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Burma: Background and U.S. Relations

Overview

Burma (also known as Myanmar) is a multi-ethnic Southeast Asian nation of 57.5 million that has been under some degree of military rule since 1962 and under an authoritarian military junta since a February 2021 coup d'état. Beginning in 2011, Burma underwent a partial transition toward a more democratic system, in which a hybrid civilian-military government led the country following parliamentary elections in 2010 and 2015. The civilian side of the government undertook some political and economic reforms, releasing thousands of political prisoners and loosening restrictions on the media, while the military (commonly known as the *Tatmadaw*) retained control of the country's security ministries. During this period, the military committed grievous human rights abuses, particularly against Burma's Rohingya minority in 2017 and 2018, causing over 900,000 to flee to Bangladesh. The U.S. State Department determined in 2022 that those abuses constituted crimes against humanity and genocide.

Congress has taken considerable interest in Burma since a democratic movement rose there in the late 1980s. In the 117th Congress, the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (NDAA 2023; P.L. 117-263) included provisions related to the coup that had been part of the Burma Unified through Rigorous Military Accountability Act (BURMA Act; H.R. 5497), passed by the House of Representatives on April 6, 2022. (A companion bill, S. 2937, was introduced in the Senate and referred to the Senate Committee on Foreign Relations.) The NDAA states that it is U.S. policy to “support the people of Burma in their struggle for democracy, freedom, human rights, and justice” and authorizes additional sanctions and non-lethal, technical assistance to resistance groups, among other provisions. Congress has also appropriated resources to provide humanitarian assistance and promote democracy and human rights in Burma.

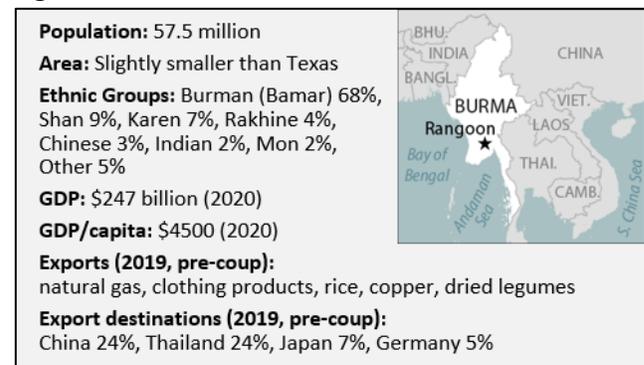
The 2021 Coup D'état

Burma held a third election in November 2020, in which Nobel Laureate Aung San Suu Kyi's political party, the National League for Democracy (NLD), won a majority of parliamentary seats, as it had in 2015. However, Burma's military undertook a February 1, 2021, coup d'état that halted the seating of the newly elected parliament and installed a junta, known as the State Administrative Council (SAC), led by military commander Min Aung Hlaing. The junta arrested Aung San Suu Kyi and many other NLD leaders. Protests and general strikes ensued, and the military responded with violence and thousands of arrests. Burma has been in a state of crisis since.

The State Department reports that in the two years since the coup, nearly 3,000 people have been killed, nearly 17,000

detained, and more than 1.5 million displaced. Regional and international concern has mounted as the military has repeatedly used lethal force against peaceful protestors, waged offensives—including with airstrikes—against ethnic minority militias in war-riven regions, and allegedly committed a wide range of other human rights violations, including targeted killings, burning of villages, and sexual violence. According to the United Nations Office for the Coordination of Humanitarian Affairs, 34,000 homes have been burned or destroyed since the coup. Although the junta says it intends to hold nationwide elections at some point in 2023, it has also extended a state of emergency (martial law), and the State Department said in a January 30, 2023, statement that the elections “cannot be free and fair” under current conditions.

Figure 1: Burma



Source: CIA World Factbook.

Diverse Resistance

The resistance to Burma's military junta is broad and diverse, and questions persist about whether its numerous elements share a common vision for the country's future. In April 2021, a group of ousted parliamentarians, most of them in exile, named a “shadow” National Unity Government (NUG), which included Aung San Suu Kyi as “acting State Counsellor” and a full cabinet of ministers, including a shadow foreign minister. Most of the NUG's membership is comprised of NLD members, but it has also named representatives of two minority groups as president and prime minister. The NUG has sought international recognition as Burma's legitimate government and in February 2023 opened an office in Washington, DC.

On the ground, resistance to the junta has intensified, as ethnic armed organizations (EAOs) have stepped up their decades-long fight for greater autonomy in ethnic regions, while other opponents of the military government have formed informal militias known as People's Defense Forces (PDFs) and waged sabotage campaigns against the regime. Some analysts believe a prolonged period of heightened civil war is likely.

