

THE ROHINGYA CRISIS: U.S. RESPONSE TO THE TRAGEDY IN BURMA

HEARING BEFORE THE COMMITTEE ON FOREIGN AFFAIRS HOUSE OF REPRESENTATIVES ONE HUNDRED FIFTEENTH CONGRESS FIRST SESSION

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THURSDAY, OCTOBER 5, 2017

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The committee met, pursuant to notice, at 9:10 a.m., in room 2172, Rayburn House Office Building, Hon. Ed Royce (chairman of the committee) presiding.

Chairman ROYCE. This hearing will come to order.

Before my opening statement, without objection, I would like to play a short video from our friends at Radio Free Asia that highlights very much the scope and severity of the violence against the Rohingya. So if that is prepared, let's play that right now.

While we are waiting for that, I see Mrs. Muhammad Ali in the audience, and I wanted to thank her for her focus on this issue, and appreciate her presence with us here today. Thank you.

[Video shown.]

Chairman ROYCE. So one of the reasons that I thought we would show the video from Radio Free Asia is to make a point: There is very little information outside of these types of coverage that are coming into the outside world, and more importantly, the Burmese people themselves. In Myanmar, there is no coverage of this information, so people do not actually know what is happening. The generals that run the country have a different narrative. And so there is very little recognition of the reality.

In order to get to that reality, it is very important that we get reporters in on the ground, that we get USAID in to Myanmar, that we get the United Nations back in some way into Myanmar in order to cover. Because as long as that presence is there, it is a check to these types of atrocities.

Now, there are few more pressing demands with respect to our attention to this immediate moment where we can do something to halt mass killings than the situation right now with respect to the plight of the Rohingya. As is often pointed out, for generation after generation now, they have been one of the most persecuted people in the world. And last week, for example, we heard testimony from two witnesses who had just returned from refugee camps in Bangladesh, and they told horrific stories. We heard from a young mother, torn from her burning home, separated from her husband and three daughters, finding out later that her husband had been brutally killed. Her story is just one of countless stories that we are

now hearing about Rohingya refugees that are torn from their homes, that are forced to flee under these horrible conditions.

For decades now, the Burmese Government has systematically suppressed the Rohingya people. A 1982 citizenship law denies Rohingya Burmese citizenship, even though most have lived in that country for generation after generation. They have been denied freedom of movement. They do not have access there to education or to healthcare. They have been marginalized by every level that the Burmese Government can marginalize them, from top to bottom. Formerly someone who was a minister, I talked with him, and he had had his citizenship stripped, and could no longer run for office because he was deemed to be of Rohingya blood. This is the reality that these people face in terms of not being able to even speak up for themselves.

Recently, we have seen the horrors of this decades-old persecution. And there is ARSA, a fringe militant group that has carried out attacks there and, thus, sparked a new round on top of the old pogroms that we saw over the last few years directed against the Rohingya. So now you have an estimated 507,000 Rohingya that have been driven from their homes. Most of that had been forced to cross over to the border into Bangladesh, hundreds have been killed. But as they say, you don't have journalists able to cover the story. They are denied access to the area, so I am sure it is more than the reported number, much higher. Two hundred villages have been burned to the ground, land mines have been placed inside Burma's border with Bangladesh, so that is maiming some seeking safe haven. It is little wonder that the U.N.'s human rights chief called this a textbook example of ethnic cleansing.

Bangladesh deserves credit, and I talked again with the Bangladesh Ambassador the other day. They deserve credit for opening their borders to this influx of refugees. The government, I know, will honor its promise in Bangladesh to build shelter for new arrivals and provide medical services.

In response to this crisis, the Trump administration announced that it would provide \$32 million in humanitarian assistance, and \$20 million of that is going to Bangladesh right now. And the remainder is supposed to go into Rakhine State in Burma. And that is most welcomed.

The State Counselor, Aung San Suu Kyi, she is a Nobel Prize winner, but she must make it a top priority to provide for the safety of those in Burma, including the Rohingya. This is a dialogue I have had with her for a number of years on this subject, and the international community is pressing her as well. We know the military government is calling the shots, but we expect everybody who has access to a microphone inside Myanmar to tell people the reality of what is going on in the country, and that includes her. We know they are not hearing it from their media, but they have to hear it from other sources, and that is why I appreciate Radio Free Asia broadcasting this information in.

Her recent statement questioning why the Rohingya were fleeing and denying that the military had conducted clearance operations, that is factually false. That is exactly what the military is doing there. As I made clear when I wrote her a month ago, her government and the military have a responsibility to protect all of the

people of Burma, regardless of their ethnic background or religious beliefs. Those responsible for these atrocities must face justice. She and the military generals must rise to this challenge. This is ethnic cleansing. The protection of human rights has been our Nation's top priority in Burma, including freeing Aung San Suu Kyi. And today, that must also include the Muslim Rohingya people.

This is a moral issue, and it is a national security issue. No one is more secure when extremism and instability is growing in this part of the world. And I look forward to hearing from the administration on how it is using the tools that we have to end this humanitarian and human rights crisis.

And I now turn to our ranking member for his statement.

Mr. Engel.

Mr. ENGEL. Well, thank you very much, Mr. Chairman. And as always, thank you for calling this hearing. And let me thank all witnesses and welcome you all to the Foreign Affairs Committee. You are very welcomed.

The Rohingya crisis rages more than 8,000 miles from Washington. At that distance, events like this can seem remote. So during my statement, I ask that we display some images that show the reality facing the people of Burma right now as a reminder of the human tragedy unfolding as we sit here today. These images are the result of the unprecedented level of violence in Burma's Rakhine State over the past 6 weeks. Violence that police and security forces have inflicted on civilians, interethnic and interreligious violence between Buddhist, Rakhine, and Muslim Rohingya.

Because of this bloody conflict, more than ½ million Rohingya, 60 percent of whom are children, have fled as refugees across the border into Bangladesh. More than 400,000 people left in the first 30 days, the swiftest exodus of any population since the 1994 Rwanda genocide and Serbia's 1999 ethnic cleansing in Kosovo. Now, nearly three-quarters of those who have fled don't have adequate shelter and half have no safe drinking water. It is a heart-breaking humanitarian disaster and it is getting worse.

The Burmese military has claimed that this brutal crackdown is the response to a clash that took place on August 25, in which border security forces faced off against Rohingya insurgents, reportedly using knives, small arms, and small explosives. But this isn't just some skirmish that has gotten out of hand, it isn't a legitimate counterinsurgency or counterterrorism operation. The Burmese military and border security forces have specifically targeted Rohingya using medieval tactics: Slash and burn, rape, indiscriminate killing. Twenty-one square kilometers of villages systematically burned to the ground. The U.N.'s top human rights officials have called this a textbook case of ethnic cleansing. This flareup is not an isolated event, but the latest chapter in a long history of discrimination against the Rohingya, a history in which they have been denied citizenship, the ability to work, freedom of movement.

A few key Burmese leaders have figured prominently into recent events. As I see it, the only person in Burma who can put an end to this violence, clear the way for humanitarian aid, and allow for a full accounting of what occurred is Min Aung Hlaing, commander-in-chief of the Burmese military. Unfortunately, the inten-

tion of the military is clear: To remove the Rohingya people from Burma.

Some of those watching this horror have laid part of the blame at the feet of Aung San Suu Kyi, the moral and civilian leader of Burma. There is speculation that she is either not getting accurate information or is severely constrained politically. Some assert that she is unsympathetic to the events in Rakhine, but I personally have a hard time believing that a noble laureate, a champion of democracy, and a person of her moral fortitude, she has come here, we have met with her, would turn a blind eye to the immense human suffering taking place in her country.

I think American policy toward Burma has complicated the situation. The Burmese military drafted the constitution, which allows the military to operate with impunity, maintain veto power in the Parliament, and legally retake control over the government. And yet when the United States lifted economic sanctions against Burma, we also lifted sanctions against the military and the businesses that fund them. So while Aung San Suu Kyi has little leverage to reign in military forces that run amuck, it is now legal for American companies to do business with Burmese military-owned companies. It seems to me at a time that the Burmese military is waging this sort of violence against innocent people, we should reconsider our policy on targeted sanctions. And in the meantime, we need to confront a serious humanitarian crisis that is going to persist for years to come.

The United States has allocated \$38 million to assist with the crisis. That number seems grossly inadequate, considering the scale of the humanitarian nightmare now facing the Government of Bangladesh, and this is in addition to the Rohingya still trapped inside Burma. Bangladesh, a country with an average income of around \$1,300, is currently supporting nearly 1 million refugees. This is a country that already has close to the highest population density in the world. I want to recognize Bangladesh's Ambassador, Mohammad Ziauddin, who is here today.

Your government has shown tremendous generosity in welcoming these refugees. Thank you. And while your country opens its doors, I consider it an embarrassment that the United States is closing ours. The Trump administration has lowered our yearly cap on refugees from all over the world to 45,000 per year, the smallest number ever. As this crisis grows worse, and as it grew worse, Bangladesh took in that many people every 4 days.

This policy harms American leadership on the global stage. It undermines our ability to speak credibly about refugees' human rights, while living up to basic international humanitarian principles. It diminishes our standing in the part of a world where China is only too happy to fill the void. So I do want to hear what our approach is. How the administration plans to deal with the crisis facing, not just the Rohingya, but the Kachin, the Shan, and other ethnic groups under assault by the Burmese army, how this violence subverts the peace process and undermines the democratically elected government. So I look forward to your testimony.

I thank you, again, Mr. Chairman, and I yield back.

Chairman ROYCE. Thank you.

So we are joined by a distinguished panel here. We have Mr. Patrick Murphy, serves as the Deputy Assistant Secretary for Southeast Asia at the Department of State. And previously, Mr. Murphy served as Special Representative for Burma, among other senior positions.

We have Ambassador Mark Storella with us. He is the Deputy Assistant Secretary in the Bureau of Population, Refugees, and Migration at the State Department. Previously, he served in multiple senior positions, including serving as the Deputy Chief of Mission in Brussels and as U.S. Ambassador to Zambia.

We have Ms. Kate Somvongsiri. She serves as the acting Deputy Assistant Administrator for the Bureau for Democracy, Conflict, and Humanitarian Assistance at USAID. She has served in a variety of senior positions at USAID where she is focused on rule of law and on human rights issues.

So, without objection, the witnesses' full prepared statements are going to be made part of the record. Members will have 5 calendar days to submit any statements or any questions they have for the witnesses or any extraneous material for the record.

So if you would, Mr. Murphy, I would ask you to summarize your remarks.

STATEMENT OF MR. W. PATRICK MURPHY, DEPUTY ASSISTANT SECRETARY FOR SOUTHEAST ASIA, BUREAU OF EAST ASIAN AND PACIFIC AFFAIRS, U.S. DEPARTMENT OF STATE

Mr. MURPHY. Chairman Royce, Ranking Member Engel, distinguished members of the committee, I greatly appreciate the invitation to testify on the devastating human tragedy in Burma's Rakhine State, and the suffering of ethnic Rohingya and other populations. I first want to thank this committee for its leadership on Burma, and Congress, in general, for the bipartisan collaboration with successive administrations over many decades working on Burma.

Over the past 6 weeks, militant attacks on security forces and on local residents, a disproportionate military response, vigilante violence, and a lack of civilian protection have aggravated longstanding challenges in Rakhine State. The current crisis has led to the desperate flight of over ½ million refugees and displaced others internally. This massive and virtually unprecedented population movement has worsened the humanitarian situation in Bangladesh where many Rohingya refugees already shelter.

This administration is undertaking all efforts to end the suffering immediately. We have made clear to Burmese civilian and military officials they must take urgent actions and steps to stop the violence, respect the rule of law, pave a path for safe return, and hold accountable those responsible for abuses. In spite of assurances that security operations have ended, there are continuing reports of violence, including civilians participating in arson attacks and blocking humanitarian assistance.

Those who have fled must be able to return to their homes voluntarily. State Counselor Aung San Suu Kyi has stated that Burma will allow their return, and we are encouraging closer communication between Burma and Bangladesh. The two sides met this week and formed a joint committee to address repatriation.

Most urgently, we must ensure that humanitarian aid reaches people in need. My colleagues will speak to this, but on the diplomatic front, we are working to overcome security challenges and local resistance in Rakhine State that have precluded many U.N. agencies and NGOs from reaching affected areas. We are also pressing for unfettered media access so that we can all learn in greater detail what is happening.

President Trump has discussed the situation with leaders from Southeast Asia. Secretary of State Tillerson called Aung San Suu Kyi to urge action. Vice President Pence denounced the military's disproportionate response. U.S. Ambassador Haley called the Security Council for an international role. This crisis has implications far beyond Rakhine State. Burma's nascent democracy is at a turning point, and a heavy-handed response invites international terrorists and challenges for other neighbors. We are thus engaging with ASEAN to address humanitarian needs and actions to stop the violence.

I was in Burma myself 2 weeks ago. Our Ambassador and I met with top government and military officials, including Aung San Suu Kyi. Authorities committed to protect civilians, pursue accountability, and cooperate with the international community. The situation on the ground, nonetheless, remains grim. We must pursue all efforts to see full implementation of these commitments. I also visited Rakhine State. I met with members of the displaced Rohingya community. They condemn the violent attacks on security forces. I called on local officials and political figures in Rakhine State, as leaders of ethnic Rakhine communities, to end violence, facilitate assistance, and respect the rule of law.

Under a government elected in 2015 by the people of Burma for the first time in half a century, there are efforts to address inherited longstanding challenges of discrimination and neglect. One such effort was the establishment of the Annan Rakhine Advisory Commission, which produced valuable recommendations to address these challenges. The government committed to implementing those recommendations.

The U.S. Government is forming an overarching policy response to discourage abuses, ensure accountability, and further advance the democratization and development processes so desperately needed in Burma, and especially in Rakhine State. We will not do this alone. We are consulting with the region, the United Nations, the Human Rights Council, and courageous voices inside Burma to ensure human dignity for all.

