

JAMES P. MCGOVERN, Massachusetts  
Co-Chairman



JOSEPH R. PITTS, Pennsylvania  
Co-Chairman

One Hundred and Fourteenth Congress  
**Tom Lantos Human Rights Commission**

May 10, 2016

The Honorable Mr. Barack Obama  
President of the United States of America  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500

Dear President Obama,

While encouraged by recent steps toward democracy and transparency in Burma, we write to urge you to continue for another year the national emergency with respect to Burma pursuant to the authority provided by the International Economic Emergency Powers Act (IEEPA) and the National Emergencies Act (NEA), and resist calls for the premature lifting of this authority.

The United States has played a valuable role in creating conditions that support Burma's historic progress. This has included the judicious and effective use of sanctions that hold accountable those who are responsible for corruption, repression, and serious human rights abuses. Since 2012, your administration has eased U.S. sanctions in step with concrete reforms in Burma, but much remains to be done. To allow the authority for these important tools simply to expire would be to give up an important source of leverage that has proven effective.

Burma has seen important progress, including the electoral success of the National League for Democracy (NLD), led by Nobel Peace Laureate Aung San Suu Kyi. But full democracy and transparency remain elusive in Burma, in part due to a constitution that places extraordinary power – including the control of three important ministries and 25 percent of national and regional parliamentary seats – in the hands of unelected military officials. The military members of the national parliament have voted as a block to oppose constitutional changes that would mark progress toward forming a more democratic civilian government.

The authorities continue to confine an estimated 140,000 Rohingya Muslims in dismal internment camps, while a million others still face systematic persecution and are at high risk of becoming victims of mass atrocities. Many have been subjected to forced labor, while asylum seekers in neighboring countries have often been exploited by sex traffickers. Hate speech

continues and could provoke new outbreaks of violence, while discriminatory laws restrict the rights of minorities in Burma, especially Muslims, to marry, have children, or change their religion. Recent protests outside the U.S. embassy in Rangoon objecting to the use of the word “Rohingya” in an embassy press release are evidence of the continuing efforts of Ma Ba Tha and others to deny the existence of the Rohingya as an ethnic population and to exploit religious differences.

Armed conflict and serious human rights abuses continue in Kachin, Rakhine and Shan states, where the Myanmar military, or Tatmadaw, has targeted civilians, used human shields, and carried out rape, extrajudicial executions, and forced labor with impunity. These well-documented abuses may rise to the level of war crimes. To date, the Tatmadaw have refused to desist from their attacks on several ethnic militias, and their unwillingness to compromise puts the peace negotiations at risk.

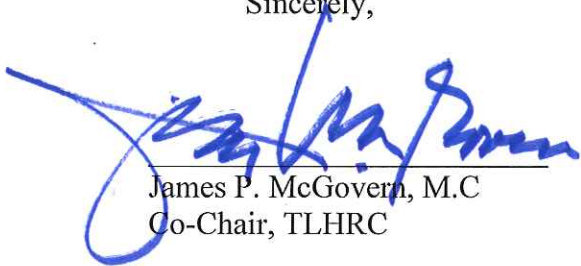
Some of the fighting in Kachin State has revolved around control over lucrative jade mines, said to have generated more than \$31 billion in 2014 alone. But neither the people of Kachin State nor elected authorities benefit from the jade trade, because it is controlled by military elites, military-owned firms, and drug lords, some of whom have been sanctioned by the U.S. government. The government has yet to properly investigate the legality of the jade trade, which also imposes enormous human and environmental costs.

We welcome the positive steps that have been taken by the new government, including the release of more than 200 political prisoners, among them students and activists. However, repressive laws, the ongoing systematic denial of fundamental human rights, reports of a resurgence in political imprisonment led by the Myanmar Police Force and local authorities who effectively report to Burma’s Commander in Chief Senior General Min Aung Hlaing, and government policies that inflict significant hardship on large numbers of people persist. As the Burmese people and reformists in the Burmese government work to further advance the political and economic reforms needed to secure the country’s democratic future, including recent first steps to repeal or amend some of the more draconian laws that the security forces have used to arrest political dissidents peacefully expressing their views, we believe that the best way to support these efforts is to renew the current authority that allows the targeted sanctioning of those individuals and entities standing in the way of further progress.

In February 2016, newly appointed U.S. Ambassador to Burma, Scot Marciel, told our Senate colleagues that he “would not anticipate, nor recommend any dramatic changes” regarding U.S. policy towards Burma. We believe that this is a prudent approach. In our view, a conversation about lifting sanctions authorities is premature, especially when there is no current path toward ending the military’s extraordinary and powerful role in civilian politics, national reconciliation remains an elusive goal and ethnic minorities have not secured a legitimate stake in the future of the country, and the Rohingya remain outside the protections of citizenship. Other matters that should preclude the nonrenewal of sanctions authorities include matters such as halting of hostilities against the Kachin, the Shan, and other ethnic minorities, the provision of unimpeded access throughout the country to providers of humanitarian aid and services and to the Office of the UN High Commissioner for Human Rights, the release of remaining political prisoners, and the existence of draconian laws stifling dissent.

The United States has a long history of supporting the people of Burma through White House and Congressional coordination. We encourage you and your administration to continue to work closely with the U.S. Congress as further changes regarding sanctions are considered. For now, recent progress should be welcomed and further progress on remaining serious unresolved issues encouraged. We feel strongly that this can best be accomplished by renewing the sanctions authorities under IEEPA and the NEA for another year.

Sincerely,

A stylized blue ink signature of James P. McGovern, featuring a large, sweeping initial 'J' and 'M'.

James P. McGovern, M.C.  
Co-Chair, TLHRC

A stylized blue ink signature of Joseph R. Pitts, with a prominent 'J' and 'P'.

Joseph R. Pitts, M.C.  
Co-Chair, TLHRC

A stylized blue ink signature of Joseph Crowley, with a large 'J' and 'C'.

Joseph Crowley  
Member of Congress

A stylized blue ink signature of Alan S. Lowenthal, with a large 'A' and 'L'.

Alan S. Lowenthal  
Member of Congress

A stylized blue ink signature of Grace Meng, with a large 'G' and 'M'.

Grace Meng  
Member of Congress

A stylized blue ink signature of Steve Chabot, with a large 'S' and 'C'.

Steve Chabot  
Member of Congress

A stylized blue ink signature of Ann Wagner, with a large 'A' and 'W'.

Ann Wagner  
Member of Congress