Buddhism is the dominant religion among the majority Burman ethnic group and also among the Shan, Rakhine, and Mon ethnic minorities. Christianity is dominant among the Kachin, Chin, and Naga ethnic groups. Christianity also is practiced widely among the Karen and Karenni ethnic groups, although many Karen and Karenni are Buddhist and some Karen are Muslim. Citizens of South Asian origin, who are concentrated in major cities and in the south-central region, are predominantly Hindu or Muslim, although some are Christian. Islam is practiced widely in Rakhine State and in Rangoon, Irrawaddy, Magwe, and Mandalay Divisions, where some Bamar, ethnic Indians, ethnic Kaman, and Rohingya are Muslims. Chinese ethnic minorities generally practice traditional Chinese religions. Traditional indigenous beliefs are practiced widely among smaller ethnic groups in the highland regions.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

While the constitution grants freedom of religion, some articles in the constitution, as well as other laws and policies, restrict those rights. The constitution states, “Every citizen is equally entitled to freedom of conscience and the right to freely profess and practice religion subject to public order, morality or health and to the other provisions of this Constitution,” and notes that, “every citizen shall be at liberty...if not contrary to the laws, enacted for Union security, prevalence of law and order, community peace and tranquility or public order and morality...to develop...[the] religion they profess and customs without prejudice to the relations between one national race and another or among national races and to other faiths.”

Antidiscrimination laws do not apply to ethnic groups not formally recognized under the law as citizens, such as the Muslim Rohingya in northern Rakhine State, and some other ethnic groups.

The law bars officiants of religious orders (such as priests, monks, and nuns) from running for public office, and the constitution bars members of religious orders from voting. The constitution forbids “the abuse of religion for political purposes.” Although the country has no official state religion, the constitution notes that the government “recognizes the special position of Buddhism as the faith

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professed by the great majority of the citizens of the Union.” The government continues to show a preference for Theravada Buddhism through official propaganda and state support, including funding for monasteries and pagodas, and support for Buddhist monastic schools and Buddhist missionary activities. The constitution “also recognizes Christianity, Islam, Hinduism, and Animism as the religions existing in the Union at the day of the coming into operation of this Constitution.”

The government restricts the political activities and expression of the Buddhist clergy (*sangha*). The government bans any organization of Buddhist monks other than nine state-recognized monastic orders. Violations of this ban are punishable by immediate public defrocking and criminal penalties. The nine recognized orders submit to the authority of the State Monk Coordination Committee (SSMNC), the members of which are elected by monks.

The Ministry of Religious Affairs Department for the Perpetuation and Propagation of the Sasana (Buddhist teaching) oversees the government’s relations with Buddhist monks and schools. The government continues to fund two state *sangha* universities in Rangoon and Mandalay, which train Buddhist monks under the purview of the SSMNC, as well as the International Theravada Buddhist Missionary University in Rangoon.

Some teachers at government schools reportedly still require students to recite Buddhist prayers, although such practice is no longer a mandated part of the curriculum. Many classrooms display Buddhist altars or other Buddhist iconography.

Some religious organizations remain subject to post-publication censorship and review by the Ministry of Religious Affairs. Many Muslim and Christian groups note that the government no longer requires the submission of religious materials prior to publication, although this is not the case in Kachin State.

Religious organizations are not required to register with the government, and Christian groups report that in many cases, including in ethnic minority areas, the government no longer enforces the requirement that religious organizations must obtain government permission to engage in certain activities such as religious education or charitable work.

Unlike in the past, when the government expelled foreign missionary groups, the government now permits some foreign religious groups to operate. Local religious

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organizations are also now able to send official invitations for visa purposes to clergy from faith-based groups overseas, and Rangoon-based groups are allowed to host international students and experts.