The current crisis in Rakhine has exposed the fragility of a transition we and Congress worked so hard to help achieve. The governing complexities underscore that no single actor can resolve this crisis. The national and local governments, security forces, community leaders, and indeed all peoples of Burma, have responsibilities.

Mr. Chairman, members of the committee, we are strongly engaged to bring an end to this suffering and to find lasting solutions in Rakhine State. We look to Congress as an essential partner in these efforts, and we thank you for the opportunity to describe what we are doing to address this tragic crisis. Thank you, Mr. Chairman.

Chairman ROYCE. Thank you. Ambassador?

STATEMENT OF THE HONORABLE MARK C. STORELLA, DEPUTY ASSISTANT SECRETARY, BUREAU OF POPULATION, REFUGEES, AND MIGRATION, U.S. DEPARTMENT OF STATE

Ambassador STORELLA. Chairman Royce, Ranking Member Engel, distinguished members of the committee, thank you for inviting us to this important hearing on the U.S. response to the violence against Rohingyas in Burma. I am grateful for the opportunity to update you on how the U.S. Government is targeting life-saving aid and on the challenges ahead.

The violence in Rakhine State continues to devastate vulnerable populations within Burma, and cause families, mostly women and children, to flee their homes for their lives. In terms of magnitude and speed, this is one of the most dramatic humanitarian emergencies to occur in decades.

I will briefly comment on the current humanitarian situation facing those affected by the crisis, discuss the challenges the international community faces in delivering humanitarian assistance, and comment on what the State Department is doing to address the situation.

The attacks on August 25 and the continuing violence resulted in approximately 200,000 internally displaced inside Burma and prompted, as has been noted, more than ½ million people to flee to Bangladesh, bringing the total number of Rohingya in Bangladesh to over 1 million people.

The number one humanitarian priority, as the chairman and the ranking member both have noted, is access in Burma, gaining access to those in need in Rakhine State. Burma's civilian government has committed publicly and privately to provide humanitarian assistance to all communities in affected areas through the Red Cross movement. The movement has stressed to the Burmese Government that it will not be able to fully meet humanitarian needs, and that U.N. agencies and international law and governmental organizations will also require operational space in northern Rakhine State. We take every opportunity to emphasize to Burmese officials at all levels of the government the need to allow humanitarian assistance to those in need.

This week, PRM Acting Assistant Secretary Simon Henshaw met with Burmese officials at the UNHCR Executive Committee meetings in Geneva to express our profound concern. In all our contacts with Burmese officials, we continue to press the government and the military, both publicly and privately, to end the violence, to protect the security of all communities, and to allow Rohingya refugees to voluntarily return to their homes after Burmese authorities ensure they can do so safely.

We are greatly appreciative of the Government of Bangladesh for opening its borders to those fleeing the violence, many of whom arrived after walking for days and in need of food, water, and medical care. The monsoon season has exacerbated the situation, as flooding and poor infrastructure made aid delivery even more challenging.

In every meeting with Bangladeshi officials, we thank them for allowing refugees to cross into their country in such large numbers, and urge them to uphold humanitarian principles while balancing their own security concerns. Earlier this week, I met with a high-

level delegation from Bangladesh here in Washington for the U.S.-Bangladesh Security Dialogue, which included the discussion of the violence in Rakhine State and the humanitarian crisis in Bangladesh. Our Ambassador in Dhaka, Ambassador Bernicat, recently visited the refugee encampments at Cox's Bazar and has been in constant contact with Bangladeshi authorities on humanitarian issues.

In addition to our diplomatic engagement, the U.S. is providing humanitarian assistance to our U.N. and other humanitarian partners to help vulnerable populations affected by the Rakhine State violence. The U.N. has estimated \$434 million is needed for emergency response in Bangladesh through February 2018.

In fiscal year 2017, thanks to the support from this Congress, the United States contributed nearly \$104 million in assistance to displaced populations in Burma and for refugees from Burma throughout the region. Of this funding, the State Department's contribution totaled nearly \$76 million. This included the nearly \$32 million in emergency assistance, to which you have referred, which we announced in September, that allowed our partners to respond immediately as thousands were arriving daily in the already established and new settlements in Bangladesh. Our contributions provide lifesaving assistance, such as food, water, shelter, sanitation, health, and core relief items, and support to victims of gender-based violence. We are urging other donors to do more as well.

I would like to conclude, Mr. Chairman, by highlighting that in responding to this crisis, the State Department's primary concerns are protection and achieving meaningful, durable solutions for those who have been displaced, including the chance to go home in safety and dignity when conditions permit. The U.S. Government's humanitarian assistance provides an important lifeline until that possibility becomes a reality.

In concluding, thank you to the Congress for all that you have done, and thank you for the way you authorize funds so that we are able to react quickly to these urgent requirements. Thank you.

[The prepared statement of Mr. Murphy and Ambassador Storella follows:]

**Statement of
W. Patrick Murphy
Deputy Assistant Secretary, Bureau of East Asian and Pacific Affairs
and
Mark C. Storella
Deputy Assistant Secretary, Bureau of Population, Refugees, and Migration
United States Department of State**

**Before the
House Foreign Affairs Committee**

October 5, 2017

Chairman Royce, Ranking Member Engel, distinguished Members of the Committee, we appreciate the invitation to appear before you today to testify on the devastating human tragedy that has unfolded in Burma's Rakhine State, exacerbating the longstanding suffering of ethnic Rohingya and other minority populations, inflicting a substantial burden on neighboring Bangladesh, and threatening to undermine Burma's substantial gains in recent years on its fragile transition from authoritarian military rule to elected government, including efforts to achieve a long elusive national peace.

We are grateful for the opportunity to update you on the current humanitarian situation facing those affected by the crisis, comment on what the State Department is doing through diplomatic engagement and the targeting of life-saving aid to address this situation, discuss the challenges the international community faces in delivering humanitarian assistance, and discuss what we are doing to move forward.

Current State of Play:

Rakhine State, one of the poorest states in Burma, suffers from a history of ethno-religious tensions, political conflict, military violence against civilians, and social and economic underdevelopment. This underlying conflict has resulted in periodic displacement of people within and outside of Rakhine State.

Over the last six weeks, attacks by militants, a disproportionate military response to those attacks, violence perpetuated by local vigilantes, and fear of a lack of protection for local populations has created a renewed crisis in Burma's Rakhine State, and exacerbated challenges for minorities, including the Rohingya people,

who lack most basic rights, including citizenship and even recognition of their identity.

The violence in Rakhine State continues to devastate vulnerable populations within Burma and cause families and unaccompanied minors to flee, particularly to southeastern Bangladesh. Estimates indicate more than half a million people have fled to Bangladesh with an estimated 200,000 internally displaced. This almost unprecedented population movement has worsened a desperate humanitarian situation in Bangladesh, where previous crises in Rakhine State had already forced hundreds of thousands of Rohingya refugees to flee. Prior to these attacks, 120,000 internally displaced persons (IDPs) had been living in camps in Rakhine State since inter-communal violence in 2012. Approximately 87,000 had fled to Bangladesh following violence in October 2016, joining an estimated 200,000-500,000 undocumented Rohingya and over 33,000 registered Rohingya already living in southeastern Bangladesh for over two decades.

In Burma, the government has reported that the recent violence has emptied at least 175 Rohingya villages—more than one-third of the approximately 470 Muslim villages in northern Rakhine State, while satellite imagery from Human Rights Watch, taken on September 19, identified the burning of nearly 215 Muslim villages. The violence resulted in the suspension of humanitarian activities to affected communities across Rakhine State and further limited already restricted access to populations requiring ongoing assistance.

Diplomatic Engagement:

The suffering of so many calls all of us to action. This administration is undertaking all efforts to end the suffering immediately. In the case of this crisis, the State Department's primary concerns are protection and achieving meaningful durable solutions for those who have been displaced, including the chance to go home again in safety and dignity when conditions permit.

We have made it clear to Burmese civilian and military officials at the highest levels, within the central government and in Rakhine itself, that all stakeholders must end the violence, respect the rule of law, cease displacement, pave a path for the Rohingyas' return to their homes, and hold accountable those responsible for violations and abuses. We have expressed alarm about continuing reports of violence perpetuated by security forces, despite government assurances that security operations ended on September 5. We have received reports as well of civilians operating outside the rule of law—vigilantes—committing arson attacks on Rohingya homes and blocking humanitarian assistance to many populations.

We have been clear that those who have fled to Bangladesh or are otherwise displaced must be able to return home voluntarily – and we welcomed State Counsellor Aung San Suu Kyi’s commitment in her September 19 address that Burma would allow them to return. Much depends on the precise way in which people are repatriated. We are encouraging closer communication between Burma and Bangladesh. A senior Burmese delegation traveled to Dhaka earlier this week and the two sides agreed to form a joint working committee on repatriation.

Principals in our government have been strongly engaged on this issue. President Trump has discussed the situation with leaders from Southeast Asia. Secretary of State Tillerson called Aung San Suu Kyi on September 19 to urgent action. Vice President Pence denounced the Burmese military’s disproportionate response in his remarks at the United Nations on September 20. USUN Ambassador Haley spoke at an open Security Council meeting on September 28 and called for an international role in ending the violence. National Security Advisor McMaster has spoken with his Burmese National Security Advisor counterpart. All have made clear that this crisis has implications far beyond Rakhine State. We are also engaging ASEAN member states on the crisis.

Rakhine State Crisis Humanitarian Challenges:

The challenges before us are many. We will focus on: (1) gaining humanitarian access in Rakhine State; (2) the need to work with host governments in the region to ensure refugees are offered safety and treated with respect, and that host governments have what they need to help the refugees; (3) specific contributions made by the State Department in coordination with USAID; and (4) ensuring that UN and other humanitarian agencies have the support they need to respond.

Humanitarian Access:

The number one humanitarian priority is gaining access to those in need in Rakhine State. Relief agency access to most of the affected areas remains severely limited. Humanitarian activities remain suspended in northern Rakhine State and severely disrupted in central Rakhine as of mid-September. Although some relief activities have resumed in central Rakhine through local or camp-based staff, travel restrictions—primarily the lack of government travel authorizations and threats from local ethnic Rakhine groups—prevent international staff of UN agencies and INGOs from accessing IDP camps and affected communities across Rakhine State. In addition, safety concerns prevent many Burmese staff from accessing those in need.

We take every opportunity to emphasize to Burmese officials at all levels of government the need to allow humanitarian assistance to those in need. The White House, State Department, and the U.S. Mission to the United Nations have issued statements calling for immediate unfettered humanitarian access to all affected populations. The State Department has urged the government of Burma to grant immediate humanitarian access to northern Rakhine State, and find the government's commitment to do so encouraging.

We are working with international partners and stakeholders inside Burma to overcome challenges that have precluded humanitarian agencies and NGOs from reaching affected areas of northern Rakhine State. We have succeeded in securing Burmese government cooperation for the Red Cross Movement (RCM) to deliver assistance, but they alone cannot assess or meet all of the humanitarian needs in Rakhine State. Specifically, the International Committee of the Red Cross (ICRC) and the International Federation of Red Cross and Red Crescent Societies (IFRC) are working with the Myanmar Red Cross Society to develop and implement a response plan as the situation continues to evolve. ICRC has stressed to the Burmese government that the RCM will not be able to address all needs and the UN agencies and international non-governmental organizations will also need operational space. We are also pressing for unfettered media access to this isolated part of Burma.

Working with Host Governments:

We recognize the huge strain that the influx of refugees is currently placing on Bangladesh, as well as the concerns of other countries such as India, Sri Lanka, and Thailand. We have seen reports of statements from the Governments of India and Thailand's efforts to keep Rohingya refugees from entering their countries. It is essential that neighboring countries keep their borders open for those fleeing violence in Burma, and we will continue to emphasize this to those in the region, along with seeking ways to support governments hosting refugees.

Bangladesh has kept its border open, though it is concerned about its capacity to absorb so many refugees, in addition to security concerns related to the influx of so many vulnerable people in such a short period of time. We appreciate the generosity of the Government of Bangladesh to those fleeing the violence, many of whom arrived after walking for days and in need of food, water, and medical care. They found official and makeshift camps already overstretched by previous influxes. International aid agencies are working to scale up operations and provide basic life-saving assistance to the new arrivals. The majority of those in need have little access to food, water, health care, and proper shelter. The monsoon season

has exacerbated the situation, as flooding and poor infrastructure have made aid delivery even more challenging. The UN estimated \$200 million is needed for emergency response in Bangladesh to meet needs through February 2018.

The Government of Bangladesh is working with UN agencies and the international community to provide temporary shelter and protection. Bangladesh recently donated 2,000 acres of land and is working with UN agencies to build shelter for up to 200,000 refugees. The government has also initiated a registration process to document the Rohingya population in southeastern Bangladesh and provide individuals with identification documents that we hope will facilitate access to services and protection. In every meeting with Bangladesh officials, we thank them for allowing refugees to cross and discuss ways to support them as they uphold humanitarian principles while balancing their own security concerns.

Humanitarian Assistance:

In addition to our diplomatic engagement, the United States is providing humanitarian assistance through our UN and international organization partners to help vulnerable populations affected by the Rakhine State violence. The U.S. continues to be the global leader in providing assistance to people in need in Burma and throughout the region. In FY 2017, thanks to support from Congress, the United States contributed nearly \$104 million in assistance to displaced populations in Burma and for refugees from Burma in the region. Of this funding, the State Department's contributions totaled nearly \$76 million. This included nearly \$32 million in emergency assistance announced at the UN General Assembly in response to the needs of those affected by the latest outbreak of violence. Our contributions provide life-saving assistance to meet critical humanitarian needs, such as food, non-food items, shelter, water, sanitation, and health both inside Burma and in host countries.

Department support in FY17 funded key humanitarian partners including the UN High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM), the UN Children's Fund (UNICEF), and international non-governmental organizations, among others. These agencies are a key part of the international humanitarian system that is governed by humanitarian principles and brings technical expertise and operational capacity to respond quickly and effectively to large-scale crises such as this.

