



House Foreign Affairs Committee
Tom Lantos Human Rights Commission

Hearing
On
Victims' Rights in Burma

**MUST ACT TO END DEVASTATING WAR AND IMPUNITY IN
NORTHERN BURMA**

July 24, 2018 - 10:00 a.m.
2200 RAYBURN HOUSE OFFICE BUILDING

Statement of GUM SAN NSANG
PRESIDENT
KACHIN ALLIANCE

Thank you, Chairman McGovern, Chairman Hultgren, members and staff of the Tom Lantos Human Rights Commission.

I am humbled to be before you today to testify as voice for the voiceless and speak for the unspeakable atrocities such as burning villages, rape, starvation, force deportation, and murder inflicted upon thousands of Shan, Kachin, and Ta'Ang populations in Northern Burma. Kachins are slightly over a million in number, a predominately-Christian enclave nestled at the crossroad of China, India, and Southeast Asia. Before I begin with my oral updates on the crisis in Kachin and northern Shan States, I would like to acknowledge my profound gratitude to all Kachin

Churches, Congregations, and Dioceses for housing over 130,000 internally displaced people in 165 camps, feeding them, and rescuing thousands who were trapped in the wilderness where they experienced constant fear and intimidation by Burmese security forces. Without their responsible benevolence, the fate of my people would be complete social disintegration and even greater human tragedy than they have already suffered.

Let me start by stating that this conflict is based on ethnic sovereignty but is fueled by the drive to control and profit from the valuable land and natural resources of the Kachin people. The Burmese military controls access to the billion dollar Hpakant jade mines and war is used as a vehicle for territorial aggrandizement and economic plunder. The military dominates the jade sector through companies it owns or controls, as well as companies controlled by current and former senior military officers and their family members and friends and hidden Chinese business interests. The financial incentives fuel conflict, corruption, and widespread abuses.

Today, I am reminded of Majority Leader McConnell's statement in Congress on Oct 12th, 2011; "I rise today, as I do on many occasions to bring attention to the numerous challenges that face the people of Burma. Of great concern to those advocating for democracy in Burma is promoting reconciliation among the diverse groups in the country. Like many ethnic groups in the country, the Kachin people of northern Burma have a distinct and longstanding heritage. Yet, they continue to be targeted by the ruling junta. Not only is their struggle against the oppressive junta of concern to those of us focused on reforms in Burma, they also have an important historical connection the United States. . ."

Seven years since this statement in 2011, there have been over 3,800 clashes between the Kachin Independence Army and the Burmese Army, averaging 46 battles per month. This is the largest military campaign in modern-day Burmese history since independence, with at least over 411

air strikes by jet fighters and helicopter gunship, including one in the past few days. Air assaults complemented by drones and heavy artillery shells landing in IDPs camps and also on the Chinese side of the border.

Some sobering facts: victims whom I have personally met and interviewed were used as human shields for weeks on end; they were deliberately targeted and injured by Burmese soldiers. These civilians will spend the rest of their days with physical disabilities, a sad consequence of targeted military assault. The only response by the Burmese army has offered has been pointing fingers and blocking journalists and humanitarian organizations from entering our region whereby the press may report findings and relief organization may provide sustained support.

We have also obtained records of Burma Army ordering newly arrived displaced people to be segregated from the local community in Danai Township. There are reports of bio data collection by immigration ministry on the IDPs who fled their homes in May 2018. There were burning of homes by Burma Army-LID 33 in Njangyang Twp on April 28th, 2018. Over 180 churches were desecrated, damaged, or ruined during the 7 years of civil war in Kachin region. According to a Government of Burma census, the Kachin population makes less than 40% of the State's population, but over 92% of displaced and persecuted people are Kachin and Christians. On Dec 16th, 2016 the Burmese army captured KIA's Point 1103 Gidon Post, and within weeks a Buddhist pagoda was erected, which locals consider blunt-force religious oppression.

In April and May 2018, clearance operations in the area of Awng Lawt, Kasung, Lai Nawng Hku, and Njangyang forced more than 7,000 civilians to abandon their homes. There were villagers who were held as hostages for prolonged periods by the Burmese army in order to be used as human shields. In December 2017, on Christmas Eve, the Burma Army fired

artilleries and shells some of which exploded near Woi Chyai IDP camp, resulting in widespread panic and civilian injury. With little to no access to international relief aid, real estate brokers pressure beleaguered IDPs to sign long-term contract to lease their abandoned land to Chinese banana growers at rock-bottom price of \$100/acre per annum.

This is only a brief illustration of the range and seriousness of the abuses civilians face in connection with the fighting between the two armies. The Burmese military bears responsibility for many atrocities across the country and, until it pays a price for its war crimes and crime against humanity, it will be emboldened to continue. The United States government must act without delay to end the impunity of the Burmese military and address the root causes of the conflict in Kachin and northern Shan States. I hope you will take the following recommendations into consideration:

1. Withhold funding for the peace process until humanitarian aids blockages are lifted
2. Enact targeted sanctions and exercise existing authorities, under the Global Magnitsky Human Rights Accountability Act against all senior level Burmese military commanders including Min Aung Hlaing, who have perpetrated mass atrocities.
3. Designate an envoy for mediating peace in northern Burma with an explicit mandate to help address the political and economic underpinnings of the conflict.
4. Support and fund the establishment of an investigative mechanism through the UN that can gather evidence and begin to prepare dossiers against those most responsible for the horrific atrocities that continue today, as well as the future establishment of an international criminal tribunal that can bring perpetrators to justice.

5. Funding for civil society organizations supporting victims and survivors and working toward justice and long-term social change, inclusion, religious freedom, and freedom of speech.

Thank you for your consideration and support. We are hopeful that one day, all people of Burma regardless of their race or religion will have equal opportunity to contribute and thrive in the Union.