Citizens and permanent residents are required to carry government-issued national registration cards, also known as citizenship “scrutiny” cards, which permit holders to access services and prove citizenship. These identification cards often indicate religious affiliation and ethnicity, but there appears to be no consistent criteria governing whether a person’s religion is indicated on the card. Citizens also are required to indicate their religion on certain official applications for documents such as passports, although passports themselves do not indicate the bearer’s religion. Members of many ethnic and religious minorities, particularly Muslims, face problems obtaining national registration cards.

Government Practices

There were reports of physical abuse and continued detention of religious leaders and believers, restrictions on religious practice and travel, and discrimination in employment and granting building permits.

Burmese government soldiers reportedly injured Christian religious leaders and damaged buildings during skirmishes in Kachin State, blocked access to churches in areas of active conflict, and built Buddhist monasteries in predominantly Christian areas. In September government soldiers in northern Kachin State’s Putao district reportedly detained and physically abused Baptist clergy and stole alms from a Baptist church in Nhka Ga village. In late October soldiers reportedly shelled a Baptist church harboring an estimated 700 villagers in Mung Ding Pa village.

There were reports that local border security authorities known as the Nasaka, a security arm of the Ministry of Border Affairs, were involved in myriad abuses against the Muslim population in Rakhine State, prior to the government’s order to disband the Nasaka in July. Security forces that replaced the Nasaka reportedly also engaged in abuses against Muslim communities, including arbitrary arrests and detentions, restrictions on movement that impeded access to livelihoods and healthcare, and extortion. There also were reports of mass detentions of Muslims who were denied basic due process rights, and of Muslim detainees suffering beatings, physical and verbal abuse, and denial of food.

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The government continued to detain Shin Nyana, a monk sentenced in 2010 to 20 years imprisonment for his teaching of a religious doctrine that did not comport with Theravada Buddhism, and U Ottama, reportedly a member of the same sect as Shin Nyana, sentenced in 2012 to two years imprisonment. Authorities reportedly denied the monks permission to keep the Buddhist Sabbath, wear robes, or shave their heads while in prison. They were also at times not allowed food compatible with their monastic code. According to reports, these were the only two monks in detention.

Authorities often denied Muslims living in Rakhine State permission to travel for any purpose; however, permission sometimes was obtained through bribery. Authorities granted Muslims in other regions more freedom to travel, but they still faced restrictions. For example, Muslims living in Rangoon needed permission from immigration authorities to travel into and out of Rakhine State. Authorities in Mandalay Division denied freedom of movement to Muslims displaced by violence in Meiktila and living in camps for internally displaced persons (IDPs), and withheld permission for the majority of the displaced Muslims to return to their homes and rebuild on their land. Local authorities in some cases reportedly denied Muslims permission to own land.

Muslim businesses were unable to procure government contracts without a Buddhist “front” person and were prevented from owning licenses to open airlines and banking businesses.

Although the government developed initial strategies to address the issue of citizenship of the Rohingya, the strategies were not cohesive, implementation was not sustained, and the Rohingya continued to be denied citizenship status. This denial was based on traditional assumptions that the Rohingya were “illegal immigrants,” claims that the Rohingya did not meet the legal requirement for citizenship (that their ancestors resided in the country before the start of British colonial rule in 1824), and a lack of a transparent process to determine citizenship. Many Rohingya asserted their ancestors’ presence in the area predated the British arrival by decades or even centuries. Without citizenship status, the Rohingya did not have access to secondary education in state-run schools. Authorities did not permit Muslim high school graduates from Rakhine State, including Rohingya and others living in IDP camps, to travel outside the state to attend college or university. Authorities continued to bar Muslim university students who did not possess national registration cards from graduating. These students were permitted to attend classes and take examinations, but they could not receive diplomas unless they claimed a “foreign” ethnic minority affiliation. The Rohingya also were

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unable to obtain employment in any civil service positions. Rohingya couples needed to obtain government permission to marry and faced restrictions on the number of children they could have legally. Authorities also restricted their access to healthcare. Authorities prevented Muslims from living in Rakhine State's Gwa or Taungup areas.