Humanitarian Coordination:

In addition to funding levels, the region's capacity to handle the humanitarian crisis is dependent on the capacity of the UN-led humanitarian response, including

deployment of emergency response experts and adequate staffing levels. In Bangladesh, we continue to advocate with UN coordinating agencies to increase expert technical staff on the ground and strengthen the coordination structure supporting implementation of the response plan. In a refugee crisis such as this, UNHCR holds the global protection mandate; however, in Cox's Bazar, UNHCR's role to date has been limited by government restrictions. The government has recently increased cooperation with UNHCR and recently approved its role in leading protection services. This will help improve conditions in Cox's Bazar, including through increased information on the number and needs of refugees and coordination in responding to the most vulnerable individuals. Government constraints on funding to experienced international NGOs have limited donors' ability to assist all those in need, though we are seeing improvements in these processes. We will keep up pressure to ensure seamless coordination and strategic vision for the response in Bangladesh.

Long-Term Challenges:

In addition to pressing for immediate action to end violence and meet humanitarian needs, we are also supporting the elected government's efforts to address inherited challenges in Rakhine State. The government established the Rakhine Advisory Commission, led by former UN Secretary General Kofi Annan, which in August produced a set of recommendations for addressing the complex issues in Rakhine State that have ignited many crises over past decades. The Commission's recommendations on addressing underdevelopment, shortcomings in government services and access to justice and ensuring a credible, transparent citizenship process for all people in Rakhine, all provide valuable ways forward. The government of Burma has committed to implementing the recommendations.

The U.S. government is developing an overarching policy response that includes ways to discourage the serious human rights abuses we have seen and further encourage the democratization process and economic development in Rakhine State and throughout the country. We will not do this alone. We are consulting with regional partners, members of the international community in international bodies like the United Nations, and courageous voices inside Burma who want human dignity for all who reside in that country and a peaceful and stable future.

Conclusion:

For decades, Congress and the U.S. Government have worked closely together on Burma as partners. In particular, we thank this Committee for its leadership and bipartisan collaboration. Together, we supported Burma's democracy movement

through the dark days of repressive military rule, and together we supported a military reform government's transition toward democracy.

It is in our interests, and those of the diverse populations of Burma, including the Rohingya, to see the new, elected government succeed. The current crisis in Rakhine State has exposed the fragility of that democratic transition. Greater civilian control over, and professionalization of, the armed forces is needed, as are reforms that will bring an end to the military's heavy-handed tactics that have fueled violence across Burma since independence in 1947. The democratically-elected government, security forces, community leaders, and populations across the country all must calm tensions, end the violence, and secure the safe, voluntary, and dignified return of all those displaced. Only then will there be a chance for lasting peace and change in Rakhine State and across the country as a whole.

In conclusion, Mr. Chairman and members of the Committee, we are strongly engaged to bring an end to this major crisis and to find lasting solutions to the long-standing challenges in Burma's Rakhine State and beyond. U.S. government humanitarian assistance provides an important lifeline until this possibility becomes reality. We are grateful for the generosity of Congress and the American people who make our assistance possible. We will look to Congress, as we always have, as an essential partner in these efforts.

Thank you. We are ready to answer any questions you have.

Chairman ROYCE. Thank you, Ambassador. Kate Somvongsiri.

STATEMENT OF MS. V. KATE SOMVONGSIRI, ACTING DEPUTY ASSISTANT ADMINISTRATOR, BUREAU FOR DEMOCRACY, CONFLICT, AND HUMANITARIAN ASSISTANCE, U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT

Ms. SOMVONGSIRI. Chairman Royce, Ranking Member Engel, members of the committee, thank you for inviting me to speak today and for your engagement on this important issue.

The recent escalation and violence in Northern Burma has resulted in massive displacement, as we have discussed, and increased humanitarian needs both in Burma and in neighboring Bangladesh. Burma has come a long way in its transition to a free and democratic society. These events, however, not only imperil the lives of thousands, but also cast a cloud over Burma's gains and threaten to undermine economic progress.

Over 500,000 people, as we have discussed, mostly Rohingya, have fled the recent violence in Rakhine and have sought refuge in Bangladesh. For a sense of scale, that is nearly the entire population of Washington, DC, leaving the city in just over a month's time. And in addition, there are tens of thousands of people who have been internally displaced and are in need of assistance within Rakhine State.

USAID is providing humanitarian assistance in Burma, helping host communities in Bangladesh cope with the influx of refugees, and addressing tensions in ethnically mixed areas of Rakhine and Burma, including those not directly affected by the recent violence.

As a foreign service officer who lived on the Thai-Burma border 16 years ago working with migrants and refugees, Burma is for me as it is for many, a special place, and has influenced my path in international human rights and development. In my testimony, I will touch on USAID's response to the current crisis and highlight some of the challenges of providing assistance and bringing lasting resolution to this conflict.

In Burma, our main humanitarian challenge is not a lack of resources, but a lack of access. Since the August 25 attacks, many of USAID's partners were forced to suspend their work due to military security operations in Rakhine State. Insecurity, government restrictions, and local communities' enmity toward U.N., international NGOs, and local staff, have prevented full humanitarian access, including along the border. False and misleading rumors about Rohingya spread and fanned by official government information have contributed to this volatility.

We continue to call upon all parties to allow unfettered humanitarian access to people in need, and we urge the government to allow media and human rights monitors to access the afflicted areas.

Reports of atrocities against civilians are extremely troubling and demonstrate the need for humanitarian assistance and protection from further violence, which are urgently needed. Together with our colleagues at State, along with the international community, USAID's mission in Burma has reiterated our concerns to the Burmese Government and has called on them to end the violence, ensure that people have dignified, safe, and voluntary return to

their homes. Additionally, USAID continues to support civil society within Rakhine State and across Burma to prevent the escalation of violent conflict, and to counter hate, speech and rumors.

The speed and volume of people fleeing from Burma to Bangladesh has been staggering. We have seen, as we have discussed, over 500,000 flee in the span of over a month, a truly unprecedented rate, even faster than those fleeing Mosul, Iraq, or South Sudan over the past year. I don't use the term "unprecedented" lightly, but it is fitting in this scenario. Given the enormity of this influx, stark challenges remain to adequately respond. The people fleeing to Bangladesh arrive with just what they could carry. They are in immediate need of safe drinking water, of sanitation facilities, of emergency food assistance, shelter, healthcare, nutrition, and protection services. And poor conditions in these displacement sites increase the risk of disease and outbreaks.

USAID's Office of Food For Peace has contributed \$7 million to the World Food Program to provide lifesaving food assistance. In addition, USAID is supporting essential coordination efforts needed to manage the massive influx and for the immediate scaleup in concert with our state partners. We also applaud the Government of Bangladesh's generosity in responding to this severe humanitarian crisis, and we recognize that the communities are stretching their own scarce resources to take in their neighbors. We are committed to supporting them as well.

In conclusion, the latest violence and continued conflict in Rakhine State has exacerbated the existing human rights and humanitarian crisis impacting the lives of thousands. We must be honest and forthright in our assessment of the situation and clear on what we expect as humanitarians and as Americans. We shall remain resolute in our efforts to meet the needs of the Rohingya and affected communities in Burma and Bangladesh, and we call on all stakeholders to end the violence and seek a lasting resolution to the conflict.

Thank you.

[The prepared statement of Ms. Somvongsiri follows:]

Testimony of V. Kate Somvongsiri
 Acting Deputy Assistant Administrator
 Bureau for Democracy, Conflict, and Humanitarian Assistance, USAID
 Before the House Committee on Foreign Affairs
 October 5, 2017, 9:00AM

Chairman Royce, Ranking member Engel, members of the committee, thank you for inviting me to speak to you today. As you have seen, the recent escalation in violence in northern Rakhine State, Burma has resulted in massive displacement and humanitarian needs both in Burma and across the border in neighboring Bangladesh. This is a humanitarian crisis that is growing rapidly, and the United States is responding to save lives. Recent events not only imperil the lives of thousands, but also cast a cloud over Burma's recent democratic gains, and threaten to undermine their economic and political reforms.

We are deeply concerned about the humanitarian crisis in Bangladesh and reports of horrific human rights abuses in northern Rakhine State. Our main challenge in responding to the humanitarian crisis in northern Rakhine State is not due to a lack of resources, but a lack of access. This is due to restrictions imposed by Burmese authorities, which prevent UN and international non-governmental organizations (INGOs) from providing much-needed humanitarian assistance. Over 50,000 people fleeing the recent violence in Rakhine, most from the Rohingya community, have sought refuge in Bangladesh. For a sense of scale, that's nearly the population of Washington, D.C., leaving the city in the span of little over a month. In addition, there are as many as 200,000 of people from many communities who have been internally displaced – and are in need of assistance – inside Rakhine State.

While the immediate crisis has been triggered by a coordinated attack from the Arakan Rohingya Salvation Army (ARSA) on Burmese security outposts and disproportionate response by Burmese security forces and militias, the conditions for a large-scale crackdown on Rohingya civilians have been developing for several years.

In response to the latest violence, USAID is responding on both sides of the Burma/Bangladesh border, providing humanitarian assistance where possible, as well as helping host communities cope with the influx of refugees in Bangladesh, and addressing intercommunal tensions in ethnically mixed areas of Rakhine in Burma, including those not directly affected by recent violence.

As a foreign service officer who lived on the Thailand-Burma border sixteen years ago working with migrants and refugees, Burma is for me, as I know many others, a special place that has influenced my path in international human rights and development. In my testimony, I will touch on the issues USAID is responding to in the current crisis, and highlight some of the challenges we face in attempting to provide assistance, and bring a lasting resolution to this crisis.

Context/Recent Developments

In the wake of the most recent violence, conflict-affected populations in central Rakhine, including those in pre-existing IDP camps, are in critical need of food, health, and sanitation assistance. However, humanitarian activities were suspended on August 25, and have only partially resumed. World Food Programme (WFP) food rations are more than a month behind, and the government has not yet authorized delivery of food distributions to IDP camps that would normally have taken place in September.

While local civil society groups and Red Cross organizations are distributing limited assistance to internally displaced communities, UN partners and international NGOs have not been allowed to provide assistance in northern Rakhine State, the Rohingya-majority area where abuses are occurring. Burmese officials have instructed local civil society groups that they are not permitted to provide assistance directly to Rohingya communities, and that all assistance to Rohingya will be managed by the government and Red Cross Movement organizations. Burmese officials continue to emphasize that the Government of Burma and Red Cross Movement will lead response efforts and that assistance delivered directly by international groups such as the UN and INGOs is not currently an option in Rakhine State. We continue to call upon the Burmese Government and military to allow unfettered access for humanitarian access to resume across Rakhine State.

As conflict continues in Rakhine, tens of thousands of people continue to flee into Bangladesh. Since August 25, more than 500,000 men, women, and children have fled into Bangladesh from Burma, bringing the current total estimated number of Rohingya refugees in Bangladesh to as many as 900,000 people. The new influx of Rohingya is currently encamped in a series of informal settlements and host communities in and around Cox's Bazar in Southeast Bangladesh near the Burmese border.

USAID Response

So far in FY 2017, the United States has provided over \$100 million in humanitarian assistance for vulnerable communities displaced in Burma and the region, including Bangladesh. Through USAID's Offices of U.S. Foreign Disaster Assistance (OFDA) and Food for Peace (FFP), the Agency has provided over \$27 million, and we expect to continue responding to this crisis in FY 2018.

Burma

USAID has been responding to the humanitarian needs of vulnerable populations (including but not limited to Rohingya) in Burma for decades. In the east along the Thailand-Burma border, USAID supports cross-border consortiums and local partners to respond to the humanitarian needs of nearly 400,000 Karen and Karenni IDPs and refugees. In Kachin and northern Shan States, where recent armed conflict has led to further displacement, USAID is supporting nearly 100,000 IDPs in areas with limited humanitarian access, though the

military continues to prevent humanitarian assistance from reaching areas that are administered by ethnic armed groups.

In Rakhine, the international community has faced years of challenges to humanitarian access due to insecurity, restrictions put in place by local and national authorities, and public mistrust of international organizations. USAID has responded to the needs of conflict-affected populations across Burma, including Shan, Kachin, and Karen states, as well as the Rohingya, since an outbreak of intercommunal violence in 2012 displaced over 100,000 people in Rakhine.

In Rakhine State, many of USAID's partners were forced to suspend their work due to the military's security operations since the August 25 attacks and they remain unable to gain access to northern Rakhine State. It's important to note, though, that humanitarian access throughout Rakhine State had become increasingly restricted even before the August 25 attack. However, our partners have maintained a presence in Rakhine and many of our conflict mitigation and intercommunal conflict mitigation programs remain ongoing. Our humanitarian programs are ready to resume activities as Burmese authorities permit access.

USAID partners have been able to resume limited life-saving assistance to people in central Rakhine State located in camps for internally displaced persons in Sittwe and Pauktaw. This includes nutrition, protection against trafficking and other human rights abuses, and water, sanitation, and hygiene services, largely managed by local staff. However, the security forces continue to prevent full humanitarian access to northern Rakhine state and full resumption of activities in other parts of the state. Additionally, insecurity, government restrictions, and local communities' enmity towards UN and NGO staff, including local staff further inhibit access. False and misleading rumors about the Rohingya, the level of threat presented by ARSA, and the role of the international community spread amongst local communities and fanned by official government and military information channels have contributed to the volatility of the present environment.

Reports of atrocities against civilians are extremely troubling, and further demonstrate that humanitarian assistance and protection from further violence is urgently needed. We continue to call upon all parties to allow unfettered humanitarian access to people in need and we urge the authorities to allow media and human rights monitors access to the afflicted areas. We also urge Burmese security forces to follow the lead of the elected government in implementing the Advisory Commission on Rakhine State's recommendations.

USAID's Mission in Burma is closely coordinating with other agencies in Burma and the regional international organizations, and other donors, to address the situation in Rakhine State. Together with our colleagues at the State Department, along with the international community, we have reiterated our strong concerns to the Burmese Government, and have called on them to end violence, provide immediate, unfettered humanitarian access, and ensure the dignified, safe, and voluntary return of all those displaced from their homes.