Numerous EAOs exert varying levels of administrative control in minority-dominated regions, and PDFs operate across the country. According to analysts, there is some level of communication and tactical coordination among the various forces, but broad agreement on political goals remains elusive. The NUG issued a Federal Democracy Charter in 2021, seeking to outline a roadmap to a post-conflict Burma, but disagreements remain, particularly among ethnic minority organizations, over the ultimate levels of regional autonomy the resistance seeks.

U.S. Policy

The Biden Administration has responded to the crisis with a number of actions to restrict U.S. entities' interaction with the military government. Under Executive Order 14014, the Administration has imposed a range of sanctions on the regime and its backers, seeking a cessation of violence and a return to democracy. According to the State Department, the United States has sanctioned 80 individuals and 32 entities as of January 30, 2023, "to deprive the regime of the means to perpetuate its violence and to promote the democratic aspirations of Burma's people."

The Administration has also withheld U.S. foreign assistance from Burma's government, as required by law, while continuing to fund projects to promote democracy and human rights and provide humanitarian assistance. For FY2022 and FY2023, it requested \$55.2 million annually in democracy, human rights, and governance programs related to Burma. It has imposed travel restrictions against the coup's leaders and their family members, strengthened export controls against military-linked holding companies, and restricted the military's ability to transfer central bank assets held in the United States. It also made Burmese citizens who can demonstrate continuous residence in the United States as of March 11, 2021, eligible for Temporary Protected Status.

The United States has also sought to help coordinate a multilateral response, including through the U.N. Security Council, the G-7, and other fora. It has encouraged efforts by the Association of Southeast Asian Nations (ASEAN), of which Burma is a member, to pressure the junta to lessen violence and take part in dialogue with opposition actors. Several U.S. sanctions-designation announcements have been timed to coincide with announcements by other nations, including the U.K. and Canada.

International Actions

The U.N. Security Council has passed a series of resolutions condemning the coup and calling for a cessation of violence and dialogue among all stakeholders in Burma. In December 2022, UNSC Resolution 2668 called for an immediate cessation of violence, unhindered access for the provision of humanitarian assistance, and the protection of all civilians. The U.N. Special Rapporteur on the Situation of Human Rights in Myanmar issued a report in January 2023, reiterating calls that the junta is "illegal and illegitimate" and stating that the "unrelenting violence that [the SAC] unleashed on the people of Myanmar has created a widespread human rights, humanitarian, and economic crisis and galvanised nationwide opposition."

Burma's neighbors in ASEAN have sought to pressure the junta to lessen violence and engage with resistance groups. ASEAN's leaders included Min Aung Hlaing in an April 2021 emergency meeting that agreed on a "Five-Point Consensus:" an immediate end to violence in the country, dialogue among all parties, the appointment of an ASEAN special envoy, humanitarian assistance from ASEAN to Burma, and agreements that the special envoy could visit Myanmar to meet with all parties. In an expression of disappointment at Burma's resistance to those goals, ASEAN subsequently did not invite Min Aung Hlaing to its annual summits in 2021 and 2022.

Economic Developments

The country's violence has led to a deep economic crisis. According to the World Bank, Burma's gross domestic product shrank 13% between 2019 and 2022. The official value of its currency, the kyat, has fallen by around 50% between the 2021 coup and January 2023. Observers report persistent food and fuel shortages and rising prices of many basic commodities. According to a December 2022 U.N. report, 15.2 million people are severely or moderately food insecure, up from 13.2 million people at the same time a year earlier.

Plight of the Rohingya

The Rohingya, a predominantly Sunni Muslim ethnic minority in Burma, have been subjected to systematic and pervasive discrimination and abuse by the Burmese military since a 1962 coup that initiated five decades of military rule. Unlike most other ethnic groups in Burma, the Rohingya are not recognized by the government or most ethnic-Burman citizens as an "official" ethnic minority. In 1982, the ruling military junta promulgated a citizenship law that stripped the Rohingya of citizenship. A 2014 census done by the Burmese government excluded Rohingya from its count, but nongovernmental organizations and the U.S. government estimated the Rohingya population at 1.1 million prior to October 2016.

In 2017-2018, systematic violence by the military and others in Rakhine state, home to most of Burma's Rohingya, killed over 9,000 Rohingya and resulted in the exodus of over 900,000 people into neighboring Bangladesh. The vast majority still reside in refugee camps in Bangladesh. Human Rights Watch estimates that another 130,000 Muslims, overwhelmingly Rohingya, live in internal displacement camps in western Burma, having been settled there during earlier periods of violence.

The United States has designated several military leaders, including Min Aung Hlaing, for sanctions and visa bans related to the violence in Rakhine. In 2019, the Gambia filed an application at the International Court of Justice, arguing that Burma had violated the 1948 U.N. Convention on the Prevention and Punishment of the Crime of Genocide. Secretary of State Antony Blinken announced in March 2022 that the United States had determined that members of the Tatmadaw had committed genocide and crimes against humanity against the Rohingya.

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