Numerous individuals in Chin State and the UN Special Rapporteur for Human Rights reported a significant easing of restrictions against the Christian majority in the state. Unlike in past years, there were no reports of the destruction of Christian crosses. In response to a request by the Chin State government and in an effort to facilitate timely approval of permits, the central government granted the state government authority to approve requests for the construction of religious buildings. There were, however, continued reports that some local government officials denied or delayed permits to build Christian churches.

In addition to religious publications, the government subjected Islamic sermons, ceremonies, and festivals to censorship and other controls. There were reports that Islamic events required prior written permission first from ward, then township, police, district, and division level authorities. Law enforcement officers reportedly questioned participants on the nature of the lectures.

Some Christian theological seminaries and Bible schools continued to operate, along with several Islamic madrassahs.

Authorities continued to restrict gatherings to celebrate traditional Islamic holidays. In satellite towns surrounding Rangoon, Muslims generally were allowed to gather for worship and religious training outside the mosque only during major Islamic holidays and with prior permission.

Nearly all promotions to senior positions within the military and civil service were reserved for Buddhists. The government discouraged Muslims from enlisting in the military and Christian or Muslim military officers who aspired to promotion beyond the rank of major were encouraged by their superiors to convert to Buddhism. Some Muslims who wished to join the military reportedly had to list "Buddhist" as their religion on applications, although they were not required to convert.

In most regions, Christian and Islamic groups that sought to build small places of worship on side streets or other inconspicuous locations were able to do so only with informal approval from local authorities. Christian groups said formal

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construction requests for religious buildings in prominent locations often were approved and with fewer delays than in the past. Religious officials in Kachin State, however, reported state officials refused permission for churches to construct any buildings, including a health clinic, suggesting that only the central government could approve such requests. In Chin State, local authorities reportedly denied permission to build and repair religious facilities and continued to prohibit Christian groups and churches from buying land in the name of their religious organizations. Individual members of these groups circumvented this requirement by purchasing land on behalf of the group, a practice the government tolerated.

Muslim groups reported building requests encountered significant delays, were often denied, and even when approved could subsequently be reversed by more senior authorities. It remained extremely difficult for Muslims to acquire permission to repair existing mosques, although internal maintenance was allowed in some cases. Historic mosques in Mawlamyine, Mon State, and Sittwe, Rakhine State, as well as in Rangoon and other areas, continued to deteriorate because authorities did not allow routine maintenance.

The government openly supported Buddhist seminaries and permitted them to construct large campuses. Buddhist groups generally did not experience difficulty in obtaining permission to build new pagodas, monasteries, or community religious halls.

The government allowed members of religious groups to establish and maintain links with coreligionists in other countries and to travel abroad for religious purposes. The government sometimes expedited its burdensome passport issuance procedures for Muslims making the Hajj or for Buddhists going on pilgrimage to India. Approximately 3,500 non-Rohingya Muslims participated in the Hajj during the year. The government expedited passport issuance for 350 of the pilgrims and simplified procedures for all Hajj travelers.

The SSMNC and Ministry of Religion subjected the *sangha* to restrictions on political expression and association. In response to the participation of monks in sectarian violence and in the 969 Movement, a nationalist movement ostensibly aimed at protecting and promoting Buddhism but characterized by anti-Muslim messaging, the SSMNC issued a September 2 directive to the community of Buddhist clergy explicitly calling for a halt to the formation of 969 organizations. The directive followed the committee's July 15 decision that the formation of 969

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organizations by Buddhist clergy was tantamount to the establishment of a non-recognized religious sect in violation of *sangha* rules.

State-controlled media frequently depicted government officials and family members paying homage to Buddhist monks, offering donations at pagodas; officiating at ceremonies to open, improve, restore, or maintain pagodas; and organizing “people’s donations” of money, food, and uncompensated labor to build or refurbish Buddhist shrines nationwide. The government published books on Buddhist religious instruction.