The Red Cross Movement has begun an initial humanitarian response to reach 150,000 people in the next three months, as requested by the Burmese Government until broader access is possible. Even this initial response will stretch the capacity of the Red Cross in Myanmar. The Red Cross Movement as well as diplomatic missions continue to advocate for access and support from other humanitarian agencies.

Additionally, USAID continues to support civil society in Rakhine State and across Burma to prevent further escalation of violent conflict and counter hate speech and rumors. Peace networks, made up of diverse civil society organizations throughout Burma, have actively combated misinformation on the Rakhine conflict, as well as worked to prevent the narrative from spreading into a larger conflict targeting all Muslims, like was seen in 2012 and 2013. These efforts, along with our work with local government officials on conflict mitigation trainings, have been complemented by our partners working on Facebook, developing online platforms that counter fake news by fact-checking local reporting and online rumors.

Bangladesh

The speed and volume of people fleeing over the border from Burma to Bangladesh has been staggering. We have seen more people flee, over 500,000, in the span of less than two months, a truly unprecedented rate, faster than even the movement out of Mosul, Iraq, or South Sudan into Uganda, within the past year. I don't like to use the term 'unprecedented' lightly, but it seems to be the most fitting term in this situation.

Given the enormity of this influx, stark challenges remain in order to adequately address the scale and speed of the response effort needed. The people fleeing to Bangladesh arrive with little to no possessions, and have settled in existing makeshift settlements, newly established sites, as well as in host communities. They are in immediate need of access to safe drinking water and sanitation facilities, emergency food assistance, and sufficient shelter, health, and nutrition services. Conditions in displacement sites raise very real concerns about the risk of disease outbreaks.

We applaud the Government of Bangladesh's generosity in responding to this severe humanitarian crisis and appreciate their continued efforts to ensure assistance reaches people in need. The Government of Bangladesh has set aside approximately 2,000 acres of land adjacent to the Kutupalong makeshift camp for the new arrivals. The Government has also committed resources to provide health services and started biometric documentation for new arrivals.

The international humanitarian community has also mobilized, with many UN agencies making Level 3 – the highest level – declarations including the World Food Program, UNHCR, and UNICEF. We are working alongside our State Department colleagues and other donors, to support UN agencies and NGOs on an effective response. I would like to point out

that declaring this a Level 3 crisis, along with places such as Syria, South Sudan, and Yemen, should underscore the severity of the situation.

The USAID Mission in Bangladesh is actively engaged in responding to the crisis, leading several donor coordination meetings with international agencies and Chiefs of Mission from several countries. Over this past weekend, U.S. Ambassador Marcia Bernicat and our Mission Director, Janina Jaruzelski, visited the formal and informal refugee camps to further assess the needs and determine how the U.S. Government can be most helpful.

USAID's Office of Food for Peace recently contributed \$6 million to WFP for their response to the influx of refugees into Bangladesh, in addition to \$1 million provided to WFP earlier this year. This funding complements assistance announced by the Department of State's Bureau of Population, Refugees, and Migration on September 20, which included \$28 million in assistance to Rohingya refugees and host communities in Bangladesh. In addition to providing life-saving food assistance, USAID's contribution supports essential coordination efforts needed to manage the massive influx of new arrivals and need for immediate scale-up. Given these needs, FFP has also deployed a senior FFP Officer and Communications Officer to augment the Mission's humanitarian response efforts.

USAID recognizes that host communities are stretching their own scarce resources to provide support to this sudden and massive influx of refugees, and have had their normal livelihoods disrupted. USAID maintains a robust program of regular development assistance to Bangladesh, providing more than \$212 million in 2017. Programs in the Cox's Bazar region, housing the influx of Rohingya, support efforts to expand economic opportunity, advance health and education, and ensure best practices are used to foster human rights.

Conclusion

USAID will continue efforts to foster national peace and reconciliation, maintain momentum for democratic and economic reforms, and improve the lives of the people of Burma. However, we must be honest and forthright in our assessment of the situation, and clear on what we expect as humanitarians, and as Americans. The latest violence and continued conflict in Rakhine has exacerbated the existing human rights situation and humanitarian crisis, imperiling the lives of hundreds of thousands. In the long-term, our development efforts must continue to address the underlying drivers of the violence. But in the immediate-term, until the conflict is resolved, we shall remain resolute in our efforts to assist Rohingya and all affected communities within Burma and Bangladesh.

Chairman ROYCE. Thank you, Kate.

This was always going to be a difficult transition for Burma to a more democratic state from the military control, especially given the tripwires of all the different ethnic groups inside Burma. But the most injurious decision, I think, that has been made by the military has been to restrict access of the United Nations to these areas like Rakhine State. Because what that does is that when you have a situation like the attack of the Arakan Rohingya Salvation Army, this fringe group, and they launch an attack—you had 10 police officers killed in that attack, and many of the attackers killed as well—that then gives the excuse for the local militia that is trained and focused along ethnic lines to unleash their violence, and in this case, with the full support, apparently, of the military in Myanmar.

So you end up with a circumstance here, without eyes or ears on the ground, where there is no check to it. And had these arrangements originally allowed in times of stress like this, the positioning, the continued position of U.N. personnel and Red Cross and NGOs up in Rakhine State, at least you would have observers on the ground that would have tempered—I mean, the information would have got out a lot sooner and there would be direct evidence of it, and it would filter across Burma. All of that is being locked out.

And so, Mr. Murphy, you mentioned that you went up there and you had these conversations. But when you say to the military government, right now, can we bring the United Nations in here, can we bring the Red Cross in here and start addressing these issues in these specific villages, what is the response? I understand the response is, well, everybody is going to be allowed to come back to their villages. Where is the evidence that any of that is true? Where is the evidence that we have cleared the way with those who we have discussed this with that are going to allow them to have access for U.N. and NGOs? Has it happened yet anywhere in Rakhine?

Mr. MURPHY. Mr. Chairman, I would agree with you that it is a significant mistake on the part of Burmese stakeholders to prohibit the U.N. agencies to have access to northern Rakhine State. Worse, I would point out, that early in this crisis, military figures suggested somehow that U.N. agencies were aiding and abetting militant attackers. That was false. We called them out on that. That has since been corrected. But it created damage and increased tensions locally.

We have told them that they can't do this alone. They need the help of agencies to scale up the kind of assistance that is needed. The U.N. agencies that have experience in this part of the country are on the ground and poised to operate.

Aung San Suu Kyi did agree publicly to call for international help and assistance. We are urging that they take advantage of that by inviting the U.N.—

Chairman ROYCE. So to clarify this, although you had these discussions, the reality is that unless you personally lead these NGOs back in there and the U.N. back in there, I mean, they are willing to tell us that, yes, this is what they are going to do, but those are just words. You actually cannot get up there into Rakhine State to

see these villages. We can't get NGOs up there, right? You want to clarify this point?

Mr. MURPHY. Mr. Chairman, there actually has been some small signs of progress in recent days. The Myanmar authorities are working with the Red Cross family of organizations. And just this week, Red Cross agencies have gained access to northern Rakhine State. There is some humanitarian assistance being delivered. It is not adequate. We are encouraging this to be scaled up with the kind of partners, World Food Program, the U.N. family of agencies, that have the experience to meet all of the needs.

It is a very difficult environment right now for a variety of reasons for these international organizations. I saw that firsthand. While I was in Sittwe, the capital of Rakhine State, there was a Red Cross shipment of supplies. Locals heard about this and came out and began attacking that Red Cross shipment.

Now, local security authorities put down the attack, but this is the environment. There are local populations who perceive all of the assistance is going to the Rohingya and their own needs are not being met. That is inaccurate. That is a result of a lot of misinformation and a complicated longstanding history of discrimination for all ethnic populations in the state. Therefore, we need to work with many stakeholders, not just the central government authorities and the security forces, but local leaders. And that is who I met with while I was in Rakhine. It is in their own interest to help facilitate the access of humanitarian assistance.

Chairman ROYCE. I have met with Kofi Annan in the past, and we all understand his Advisory Commission on Rakhine State that he chaired and the recommendations he made. But the ones that would seem particularly essential at this moment, besides the humanitarian assistance, obviously, being able to get to the people we want it directed at, is to ensure that the violators of human rights be held accountable. I think there has to be some understanding that there will be an attempt to trace down those who have committed these human rights atrocities, to strengthen bilateral ties between Myanmar and Bangladesh—very important at this moment—to train security forces deployed in Rakhine State.

And I think this is an added point that we are going to have to address so that, in the future, there is some kind of effort in this training to ensure those verified as citizens enjoy the benefits, rights, and freedoms associated with citizenship there. And that is going to require us making that a component of this solution. To investigate and map existing restrictions on movement so that that is changed, and the government should roll out comprehensive birth registration, an ongoing campaign to make sure that girls and boys are registered at birth so that they are recognized that they have full citizenship rights. And the government should roll out a comprehensive strategy to close all IDP camps in Rakhine. That, I would say, is essential.

I am going to go to Mr. Engel for his question. We have a 15-minute vote, and the subcommittee chairman is voting right now, and will take the chair while I vote.

So, Mr. Engel.

Mr. ENGEL. Thank you, Mr. Chairman.

I ask unanimous consent to enter into the record two documents. The first is a report prepared by Amnesty International detailing their research and documentation of this crisis. The second is a bipartisan letter on the U.S. response to this crisis sent on September 28 to Secretary Tillerson and USAID Administrator Green from Senators McCain, Cardin, and 20 of our colleagues in the Senate. So I ask unanimous consent to have those two entered in.

Chairman ROYCE. Without objection.

Mr. ENGEL. Thank you.

Mr. Murphy, let me start with you. There is ample evidence and satellite imagery and eyewitness accounts that Burmese military and security forces have been carrying out an intentional, systematic policy to drive Rohingya from their homes in Burma and to burn their villages to the ground. Medical professionals working in Bangladesh report hundreds of men, women, and children being treated for gunshot wounds because the Burmese military and security forces have opened fire on them as they flee. Senior United Nations officials have called this a textbook case of ethnic cleansing.

The commander-in-chief of the Burmese military, Min Aung Hlaing, said there is no oppression or intimidation against the Muslim minority, and everything he says is within the framework of the law. He also said the Bengali problem was a longstanding one, which has become an unfinished job. So let me ask you, are the Burmese military and security forces responsible for violence and intimidation of the Rohingya in Burma, and do these actions constitute ethnic cleansing, in your opinion?

Mr. MURPHY. Thank you very much, Ranking Member Engel. The horrific actions that have taken place in northern Rakhine State are beyond troubling. This is a tragedy of epic proportions. And the security forces there in northern Rakhine State bear considerable responsibility for what we have called a disproportionate response.

I think it is important to note that there are other contributors to violence in this area. There are the militant attacks that took place on August 25 by individuals who claim responsibility for attacks that took place the year prior. There is also local vigilante action on the part of citizens and others. And these militants, according to very credible reports, are exacting violence on some of their own population.

This is a cauldron of complexities. What has taken place is absolutely horrific. The Secretary of State said that it has been characterized by many as ethnic cleansing. Ambassador Haley in New York said what has taken place appears to be a sustained campaign to cleanse the country of an ethnic minority.

There are unknowns. There are populations that obviously have moved in great numbers. There are other populations that haven't moved. That is why we are asking for full access of media, humanitarian organizations, all steps to stop the violence.

Let me also point out, Mr. Engel, to another action. The United States, earlier this year, helped form a U.N. fact-finding mission. We are asking authorities in Burma to support and cooperate with that mission so that there can be full disclosure of what has transpired, not just in Rakhine State, but I hasten to point out, there

is conflict elsewhere in Burma, longstanding conflict currently ongoing in the northeast in Shan and Kachin states. But Burma is a country that has been at war with itself since the 1940s, since independence. And the current government is struggling with these sorts of conflicts and refugees and displaced persons.

We have talked about the displacement inside Rakhine State, potentially hundreds of thousands. There are hundreds of thousands of displaced individuals elsewhere in the country as well.

You mentioned Min Aung Hlaing. Yes, as commander of the armed forces, he has enormous responsibility to stop the violence, to act in a proper manner with the security threats they believe they face. He is not the only stakeholder. We need actions from the government, from local Rakhine officials, and Burmese citizens as well.

Mr. ENGEL. So you would agree with me, then, that this is ethnic cleansing?

Mr. MURPHY. Mr. Engel, I am pointing to our members of the Cabinet who have pointed to voices and evidence that would suggest that there may be ethnic cleansing. I would say what is more germane, what is more important is the actual humanitarian crisis: Displaced persons, violence that hasn't stopped. That is our most pressing focus. There are mechanisms, there are bodies who are looking at what best to call this, but it is, at the end of the day, a human tragedy. And we want to do everything to stop it.

Chairman ROYCE. Would the gentleman yield?

Mr. ENGEL. Certainly.

Chairman ROYCE. Just for the record, myself and Mr. Engel, this committee, we identify this as full-fledged ethnic cleansing.

Mr. ENGEL. Thank you. Thank you, Mr. Chairman.

What are we doing right now to hold the military accountable? Do you think that reimposition of targeted sanctions against senior military leadership or businesses that generate funds for the military is appropriate?

And let me say, as a first step, I would encourage the administration to immediately stop issuing JADE Act waivers, which allow members of the Burmese military and their families to come to the United States, at least until such time as violence stops and humanitarian access is restored.

Mr. MURPHY. Congressman, thank you. We are exploring all options available to us to effect change inside this country, with a focus on the armed forces. I think it is important to point out that we have in place already a substantial range of restrictions on the military. Our engagement is virtually nonexistent. There is no training. Assistance is prohibited. That reflects the fact that the transition to democracy is not complete.

Democracy has not been fully consolidated. We have talked about the expansive authorities that the security forces have over their own armed forces, three key ministries, one of the vice presidencies in the country. They are outside civilian control, particularly in this part of the country. We want to bring about accountability. There are ample evidence and reports of abuses and allegations. We will explore further tools.