While communal and sectarian violence increased, the government took some positive steps to address it. The president in March publicly condemned violence, a message he repeated throughout the year in published speeches and national radio addresses. The government held many perpetrators of violence, both Muslim and Buddhist, accountable. Criticized in 2012 and early 2013 for failing to take quick public action against Buddhist perpetrators of anti-Muslim violence in Rakhine State and Meiktila, Mandalay Division, the government acted swiftly to detain Rakhine Buddhist leaders following sectarian violence largely targeting the Kaman Muslim population in Thandwe, Rakhine State, in late September and early October. Nevertheless, reports of unbalanced treatment of religious groups continued. Courts sentenced Buddhists to prison terms of up to 15 years for crimes related to community violence, including murder, but sentenced a Muslim man implicated in the same violence to life in prison.

Improvements in Respect for Religious Freedom

Government censors eased restrictions on local publication of the Bible, Quran, and other Christian and Islamic texts. Unlike in previous years, government censors no longer required Christian publications to submit to government censorship prior to publication, and no longer instructed publishers of Christian literature to remove any of the more than 100 words prohibited in non-Buddhist literature because of their status as “indigenous terms” derived from the Pali language long used in Buddhist literature. Reportedly to prevent exacerbation of religious conflict, authorities did, however, request that religious organizations not distribute sermons that could inflame other religious groups without first obtaining permission.

Government officials increased their participation in public interfaith events, including the participation of the minister of religious affairs at an Eid dinner August 17, and participation of a minister of the president’s office in the first

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annual Interfaith Academic Conference for Security, Peace and Co-existence in October. The government co-sponsored with the United States a public session against hate speech and intolerance on June 27. The minister of religious affairs reportedly worked with Christian groups to identify restrictions on religious freedom and took steps to remove barriers, including the abolition of requirements that Christian groups apply to the ministry for permits to construct religious buildings and for licenses to purchase vehicles for organizational use.

Section III. Status of Societal Respect for Religious Freedom

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice. The emergence of the 969 Movement coincided with a series of violent attacks against Muslims, starting with attacks in Meiktila, on March 20. The violence in Meiktila, sparked by a dispute at a gold shop and exacerbated by the death of a monk, left between 44 and 87 dead, including 32 students at an Islamic boarding school, and destroyed an estimated 1,500 to 2,400 homes, shops and religious buildings. This violence also displaced approximately 11,000 people, mainly Muslims. Both Muslims and Buddhists remained in IDP camps in Meiktila. Local authorities denied Muslim IDPs freedom of movement and reportedly refused to respect claims of Muslim land ownership.

Episodes of violence against Muslim communities appeared in communities scattered throughout the country, usually following the same pattern of a seemingly minor dispute rapidly escalating into mob violence. The violence affected several areas in Bago Division March 25-28, Okkan Township (Rangoon division) April 30, Hpakant (Kachin State) May 2, Hpa Saung, (Kayah State) and Lashio (Shan State) May 27-28, and Kanbalu Township (Sagaing region) August 24. The incident in Lashio, was sparked by a rumor that a Muslim man had set a Buddhist woman on fire. Some proponents of the 969 Movement made widespread use of social media to propagate hate speech and incitement to violence and passed out pamphlets and DVDs in communities across the country calling for boycotts of Muslim businesses and justifying anti-Muslim discrimination. There were isolated reports that pamphlets carrying anti-Christian messages also circulated, and threats against Baptists planning to attend the Baptist convention's 200 year anniversary appeared anonymously on social media. No violence materialized, however. Minister of the President's Office Aung Min attended an event on December 7 to mark the anniversary and to show support for religious diversity.

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In late September and early October in Thandwe Township, Rakhine State, mobs surrounded and attacked Muslim villages following a private dispute between individuals of different faiths that escalated rapidly into mob violence. Ensuing attacks left between five and seven dead, a roughly equivalent number injured, and destroyed more than 100 homes, businesses, and religious buildings. In the months leading up to the violence, some Buddhist Rakhine in Thandwe Township reportedly called for boycotts of Muslim businesses and issued warnings to Muslims to leave their villages or face serious repercussions.