The JADE Act, which Congress put into place in 2008, remains very active. There are visa restrictions on all senior military lead-

ers and their family members. The waivers that you refer to, Mr. Engel, are very sparingly and very rarely applied, only in the cases where it is in the U.S. interest. We are examining that very closely, not considering any expansion. For the time being, the JADE Act holds and those restrictions remain in place.

Chairman ROYCE. I think that one of the issues is going to be, can we get the United Nations back more engaged in Burma, and can the U.N. then be the conduit to get the Red Cross and to get NGO groups back into Rakhine State?

What is the prospect at the United Nations that our Ambassador could work with the Security Council, lay the foundation for a more robust presence? The very criteria that I just laid out that Kofi Annan helped develop in consultation while in Burma—he had been invited in and worked with the Council on Aung San Suu Kyi on this issue. So there is this possibility of the U.N. being the mediator or helping even in this role of setting up the dialogues between different ethnic groups up in Rakhine State. If the international body can come in, would that give us considerable leverage to get to some of these objectives?

Mr. MURPHY. Mr. Chairman, you rightly point out the critical, important role of the United Nations. And that is important in a variety of avenues of effort: The humanitarian assistance that you refer to, also the actions that potentially the Security Council could take. And let me point out the U.N. bodies that deal with human rights, like the Human Rights Council.

I also want to offer that our Ambassador in Burma, Ambassador Scot Marciel, and his team have been relentless on this and many lines of effort to address this crisis. They are working with the government to encourage an increased role for the United Nations. In fact, there is currently a U.N. presence in Burma on the ground. In Rakhine State itself, they are poised to activate their humanitarian operations.

We have encouraged the government to invite senior U.N. figures to visit Burma, engage, discuss possible ways forward. And as the chairman pointed out, in New York, our Ambassador and team are quite engaged at the Security Council in forging a way forward for the U.N. I just want to emphasize, there are many lines of action for the U.N.—humanitarian, accountability, human rights. And our press is on all of those fronts and encouraging cooperation inside Burma with these entities.

Mr. YOHO [presiding]. Does anybody else want to comment on that?

Ambassador STORELLA. I would like to add that our efforts at pushing for access have not been without any success whatsoever. Initially, the Government in Burma had said that it would allow humanitarian assistance to pass only through its hands, and our Ambassador in Burma and others insisted that that would not be possible for us. Eventually, they agreed to the Red Cross Movement being a source of assistance directly in the region. And with the assistance provided through the Department of State, the Red Cross Movement is staffing up from 20 in northern Rakhine State to, we hope, 200 soon to increase access.

Access has also come in the way of, most recently, movement to permit one NGO from the United Kingdom to be present. And I

would note that, on October 2, our Ambassador, Scot Marciel, was able to visit Rakhine State to see what was going on with his own eyes and saw some of the destruction. So we will keep pushing. And I want to guarantee to you that we will support these agencies that are active, and we will keep supporting them diplomatically on every single front.

Mr. YOHO. I appreciate your work in doing that.

And, again, I want to give a shout-out to the Ambassador of Bangladesh, Ambassador Ziauddin. Thank you and your country for what you have done and are continuing to do, and we look forward to partnering up with you.

You know, too many times, we see these disturbing things going on around the world. And this is the 21st century, and I know we have said over and over again, "Never again." Never again will we see these atrocities, whether it is in Nazi Germany, whether it is in Rwanda, any other place where we see genocide. And we as humans, to tolerate this is intolerable. And we have to crack down, and we have to find an effective way to bring partners to this.

And one of my questions was, why do Russia and China feel that it is in their strategic interest to provide diplomatic cover for the Burmese military? Are they afraid of another democracy forming? What are your thoughts on that?

We will start with you, Mr. Murphy. Go ahead.

Mr. MURPHY. Thank you, Congressman Yoho.

I could not agree with you more that this is a human tragedy, and we don't want to see history repeat itself. Inside Burma, the plight of the Rohingya people is a longstanding challenge, decades and decades of repression and discrimination. The new government there is 18 months in the making and inherited this problem. It needs to do more. We have called on the government to provide moral leadership.

There are some efforts underway. As the chairman cited, the Annan commission provides an important potential path forward. Eighty-eight recommendations. This was a commission formed by the Government of Burma with expertise from outside and inside the country. And it deals with some of the most sensitive, politically challenged issues, including citizenship for the Rohingya, important development efforts, rights, and cooperation with neighbors, including Bangladesh.

Mr. YOHO. Let me interrupt you there, because I just read a report, I think it was a day or 2 ago, where the Burma Government said they would allow people to come back in. And I know there is proof of citizenship and all that. Have they worked through that, or are they at a point where they are like, you know what, we need to take these people back?

And then another question, and this will probably be for you, Ambassador Storella. If we can't rely on the Security Council at the U.N., the obvious question that comes to me is, number one, is it efficient or effective? And the obvious answer is no. So what do we need to do, from the influence of the United States, to say, "You guys need to get your act together. These are crimes against humanity, and for us to continue to be involved with you, you need to tighten up your act, and let's get the results we want on the ground and stop these things?"

So if you guys could respond to that.

Mr. MURPHY. Congressman Yoho, on returns, a couple of things to offer. First, we have stated very clearly the right to safe, voluntary, dignified return must be an absolute. Aung San Suu Kyi herself stated that those who have fled will be allowed to return to their homes.

A couple of things have taken place. We now need to see implementation.

The Burmese, earlier this week, sent a senior minister, Kyaw Tin Swe, to Dhaka to begin discussions with Bangladesh counterparts. They, together, formed a joint working committee on repatriation modalities. That is important, and we want to support that.

Inside the country, the government has formed a committee to implement the recommendations of the Annan commission, the recommendations in that report.

This is good. Now we need to see action.

And there are other stakeholders. This is not just a matter of the civilian government, dictating refugees shall return. There are other stakeholders like the security forces, like local authorities in Rakhine State. There is not one single point of authority in the country. So, you know, it is very complex in that regard.

Mr. YOH. Well, and that leads to, who is going to monitor and who is going to police it outside of the Burmese Government?

Let me have Ambassador Storella—and, Ms. Somvongsiri, I will ask you something if I have a moment. I guess I do.

Go ahead.

Ambassador STORELLA. So thank you very much, Mr. Yoho, for that question.

Indeed, we face obstacles in the actions that we want to take. I think that what is most important for us in dealing with the U.N. system and international organizations is that we look at all the tools that we have at our disposal and try to use all the tools as best as we can.

It is noteworthy that the U.N. Human Rights Council, on which I once represented the United States, has extended the mandate for action in Burma. We should work with that. The 88 recommendations from the Annan Commission report have been accepted by the Burmese Government and by the Bangladesh Government. We should look at each one of those and determine which ones can be used best to press our case to provide for access and accountability.

I think that we also have to continue to use our voice publicly, which our senior leadership has in New York and Washington and also in Burma itself. And we should continue that.

Finally, I think that we have to keep demonstrating to the Burmese leadership that it is in their interest to settle the issues inside their country so the country can get on with peaceful development and a better future for its own people. As you know, that is not so easy to do.

Mr. YOH. It is not. And we had a hearing on this last week, and it was disheartening because we brought up some of these issues.

And, Ms. Somvongsiri, since you were on the Thai-Burma border and you lived there, what are the things that need to change? You know, when we had the hearing last week, it was recommended

that the U.N. needs to study this and do a report. In the meantime, we don't have time for that. We have people dying on the ground, being run out, genocide happening today. We don't have time for a report.

What do we need to change in the narrative or in the directive of the U.N. to intervene, go in there and monitor it and bring in the appropriate world nations to help bring stability to this and stop this nonsense?

Ms. SOMVONGSIRI. Thank you, sir, for that important question and for that point.

The main thing, from USAID's perspective, that needs to change immediately is humanitarian access. Until and unless we are able to get into northern Rakhine State to provide lifesaving support as well as to be able to have media to come in to actually see and assess the situation, there is not much, from a development assistance perspective, that we can do until that happens.

As the situation stands right now, as we have heard, the Government of Burma and the military are in northern Rakhine, and the Red Cross Movement has been granted permission. But, aside from that, none of the U.N. agencies, none of the aid partners are in there. We are in central Rakhine State and are able to restore some support there, but it is very limited. So we call for unfettered access. That is an obvious—

Mr. YOHO. All right. I thank you.

I am going to turn now to Mr. Dana Rohrabacher from California.

Mr. ROHRBACHER. Thank you very much, Mr. Chairman. And I say "Mr. Chairman" because you are the subcommittee chairman and had a great hearing on this issue just a few days ago. So I would like to congratulate you, and also to suggest that I think that Chairman Royce and Ranking Member Eliot Engel, they have done a good job in making sure that this issue is high on our priority. So the word is out around the world that we are paying attention. Perhaps more than anything else, that can have a positive impact.

And this message is especially important for those people in the Muslim world who are being told that we are their enemy. And we have to let good people know all over the world, whatever their religion is, that we are on the side of ordinary people and their rights to live decent lives without being murdered and raped and the type of things that these poor people are suffering who are the subject of the hearing today.

This does remind me—and I wasn't here for Eliot's remarks, but Eliot and I were very involved when a similar situation was in Kosovo, where you had Muslims who were being—I say obliterated, they were being ethnically cleansed, and, at that time, it was by the Serbs. Let me just say that, from what I see here, the Serbs at that time were acting very similarly to what we see happening in Burma.

And I spent a lot of time working with people in Burma who were under attack 20, 30 years ago. So this vicious activity by the Burmese Government shouldn't be looked at just as something aimed at this Muslim people. The fact is they are conducting themselves in an absolutely unacceptable, criminal way with the

Kachins, the Chins, the Karens and the Karenni who are Christians, the Shan.

The central government in Burma and the Burmese Army, which used to call themselves—the administration before Aung San Suu Kyi was called the SLORC, which fit what was going on there. This has got to stop. And I don't think we should look at this just as the attack on these people, which is unacceptable, but we should look at it as an example of the behavior of the Burmese Government and hold them accountable.

I was a big supporter of Aung San Suu Kyi. We are expecting more from her than what is happening. And the fact is, perhaps she is unable to do more. But we must mobilize public opinion—that is what this hearing is about—mobilize public opinion when such atrocities are being committed by the Burmese Government.

Okay, so I have castigated the Burmese Government, but I want to ask you about the Bangladesh Government now, because I have had reports that significant amounts of money have been donated by oil-rich countries to Bangladesh to deal with these people but that that aid has somewhat disappeared. Is that correct?

Mr. MURPHY. Congressman Rohrabacher, if I first could thank you for your longstanding interest in Burma. We have had the opportunity to discuss many times over the years the challenges there, and these discussions are always quite fruitful.

Before we talk about Bangladesh, I want to acknowledge the accuracy of what you have had to offer, say, about many suffering people throughout the country of Burma. And, indeed, what I would add to the mix: Inside complicated Rakhine State itself, on display is the terrible, terrible treatment of the Rohingya people.

Mr. ROHRABACHER. That is right.

Mr. MURPHY. There are other minorities there, as well, who feel aggrieved, most notably the ethnic Rakhine, who happen to be Buddhist but feel over many, many years they have been discriminated and repressed by central authorities and successive military governments.

That complicates the environment to facilitate humanitarian assistance and give the Rohingya the attention they need. We have to think about the other ethnic minorities there, too, that are in need, are part of the problem and need to be part of the solution.

And, indeed, we call on all Burmese people who have suffered through the struggle for independence, the 50 years of authoritarian rule, have suffered discrimination, repression, neglect, underdevelopment. We ask them to find in their own hearts compassion for fellow human beings who need basic dignity—apart from any political, challenging questions, need respect, dignity, and safety.

With regards to Bangladesh, I have been in communications with Bangladesh diplomats here in Washington. We are very, very grateful for the incredible safe haven that country has provided, not only in response to the current crisis—over ½ million refugees—but substantial populations who have crossed, following previous crises, into Bangladesh.

I will defer to my colleagues to talk about the kind of assistance, but what we are focusing on is the much-needed communication between Burma and Bangladesh. We have seen some movement on

that this week. We understand that a Bangladesh senior official planned some travel to Naypyidaw, the capital of Burma, for further discussions. This is good. The two countries have much in common, many challenges they need to overcome—most importantly, the safe path to return of refugees to their original homes.

Mr. ROHRABACHER. Uh-huh.

Mr. MURPHY. And there was an earlier question about citizenship. Our understanding from the authorities in Burma is that citizenship is not a requirement for return. That is a separate process—verification and path to citizenship. There will need to be a process to identify where they came from, when they crossed. But those discussions are now underway, and we are going to focus on that very, very closely.

Mr. ROHRABACHER. Well, let's note that many people in Congress, when we are dealing with a limited budget, some of us who do not believe in economy-building or nation-building as a target for foreign aid, we all believe that, as human beings and as on this planet, the American people do have responsibility toward their fellow human beings in cases of emergency and crisis.

Now, this is not a natural crisis. This is a manmade crisis, and it is an emergency. So we are behind these efforts.

But, again, just one question. I am sorry to put you on the spot, Mr. Ambassador, but I have been told that money that was donated by very wealthy, oil-producing, Muslim countries, that a lot of it has not gone to these folks who are suffering.

I would ask our lady from the USAID.

Ms. SOMVONGSIRI. Thank you, sir, for that question on the issue of support to Bangladesh.

In addition to our U.S. support that we have been discussing today, I would note that a number of other countries have also stepped up their efforts. It is not just the U.S. that has seized with this issue. So the United Kingdom, for example, has pledged—

Mr. ROHRABACHER. Okay. But is there any indication that that aid has been—that corruption is getting in the way of helping these people?

Ms. SOMVONGSIRI. There is indication that some of the aid is going to much-needed lifesaving support. Of the corruption issue, the issue you speak of specifically, I don't have knowledge of that right now, but we can look into that and get back to you on that.

Mr. ROHRABACHER. Okay. Thank you.

And thank you, Mr. Chairman.

Chairman ROYCE [presiding]. Thank you, Mr. Rohrabacher.

We go now to Mr. Joaquin Castro of Texas.

Mr. CASTRO. Thank you, Chairman. And thank all of you for your testimony today. And I apologize if I retread any ground that we have covered already. I was at my other committee hearing.

But, as you know, this is an incredible time, a very tumultuous time for dispossessed peoples in the world. Europe is still facing its largest migration since World War II, mostly because of the Syrian conflict. But, also, in Southeast Asia, the Rohingya have been dispossessed.

So humanitarian organizations estimate that the cost to help them would be about \$434 million. The United States, I know, in September, I believe, committed about \$32 million. My question is,

as far as you know, what other nations are helping or groups are helping? And, also, does the United States plan any further aid?

Ambassador STORELLA. Congressman Castro, thank you very much for that question. And I would like to start by saying that the magnitude of this crisis, as you have indicated, is so large that it is going to require many different hands to support the needs that are so evident and so urgent right now.

The United States did indeed provide an additional \$32 million on September 20. On September 28, USAID, through the Office of Food for Peace, announced an additional \$6 million in assistance. And, on that same day, PRM at the Department of State announced an additional—well, we didn't announce, we simply provided an additional \$2.1 million. That is the end of fiscal year 2017.

We are going to review our funding in fiscal year 2018, but we will fund against appeals themselves. The indication of \$434 million in needs is a preliminary statement by the United Nations. We will be reacting to and examining actual appeals by different organizations to respond to them.

But I do want to emphasize, as my colleague from USAID mentioned, we are not the only ones and we should not be the only ones to respond to this tragedy. She mentioned that the United Kingdom has already stepped forward, but I—

Mr. CASTRO. And how much have they put up?

Ms. SOMVONGSIRI. \$33.5 million.

Ambassador STORELLA. \$33.5 million.

Mr. CASTRO. Any other European nations that have stepped forward?

Ambassador STORELLA. Yes. Denmark provided \$3.1 million; Australia, \$4 million; the European Union, 3 million euros; Canada, \$2.1 million; South Korea, \$1.5 million; Japan, \$4 million; and Saudi Arabia, \$15 million.

That is a beginning. The United Nations Humanitarian Coordinator, Mr. Lowcock, announced yesterday that there will be, in all likelihood, a pledging conference on October 23. And that may take place in Geneva, but, actually, we don't have the full details on that. I don't know that we will be ready to pledge additional assistance at that time, but we will certainly be ready to work with other governments to ensure that others come forward to help carry this burden.

Mr. CASTRO. Thank you.

Ambassador STORELLA. Thank you.

Mr. CASTRO. And—yes?

Mr. MURPHY. If I could, Representative Castro, first, I want to thank you for your leadership with the ASEAN Caucus—

Mr. CASTRO. Thank you.

Mr. MURPHY [continuing]. Here in Congress. A very important entity in our relationship there at 40 years is very productive.

But that gives me the opportunity to talk about the neighborhood. In my statement, I said that if this crisis is not managed and the violence brought to an end, it can have an impact on the neighborhood. Under military regimes, Burma exported refugees, illicit narcotics, trafficking victims. We don't want to revert to that. And we have been messaging with the neighborhood that they need to focus on this crisis so it doesn't spread throughout the region.

There is a growing potential for terrorism of an international flavor in Burma. That would spell bad news for the neighborhood.

So we are working with ASEAN. ASEAN has activated its ASEAN humanitarian assistance program. And I believe it is only the second time—they call it AHA—only the second time they have activated this mechanism as a result of a non-natural disaster crisis. So they are providing assistance.

We are also encouraging ASEAN to communicate, to encourage the stakeholders inside Burma to take the actions needed to end the violence, open up humanitarian assistance for international organizations, and implement the Kofi Annan recommendations. We believe the voice, the collective voice, of ASEAN could be influential in this situation.

Mr. CASTRO. And I probably have time for one more question. Has the United States been clear that this is ethnic cleansing? Has the State Department taken that position? Or how would you all define it, at this point?

Mr. MURPHY. Mr. Castro, I refer to my seniors in the U.S. Government, the Secretary of State, who said it has been characterized by many as ethnic cleansing. That must stop. Our Ambassador to the United Nations, Ambassador Haley, stated that this is a brutal, sustained campaign that appears to be an effort to cleanse the country of an ethnic minority.

There are separate processes underway examining the avenue of accountability. What we do know, regardless of discussions about what to call it, is that it is a human tragedy. Half a million people on the move across the border, several hundred thousands displaced internally. And actions need to be taken now to stop the violence, deliver humanitarian assistance, as well as the efforts to hold accountable those who have perpetuated abuses and violations of international standards.

Mr. CASTRO. Will you permit me one more comment?

Chairman ROYCE. I will, Mr. Castro.

Mr. CASTRO. Thank you, Chairman.

Well, thank you all for your efforts. Thank you for the initial assistance to this problem. And I hope that we won't lose sight of this, even though it is in a faraway place in the world from the United States. The pace at which news and devastating news hits us now causes whiplash, almost, for not only Americans but also for those of us in Congress as we deal with human tragedies. So, you know, we will keep working with you on this.

Chairman ROYCE. Would the gentleman yield?

Mr. CASTRO. Sure.

Chairman ROYCE. The other thing I thought I would clarify is the \$32 million is the latest tranche for this fiscal year. The total is \$104 million for Burma, the vast majority of that for the Rohingya situation. But an additional funding we have for regional humanitarian assistance, some money that we don't break out by country. So it would be in excess of the \$104 million so far.

But it is a good point, that we will stay on top of this. And I just—

Mr. CASTRO. Thank you, Chairman.

Chairman ROYCE [continuing]. Mention that for the record.

We go now to Ann Wagner, Ambassador Wagner, of Missouri.

Mrs. WAGNER. Thank you, Mr. Chairman. I will be brief here. I have to run to another Financial Services hearing.

But I want to first acknowledge the Bangladesh Embassy for the work that they are doing to give refuge to Rohingya. I thank them very, very much.

I am devastated by the ethnic cleansing of Rohingya Muslims in Burma. For over 60 years, the Burmese Government has persecuted religious and ethnic minorities, from Christians in Kachin to Muslims in Rakhine State. We are, in part, to blame for not holding the Burmese Government and military accountable for their actions, which we knew about full well as we lifted the sanctions.

Ambassador Storella, you indicated in your written statement that you are supporting the elected government's efforts, including the Rakhine Advisory Commission. I understand the political expediency of supporting the Commission, but Burma has clearly abdicated its responsibility to protect. And the U.S. should officially recognize mass-atrocity crimes against Rohingya Muslims and unequivocally support an independent investigation. Downplaying human rights violations and impunity has not resulted in national reconciliation. It has perpetuated more conflict and a lack of accountability.

Ambassador Storella and Assistant Secretary Murphy, when will the United States push for an independent investigation into these mass-atrocity crimes?

Mr. MURPHY. Thank you very much, Congresswoman.

And I agree with your characterization of this longstanding challenge that is abhorrent and now on full display. But for those of us who have followed the country for a long time, we have seen big population movements in the past—1970s, 1990s, crisis again in 2012, last year as well. Irregular migration in 2015 caused a crisis for the entire region—

Mrs. WAGNER. Independent investigations. Please get to the point.

Mr. MURPHY. We are supporting, Congresswoman, as a cosponsor at the Human Rights Council, a U.N. fact-finding mission that was recently extended, the mandate for this program, to look closely at the abuses, gather information, and make determinations on the way forward.

I hasten to point out, there are not just challenges in Rakhine State; there is ongoing, active conflict elsewhere in the country—

Mrs. WAGNER. Correct.

Mr. MURPHY [continuing]. In particular, in Kachin and Shan States. Those conflicts need to come to an end.

There are many actors inside the country, I also want to point out, in terms of pressure points. There is the civilian government. There are the security forces. There are local ethnic leaders. There is the broad population.

Mrs. WAGNER. Why isn't—and reclaiming my time, and I have a short amount here. Why isn't the U.S. doing its own independent investigation? Why are we not doing that?

Mr. MURPHY. We have many efforts underway, first and foremost, to bring this immediate crisis and suffering to an end. We

are indeed looking at tracks for accountability. As we stated earlier——

Mrs. WAGNER. Okay.

Mr. MURPHY [continuing]. We are attempting to gain access——

Mrs. WAGNER. I am going to reclaim my time——

Mr. MURPHY [continuing]. To northern Rakhine State——

Mrs. WAGNER [continuing]. With apologies. We have been looking at this while people have been suffering for 60 years.

Ambassador Storella, some countries are hesitant to officially call survivors in Bangladesh refugees. How do we address the needs of Rohingya who have no home to return to? How would you classify these stateless people who were forced to leave their country, running from likely genocide?

Ambassador STORELLA. Congresswoman, thank you very much for that question. And I would like to say that right now there are 1 million Rohingya residing inside Bangladesh. We have all recognized the incredible generosity——

Mrs. WAGNER. Correct.

Ambassador STORELLA [continuing]. Of the Government of Bangladesh and its people. It is perhaps more than there are Rohingya left in Burma at this time. We consider these people refugees. We think that they should come under the mandate of the UNHCR and the international legal instruments that apply to that.

The United States has been very gratified to see that the Bangladesh Government has undertaken a registration process for the people who have crossed the border. This is something that at times has been controversial in the past. They are doing so now, with the assistance of the UNHCR. This will give us a record of who has come across the border, which will help us provide greater protection under international law for them.

It is a slow process right now. I think that they are able to register right now, as they have just started the process, about 6,000 per day.

This is going to help. And I think that it is important to recognize that the Government of Bangladesh has increased its cooperation with UNHCR under these circumstances——

Mrs. WAGNER. Thank you. Thank you.

With the chair's indulgence, I have one last question.

Chairman ROYCE. The gentlelady's time has expired.

We go to Mr. Gerry Connolly of Virginia.

Mrs. WAGNER. I will submit it for the record. Thank you.

Mr. CONNOLLY. Thank you, Mr. Chairman.

Following up on I think where my colleague Mrs. Wagner was leading, Mr. Murphy, I guess I don't understand your reluctance to call this what it is: Ethnic cleansing. I mean, you have used code, "disproportionate response by the military," "other sources of violence," "a culture of complexities." At least Nikki Haley admitted it appears to be ethnic cleansing.

When 800,000 people of a particular ethnic background are living in a neighboring country because they have been forcibly removed from their villages, I would call that ethnic cleansing, you know, pretty clear and simple.

What is your reluctance to call it what it is?

Mr. MURPHY. Thank you very much, Congressman Connolly. I appreciate your perspectives and concern about the situation, as we are deeply, deeply concerned by the human tragedy. And that is what it is.

Mr. CONNOLLY. Let's stipulate we both are concerned. We accept that. Why not call it ethnic cleansing? What is the nature of your reluctance, as a diplomat representing the State Department, to call it ethnic cleansing? Are you afraid you will offend the Burmese military? I mean, what is our concern?

Mr. MURPHY. No, there is no reluctance, Mr. Connolly, at all. I have referred to our senior officials, including Ambassador Haley and Secretary Tillerson, who have referred to what appears to many to be ethnic cleansing.

The important thing now is action to end the violence——

Mr. CONNOLLY. I get that, Mr. Murphy. But, you know, I am an English lit major; words mean something. And you are still evidencing a reluctance to call it ethnic cleansing. My question to you is, why?

Mr. MURPHY. In part, the situation must be focused on the U.N. fact-finding mission. That is a deliberative process to look exactly at what has taken place——

Mr. CONNOLLY. Okay. So——

Mr. MURPHY [continuing]. Both there and elsewhere.

Mr. CONNOLLY. I am sorry. I am——

Mr. MURPHY. We are supportive——

Mr. CONNOLLY. I am worried about time. I am not trying to be rude, but I only have 3 more minutes, and you see the chairman is strict.

So we are waiting for the U.N.?

Mr. MURPHY. No. That is a parallel process that we are strongly supporting.

Mr. CONNOLLY. So we don't care whether the U.N. finds it ethnic cleansing or not; we are free to call it what we think it is.

Mr. MURPHY. Absolutely. A human——

Mr. CONNOLLY. Well, then why don't you call it——

Mr. MURPHY [continuing]. Tragedy.

Mr. CONNOLLY. Then why don't you call it ethnic cleansing?

Mr. MURPHY. It is a human tragedy.

Mr. CONNOLLY. Mr. Murphy, do I look like a fool to you?

Chairman ROYCE. Would the gentleman yield for a moment?

Mr. CONNOLLY. Yes, sir. Of course.

Chairman ROYCE. Just to quote Ambassador Nikki Haley, who I have talked to at length on this issue and is speaking for the administration, I presume, on this issue, she says it is a "brutal, sustained campaign to cleanse the country of an ethnic minority." To cleanse the country of an ethnic minority.

The U.N. is engaged in its assessment of the situation, but I would say that puts us out on the ledge of what I and Eliot Engel and us on the committee have named and called ethnic cleansing. We encourage everyone to use that term.

But I just wanted to clarify Nikki Haley's——

Mr. CONNOLLY. Yeah. I thank the chair. And, apparently, that word hasn't gotten to the Deputy Assistant Secretary.

Chairman ROYCE. He had used the quote earlier.

Mr. CONNOLLY. Sometimes we have to be careful, but when we are looking at the kind of tragedy we are looking at here, it seems to me speaking with clarity actually is an important tool of diplomacy, not fuzzifying it with other kinds of descriptions that clearly, deliberately are avoiding calling it what it is.

By the way, I would ask the chair if he might just restore a little bit of my time.

Chairman ROYCE. But of course.

Mr. CONNOLLY. I thank the chair.

Okay. Let's see.

Mr. Murphy, when Mr. Engel asked you about sanctions, you said, "We are exploring all available options, and many restrictions remain in place, especially with respect to the armed forces."

Could you elaborate? Does that mean no military-to-military training, for example, or that military assistance directly is still on ice?