In Rakhine State, especially in the north, security forces isolated some Muslim communities as they implemented a strategy developed by the national government to stop violence and to ensure protection of both Rohingya and ethnic Rakhine communities. Security forces and Rohingya elders also imposed restrictions on the movement of villagers and Rohingya IDPs because of persistent threats of violence. These restrictions impeded the ability of Muslims, including Rohingya, to pursue livelihoods, access markets, and engage other communities. Some reports questioned whether security forces were being used to isolate Muslims and urged the government to end the separation of Muslims so it did not become permanent. Government officials denied Muslims access to government hospitals, except for emergencies. Hardline groups in some townships complicated efforts by aid workers to provide humanitarian assistance to Muslims. Senior government officials condemned these practices and stated that assistance should be made available without limitations.

In Kyawpadaung Township near Bagan, some Buddhists reportedly prevented Muslims from living in the area and displayed signboards pronouncing the area had been “purified” of Muslims. In Karen and Mon States there were anti-Muslim sermons and campaigns to prohibit business dealings between Buddhists and Muslims, and in Tamwe Township in Rangoon Division, Buddhist nationalists reportedly impeded economic interaction between Muslims and Buddhists. In other areas, Buddhists reportedly would not sell or rent property to Muslims.

Section IV. U.S. Government Policy

The U.S. government led international community calls for an end to sectarian violence and for the promotion of religious freedom in its contacts with all sectors of society and increased its engagement with the government on religious freedom issues. President Obama urged President Thein Sein to take strong action to combat sectarian violence and to ensure respect for religious freedom during a bilateral meeting in Washington on May 20, and Secretary Kerry reiterated these

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messages to President Thein Sein on October 10, during a meeting on the margins of the East Asia Summit. Senior former and current U.S. officials raised ongoing U.S. concerns about religious freedom during their visits. These officials included former Presidents Carter and Clinton; former Secretary of State Albright; a deputy national security advisor; the Assistant Secretary of State for Human Rights, Democracy, and Labor; the State Department's Senior Advisor for Burma; and the Principal Deputy Assistant Secretary for the Bureau of East Asia and Pacific Affairs.

Embassy officials at all levels discussed the importance of addressing sectarian violence and increasing religious freedom with high-level government officials, including the ministers of religious affairs, foreign affairs and home affairs, the speaker of the lower house of parliament, parliamentarians including opposition leader Aung San Suu Kyi, members of civil society, scholars, and representatives of other governments. The Ambassador and Deputy Chief of Mission spoke out against sectarian violence and for religious freedom at high-profile events, including an interfaith conference on October 1 and an August 17 event celebrating Eid. Embassy representatives, including the Ambassador, met repeatedly with Buddhist, Christian, Jewish, Hindu, and Muslim leaders, including ethnic minority religious leaders, members of faculties of theology, and other religiously affiliated organizations and NGOs. The Ambassador hosted an iftar in July, attended by leaders of civil society groups and various faith communities, and an interfaith event in September for leaders of all major religious groups to discuss ways to promote religious freedom and respect for religious diversity. Embassy officials traveled to states dominated by ethnic minorities to discuss human rights and religious freedom with state and local government officials, NGOs, and members of community based organizations and religious communities. The Ambassador took three trips to Rakhine State to assess the situation and express U.S. concern about the continuing violence, and orchestrated the diplomatic community's response to the crisis.

The embassy published statements condemning sectarian violence and calling for respect for religious diversity and regularly distributed U.S. government and NGO statements and reports on violations of religious freedom in the country. In addition, the embassy organized community outreach programs by a filmmaker, an interfaith leader and civil rights lawyer, and a religious conflict specialist to promote religious freedom and harmony. An embassy sponsored visit to the United States in August included civil society and religious leaders in a program addressing religious and other forms of tolerance and respect for diversity in a multiethnic society. As in prior years, the embassy partnered with and supported

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numerous faith-based and civil society organizations on programs promoting religious freedom and tolerance.

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