Mr. MURPHY. Yes, sir. What that means is there is a prohibition on assistance to the Burmese military. There is a broad set of visa restrictions that apply to senior military leaders and their families that remains active. There is very, very limited ability to engage with the Burmese military on issues like humanitarian assistance, human rights international standards, but that has been so nascent and almost negligible. But, primarily, this is not a normalized military-to-military relationship, by any stretch, and has not been for decades.

Mr. CONNOLLY. Yes. I agree with that.

The military was driven to open itself to the outside world back in 2011 and came to some kind of uneasy peace with civilian government up to a point, allowing elections and Aung San Suu Kyi being the effective leader of the country—not by title, but she has it.

What has liberated the military in this situation to feel that all of those restraints or all of those boundaries do not pertain and we are free to engage in this ethnic cleansing with such violence and effectiveness, actually?

Mr. MURPHY. Congressman, the transition that you referred to enjoyed the support of many in the international community, providing Burma perhaps with its first and best opportunity to address so many longstanding challenges. The transition to an elected government allowed the will of the people to be expressed.

However, the armed forces designed and implemented the very constitution that forms the basis for government. That places a lot of limitations on this new government. The military accords full authority for its own security forces—

Mr. CONNOLLY. Mr. Murphy, I was in Burma a year ago. I met with the head of the military as well as Aung San Suu Kyi, and I absolutely take your point.

But my question, really, though, is, in this time period until this, they have shown a certain restraint, a certain caution. There are also restraints on the civilian side. They know there are unwritten boundaries. But, in this case, all of that seems to have been pushed away, and there seems to be no sense of restraint by the military with respect to the Rohingya. Why do you think that is? It is out

of character with how I think we would characterize the last 5 or 6 years of their behavior.

Mr. MURPHY. Congressman, I would say not entirely out of character, because there is ongoing conflict in northern Burma. At any point in time over the last 70 years, there has been active conflict somewhere between the—

Mr. CONNOLLY. Mr. Murphy, my time is up. But, look, all of that is true, but they haven't pushed ½ million people into another country in such a limited timeframe. And I am asking you your assessment. Why do you think, at this moment, they kind of changed their behavior and really accelerated this in such enormous numbers and with such impunity?

Mr. MURPHY. Congressman, without explaining any understanding or condoning the actions, I can point to what the security forces say, what the narrative in the country is. They feel that they are under attack. The militant, coordinated assaults on August 25—

Mr. CONNOLLY. By the Rohingya.

Mr. MURPHY [continuing]. By Rohingya militants, a new organization that now claims responsibility for attacks as well in 2016, this has bumped up a level. They were coordinated. They resulted in deaths. This feeds a narrative popular in the country that the sovereignty of their country is under assault and they face a serious terrorism problem.

They obviously have responded in a very disproportionate manner and have failed to protect civilian populations. Regardless of that threat, they have behaved in a way that has exacerbated the problem and the challenges.

Mr. CONNOLLY. Mr. Chairman, thank you for your indulgence.

Chairman ROYCE. Thank you, Mr. Connolly.

We go now to Tom Garrett of Virginia.

Mr. GARRETT. Thank you, Mr. Chairman.

And thank you all for your testimony here today.

It strikes me that, for the last probably 20 years, I have heard folks of a broad array of political stripes extol the virtues of Aung San Suu Kyi, the progress in Burma, et cetera. And that tool that is at our disposal that I think is infrequently used but oftentimes effective is that of shame.

I wonder if any of you could elaborate on the potential to bring pressure on the Government of Burma to amend its behaviors by virtue of publicizing the realities on the ground as it relates to the Rohingya and essentially motivating Ms.—I don't know what the proper—Aung San Suu Kyi—I don't know whether it would be Ms. Suu Kyi—to compel different behavior by virtue of that tried-and-true, traditional tactic of shame.

In other words, do you think it might help to shine light on the reality? What role could the United States take to that end, both in the global media world and in the United Nations and as an influencer of ASEAN and as a member of SEATO, et cetera? And it is wide open.

Mr. Murphy, you can take a break if you want. You are also welcome to answer, but if you would like to catch your breath, you can.

Ambassador STORELLA. Congressman, thank you very much for that question. I can answer from the humanitarian assistance per-

spective and will not try to cover the entire scope of your question. But I do want to say that it is extremely important to document what is going on, and it is extremely important to bear witness to what is going on.

The Government of Bangladesh has accepted over 500,000 people onto its territory. Our Ambassador in Dhaka, Marcia Bernicat, I spoke with her last night. And she immediately went to Cox's Bazar to check on the circumstances there. And there she brought the press with her. And she interviewed people, including women who had been subject to gender-based violence, to hear their stories, and she has related them.

That is part of our humanitarian approach, but it also shines a light on what has happened, and it is very important for us to continue doing that.

Thank you.

Mr. GARRETT. Oh, you can talk. I wasn't telling you not to talk. I just felt like you had kind of been raked across the coals there. And, candidly, to be fair, I know you don't single-handedly shape U.S. policy, but I am a little bit sympathetic to—mark this down, it is a red-letter day—to Mr. Connolly's line of questioning.

But, yeah, go ahead and speak to it, please, sir.

Mr. MURPHY. Thank you, Congressman. And I appreciate the perspective. What can we do? This is a source of frustration, and we are outraged by the human suffering.

There are many stakeholders inside the country that need to take action. This is not a monolithic authority. There is the government. There are the security forces. There are local ethnic leaders inside Rakhine State. There is the broad population. All of them need to take actions.

I would agree—

Mr. GARRETT. Let me interrupt you for a second. And, again, I am not trying to double down on beating up on you.

It has been my experience, whether it is in Burma or it is in Central America or whether it is in Africa, that the local militias, et cetera, operate with a great deal more impunity when the government is willing to look the other way. Obviously, they continue to exist, even in contrivance to the government in many instances.

But I think right now what we are seeing—what I understand is that they operate with impunity because the government either condones it or doesn't do anything to deter it.

So, sorry. Go ahead.

Mr. MURPHY. I agree with your perspective, and I appreciate that. I think the fact that we herald the transition to a more democratic Burma does not absolve the government of criticism. And, indeed, as Ambassador Haley said in New York, we should shame Burma's leadership. We are looking for more.

At the same time, there are figures who are attempting to do what has been unattempted, unprecedented for many, many decades—that is, to give Rakhine and the Rohingya attention, a path to citizenship, right now a path to return to their homes.

We can't effect action from outside the country without action by stakeholders inside the country—

Mr. GARRETT. Let me interrupt you, because I have 10 seconds, because you touched on something, and that is a path to return to their country.

It is so frustrating—I know I am over; I am going to wrap up quickly—because I spent the better part of a year in a uniform in the Balkans, and we watched 6 million internally and externally, at least, displaced people from Iraq and Syria, and we see it here with Burmese Rohingya pushed into Bangladesh, and we always talk about creating circumstances where people can return to their homes, and they never—I mean, with small exceptions, they never do.

So it is not directed at you; it is more of a frustration of the world that we live in and perhaps an implorement to find a better paradigm moving forward.

Thank you.

Chairman ROYCE. Thank you very, very much for your questioning, Mr. Garrett.

We now go to Mr. David Cicilline of Rhode Island.

Mr. CICILLINE. Thank you, Mr. Chairman.

And thank you to the witnesses for your testimony this morning.

I would like to focus very specifically on the sanctions and what specific actions the administration is considering in terms of removing or revising any of the existing waivers on sanctions on Burma. I know earlier in testimony it was suggested that waivers are infrequently used. I just pulled up on my phone a long list of sanctions that were waived with respect to Burma.

So I want know very specifically, is the administration looking at revoking or revising those and instituting additional sanctions? What is the downside of that? And particularly sanctions with the military in Burma that is responsible for this outrageous and atrocious behavior.

Mr. MURPHY. Thank you, Congressman.

I think what you are getting at is what consideration of actions can we take that can effect behavior change inside the country of actors who need to stop the violence.

We have a deliberative process, interagency process, underway, where we are looking at all options—

Mr. CICILLINE. Including the waivers? Including removing the waivers that have been previously granted?

Mr. MURPHY. All the available options are under consideration: Reimposing restrictions, expanding restrictions. Or is there a different variety of assistance and cooperation that in fact is needed?

What we are motivated by are two things that I would like to highlight.

One, there does need to be accountability for any abuses and violations. That is a very important track. That will be ongoing.

In the very immediate term, we need to take actions that help the plight of people who are vulnerable, at risk, facing violence. We don't want to take actions that exacerbate their suffering. There is that risk in this complicated environment.

Mr. CICILLINE. I understand—

Mr. MURPHY. That doesn't withhold us from action, but it means we want to be very deliberative and careful about what we do, Congressman.

Mr. CICILLINE. I understand that.

In fact, that leads to my very next question. What are we doing to ensure—and this is really for the Administrator—that women and girls who have been subjected to unspeakable sexual violence are receiving the care and not only medical care but the comprehensive counseling and all the things that a victim of this kind of violence absolutely requires? And are we taking any steps, either alone or with our partners, to help mitigate the risk of sexual violence?

Ms. SOMVONGSIRI. Thank you, sir, for raising that very important issue.

As you highlighted, within a vulnerable population already within the Rohingya, women and adolescent girls are especially vulnerable. We have talked about the limitations on movements within the community. Women and girls have further limitations, not only just staying in the camps but, as Muslim women and girls, in some cases having to stay in their homes and shelters, which really makes them much more vulnerable and susceptible to things like trafficking.

As you know, we do not have access to northern Rakhine State to see the situation firsthand, but we have heard reports of those who have crossed over to Bangladesh of exactly the sorts of gender-based violence you have mentioned.

Mr. CICILLINE. But my question is—I am aware of it. I think we all know the problem. I am asking, are we doing anything about it?

Ms. SOMVONGSIRI. So what we are doing on the humanitarian side is helping to provide things like psychosocial counseling, which is very important, getting access to health care, clinical rape kits, trying to provide child-friendly and other safe spaces.

But, as I mentioned earlier, until we are actually able to—that we can do on the Bangladesh side, and Ambassador Storella may want to elaborate on that. But within northern Rakhine State itself, since we do not have access, we are unable to provide the kind of protection services that are essentially needed. So we continue to call on the need for that.

Mr. CICILLINE. You hear the numbers in terms of the refugees who have gone into Bangladesh—nearly 750,000, I think. And we have to wonder, have we lost our leverage as a country to be effective in this conversation when we only are accepting 145,000 refugees, and what impact is that having on what we are asking of other countries and what they are undertaking?

It seems like it would have significantly reduced our leadership and our credibility on the issue of refugees when, at the time of a crisis like this, we have actually reduced to an embarrassingly small amount the number of people we are accepting into our own country.

I don't know—anyone is free to answer that.

Ambassador STORELLA. Congressman Cicilline, the United States' record on accepting refugees is quite an admirable one. Since 1975, the United States has resettled over 3.3 million refugees in the United States, giving them full rights to citizenship, work, education, and the rest here.

The President each year, as you know, sets a ceiling for the fiscal year coming up on the number of refugees who will be admitted. This year, it was set at 45,000. The number varied over times, but it is important to recognize that it is a ceiling. And that means that, over the years, we have never actually surpassed the ceiling. We have come very, very close several times, but sometimes we have missed by 10,000, even 20,000.

Mr. CICILLINE. Ambassador, that is really not my question. With all due respect, I know our history, our very proud history of refugees, and it makes me very sad that that history is changing.

My question is, is that decrease diminishing our leverage in this crisis? You know, I appreciate the history. It is exactly what is not happening now. And I am asking, is that undermining our ability to be a leader in this crisis?

Mr. YOHIO [presiding]. Mr. Ambassador, I am going to have to cut you off. If you could submit that answer for Mr. Cicilline, I would greatly appreciate it.

David, if you don't mind——

Mr. CICILLINE. No, I don't——

Mr. YOHIO. Thank you.

Mr. CICILLINE. Can I just ask unanimous consent that these three pages of waivers granted for Burma be entered into the record?

And I look forward to a written response as to what the administration is going to do with respect to specific reviews.

Mr. YOHIO. I think those are very important. And, without objection, we will submit those.

Mr. CICILLINE. Thank you, Mr. Chairman.

Mr. YOHIO. Thank you.

Mr. Perry?

Mr. PERRY. Thank you, Mr. Chairman.

Let me join the long list of those who give accolades and acknowledgment to the Ambassador of Bangladesh and our gratitude for your help and assistance in this crisis.

Ladies and gentlemen of the panel, thank you.

I am frustrated again this week, as I was last week. Let's get right to the point. Do we understand, do we acknowledge and agree that time is of the essence? There is an urgency associated with this circumstance, right?

Because last week we were talking about 1 million Rohingya, right? And as of last week, in about a timespan of 30 days, as of last week, 488,000, from my notes, were either displaced or murdered. Right? So, if you are looking at the sheer numbers, we have about 30 days to deal with this.

Now, we are all talking, we are sitting here in our white shirts and our suits, and these people are being slaughtered and thrown out of their country. I am frustrated.

Burma is a sovereign nation, as the United States is a sovereign nation. Somebody needs to take action. And I don't think anybody here is discussing or is implying that we should go invade Burma. I don't think anybody is implying that, and I am certainly not implying that. But while we talk about sanctions and we talk about foreign assistance, these things take a long time. We have 30 days or less.

So my question to you—first of all, Mr. Murphy, I appreciate—and, Ambassador, Ms.—I am sorry, I am not even going to attempt it—what can be done right—or can sanctions have an effect right now? Can foreign assistance have an effect right now? What can have an effect right now? Right now. These people are dying today as we sit here.

Mr. MURPHY. Congressman, I think we share your frustration and concern, absolutely.

Mr. PERRY. I know you do.

Mr. MURPHY. And—

Mr. PERRY. The U.N.

Mr. MURPHY [continuing]. I will restate—

Mr. PERRY. Anything.

Mr. MURPHY [continuing]. That we are fully seized with taking all measures to end human suffering now. We are working with the United Nations—U.N. Security Council, U.N. Human Rights Council—with ASEAN, with all of the stakeholders in Burma. I traveled there 2 weeks ago. Our Ambassador and his team are relentlessly pursuing all efforts.

We have achieved some results. There is humanitarian assistance being delivered in Rakhine State. It is insufficient, but we have opened an aperture, and we are seeking to widen it to reach all people in need.

We are looking for actors to take steps to stop the violence, including vigilante action undertaken by local civilians. There are responsibilities for the government, for the armed forces, for local ethnic leaders. We are communicating with all of them. We are consulting with our partners around the world.

We are on this in every way possible—

Mr. PERRY. I don't doubt you. I don't doubt you for an instant. And I sense that you sense the urgency as well. But, with all due respect, it just doesn't seem to me that any of the things that you are talking about are going to be effectual.

We are going to get at the end of these next 30 days, and maybe we are going to have another hearing in this nice room and we are going to talk about all the things that happened, and we are going to do an investigation, and we are going to get after those who are responsible, and it is all going to be history.

I am looking for some methodology, some vehicle today, right now, while we sit here, where you walk out of this room and go say, we are going to go do this and it is going to stop this from happening. Is there any potential for anything like that? Whether it is the U.S., whether it is our partners in the region, whether it is the United Nations?

Because I feel like we are talking; that is great. We are making sure that we don't make the matter worse, which is admirable and appropriate. But I have to tell you, I have to walk out of here and vote in a couple minutes. I have no confidence that the Rohingya aren't going to continue to be slaughtered until we come back in this next room. And they are all in this man's country, and none of them are in Burma.

Is there any reason for me to believe otherwise as I walk out of here to go vote?

Mr. MURPHY. I wish, Congressman, there was a simple solution. We really do. What we have to keep focused on are the efforts underway. This doesn't get resolved without stakeholders inside the country taking action.

The fact that there is humanitarian assistance, there is an agreement to implement the Kofi Annan recommendations, there are discussions with Bangladesh on repatriation of refugees. We have to support these efforts, we have to hold those accountable. And there are efforts underway to identify those who are responsible for violations and human rights—

Mr. PERRY. If these folks don't let us in their country now to do an investigation, what makes us think that they are going to allow an investigation post facto where we can take them to The Hague for war crimes? Why would they do that?

Mr. MURPHY. I don't take the reluctance of any of these stakeholders in the country as a reason to stop our efforts.

Mr. PERRY. I understand. I—

Mr. MURPHY. We are absolutely relentless on this, sir.

Mr. PERRY. Thank you. Thank you. My time has expired.

Mr. YOHO [presiding]. I appreciate your passion and your concern there, Mr. Perry.

Ambassador, did you want to say something else? Go ahead.

Ambassador STORELLA. I just want to say, and it doesn't really answer Congressman Perry's question altogether, but I do want to assure you, Congressman, that the generosity of this Congress has made it possible for the United States to provide lifesaving assistance now to hundreds of thousands—well, 100,000, I will say for sure, who have been fed thanks to the generosity of this Congress.

Mr. YOHO. I appreciate you saying that. You know, and this is just something we have seen over and over again. As you saw the frustration here, I am like Mr. Perry, I want action now. We don't need to study. We need action.

And when you have a military government mixed with a civilian government, but the military has more clout and has veto power, I don't see things changing, because there's nobody holding the military people accountable. And that is where the U.N. needs to be more effective, the world community needs to be more effective.

How effective would it be if we were to suspend foreign aid until Burma allowed the U.N. inspectors in the Rakhine State? Real quickly, and then I am going to close out.

Ms. SOMVONGSIRI. So thank you for raising that. I think with the gravity of the situation, we obviously need to look at all the possible tools of leverage on the table.

I would note, though, our foreign assistance right now, none of our foreign assistance is going directly to the Government of Burma, it is mostly in terms of—

Mr. YOHO. It looks under 5 percent.

Ms. SOMVONGSIRI. So it is more in terms of supporting the people of Burma, civil society organizations, the democrat, the institutions that are necessary for the transition and peace process. So we would strongly encourage that we take a look at that issue as we consider that.

Mr. YOHO. I want to thank you all for being here, the audience, for being here, being respectful and weighing in on this very important hearing.

I want to thank the witnesses, members, for taking the time to be here. This is a human rights issue and a national security issue. We will remain attentive to this pressing matter. And as it gets imperative, that we will hold all perpetrators of this violence, including the Burmese Government and the military, accountable.

The committee stands adjourned.

[Whereupon, at 10:59 a.m., the committee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE RECORD

FULL COMMITTEE HEARING NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128

Edward R. Royce (R-CA), Chairman

October 5, 2017

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs, to be held in Room 2172 of the Rayburn House Office Building (and available live on the Committee website at <http://www.ForeignAffairs.house.gov>):

DATE: Thursday, October 5, 2017

TIME: 9:00 a.m.

SUBJECT: The Rohingya Crisis: U.S. Response to the Tragedy in Burma

WITNESSES: Mr. W. Patrick Murphy
Deputy Assistant Secretary for Southeast Asia
Bureau of East Asian and Pacific Affairs
U.S. Department of State

The Honorable Mark C. Storella
Deputy Assistant Secretary
Bureau of Population, Refugees, and Migration
U.S. Department of State

Ms. V. Kate Somvongsiri
Acting Deputy Assistant Administrator
Bureau for Democracy, Conflict, and Humanitarian Assistance
U.S. Agency for International Development

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202-225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS
MINUTES OF FULL COMMITTEE HEARING

Day Thursday Date 10/05/2017 Room 2172

Starting Time 9:20AM Ending Time 10:59AM

Recesses 0 (____ to ____) (____ to ____) (____ to ____) (____ to ____) (____ to ____) (____ to ____)

Presiding Member(s)

Chairman Edward R. Royce
Representative Ted Yoho

Check all of the following that apply:

Open Session ☒

Executive (closed) Session ☐

Televised ☒

Electronically Recorded (taped) ☒

Stenographic Record ☒

TITLE OF HEARING:

The Rohingya Crisis: U.S. Response to the Tragedy in Burma

COMMITTEE MEMBERS PRESENT:

See attached.

NON-COMMITTEE MEMBERS PRESENT:

N/A

HEARING WITNESSES: Same as meeting notice attached? Yes ☒ No ☐

(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: *(List any statements submitted for the record.)*

IFR - Ranking Member Engel and Representative Cicilline

SFR - Representative Connolly

QFR - Chairman Royce, Ranking Member Engel, and Representative Wagner

TIME SCHEDULED TO RECONVENE _____

or

TIME ADJOURNED 10:59AM


 Full Committee Hearing Coordinator

HOUSE COMMITTEE ON FOREIGN AFFAIRS

FULL COMMITTEE HEARING

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MATERIAL SUBMITTED FOR THE RECORD BY THE HONORABLE ELIOT L. ENGEL, A
REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

United States Senate

WASHINGTON, DC 20510

September 28, 2017

The Honorable Rex Tillerson
Secretary of State
U.S. Department of State
2201 C St. NW
Washington, D.C. 20520

The Honorable Mark Green
Administrator
U.S. Agency for International Development
1300 Pennsylvania Avenue NW
Washington, DC 20004

Dear Secretary Tillerson and Administrator Green,

We write to urge the Administration to apply the full weight of its diplomatic influence to help resolve the Rohingya crisis in Burma and Bangladesh, and to provide additional humanitarian aid to those who have fled their homes and are struggling to survive.

The world is witnessing a massive humanitarian catastrophe, in which over 480,000 Rohingya have fled their homes in Burma in search of safety in Bangladesh. On September 14th, the International Organization for Migration reported that 10,000 to 20,000 refugees were arriving to Bangladesh daily, and that if this trend continued, the number of new Rohingya refugees in Bangladesh may reach a million by the end of the year. While the current military operation was in response to the appalling August 25th attack by the Arakan Rohingya Salvation Army insurgent group on Burmese security posts, the response by the Burmese authorities – and in some cases, civilians acting with consent from security forces – has been extraordinarily disproportionate and was most recently condemned by the United Nations Security Council. In fact, the U.N. Human High Commissioner for Human Rights, Zeid Ra'ad al Hussein, has stated that the pattern of atrocities against the Rohingya, including extrajudicial killings, rape and the burning of villages “seems to be textbook example of ethnic cleansing.”

Despite international condemnation, the Burmese authorities incredibly continue to deny the atrocities. The Commander-in-Chief of the Burmese Military, Senior General Min Aung Hlaing, has even made public statements that the Rohingya do not exist, describing them as the “Bengali problem,” and defending the recent violence as “unfinished business” from World War II.

We commend the Administration for the September 20 announcement of an additional commitment of \$32 million to address the Rohingya crisis, bringing the total U.S. commitment to address this crisis to \$95 million in Fiscal Year 2017. We also commend the State Department’s call “to allow for unfettered humanitarian access to people in Rakhine State, Burma,” and to “encourage other donors to join us in providing additional humanitarian assistance for those affected by the crisis.”

Providing immediate humanitarian assistance to the people of Rakhine State and those who have fled to Bangladesh is clearly in both our moral and national security interests. Unless immediately addressed, this crisis will have profound long-term consequences for Burma, the region, and the world. We call on the Administration to work closely with the international community to find a durable solution that protects the Rohingya and helps to prevent long-term inter-ethnic and inter-communal strife in Burma.

We also call on the Administration to continue to urge the Burmese government to allow the United Nations and international non-governmental organizations access to provide large-scale cross border humanitarian assistance to assist the Rohingya and other displaced people, and ensure the safe and voluntary return of those displaced. The Burmese government to date has only permitted the International Committee of the Red Cross to operate and provide humanitarian assistance in northern Rakhine State. Without other aid organizations allowed to operate in Rakhine State approximately 120,000 people will continue without food, medical care, and other life-saving assistance.

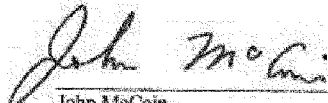
In addition, given the credible allegations of mass atrocities, including the risk of genocide, we urge you to hold accountable under U.S. law and international humanitarian law the perpetrators of such atrocities in Rakhine State, as identified by credible international organizations and U.S. law enforcement agencies. We note that current U.S. law, such as the Global Magnitsky Act, allows the President to impose sanctions on individuals "responsible for extrajudicial killings, torture, or other gross violations of internationally recognized human rights committed against individuals in any foreign country," against people seeking to "obtain, exercise, defend, or promote internationally recognized human rights and freedoms". The JADE Act also provides options and tools for U.S. policy. We look forward to discussing with you whether there are other policy actions or measures the United States can take, including calling on the United Nations Security Council to place the plight of the Rohingya on its agenda and hold the perpetrators accountable given the gravity of the situation.

The United States has played a pivotal role in supporting Burma's democratic transition over the past several years. We fear that if we do not help address the Rohingya crisis now, all of that progress may be squandered. It is time for the Administration to work with the international community to put a stop to these horrific atrocities, to provide support where needed, and to hold the perpetrators accountable.

Congress has historically played a crucial role with respect to Burma policy. We look forward to hearing your thoughts on how we can work together on appropriate next legislative steps to clarify and further our policy.

Sincerely,


Benjamin L. Cardin
United States Senator


John McCain
United States Senator



Written Testimony of
Most Reverend Joe S. Vásquez
Bishop of Austin, Texas
Chair, U.S. Conference of Catholic Bishops' Committee on Migration

on

"The Rohingya Crisis: U.S. Response to the Tragedy in Burma"
House Foreign Affairs Committee

2172 Rayburn
9 a.m., Thursday, October 5, 2017

Thank you Chairman Royce and Ranking Member Engel for this opportunity to provide this written testimony to the House Foreign Affairs Committee regarding the forced migration crisis in Burma. I submit it as the Chairman of the Committee on Migration of the United States Conference of Catholic Bishops (USCCB) so that we may join our voices with those of other Catholic leaders and others deeply concerned about the fate of these forgotten people.

Our concern about these refugees fleeing from Burma, known as Rohingya, is rooted in Catholic social teaching on migration. Catholics believe that all human beings are created in God's image, including migrants and refugees of all backgrounds. Pope Pius XII reaffirmed the Catholic Church's commitment to care for pilgrims, aliens, exiles, refugees, and migrants of every kind, affirming that all peoples have the right to conditions worthy of human life and, if these conditions are not present, the right to migrate.¹ Meanwhile, USCCB's Migration and Refugee Services (USCCB/MRS) advocates to address the root causes for such poor conditions while also protecting those forced to migrate. In our joint pastoral letter, *Strangers No Longer: Together on the Journey of Hope, A Pastoral Letter Concerning Migration*,² January 23, 2003, the U.S. and Mexican Catholic bishops call for nations to work toward a "globalization of solidarity." In that document we affirm that "Refugees and asylum seekers should be afforded protection. Those who flee wars and persecution should be protected by the global community" No. 99. We also state that, "because of their heightened vulnerability, unaccompanied minors require special consideration and care" No. 82.

As one of the U.S. resettlement agencies, USCCB/MRS has resettled thousands of refugees from Burma, including many Christians fleeing religious and ethnic persecution and also many Muslims fleeing the same, such as these from Rakhine State. In Appendix 1 attached to this testimony, we provide profiles of two such unaccompanied refugee minors who were resettled by us this year. The level of vulnerability experienced by these two children is similar to many others who are resettled to the United States. Refugees who need resettlement are frequently the most vulnerable, who have a difficult time surviving in neighboring host countries. They illustrate why it is so important for the U.S. to have a robust resettlement program – it saves lives. It is for the sake of children like these and other vulnerable refugees needing resettlement that we are disturbed and deeply disappointed by the recent setting of the Presidential Determination (PD) of refugee admissions for FY2018 at 45,000, the lowest PD in the history of the program. We urge this committee to advocate with a unified, bi-partisan voice to admit at least 75,000 refugees to the U.S. next year. We can and must do better.

We have been in particularly close contact with Catholic leaders and NGOs in Burma for the last several years regarding the protracted refugee situation in the region. We have made two solidarity/assessment trips and have written [a report](#) and [an update](#) about the complex dynamics in which there are the hopes of a new democracy after decades of military rule, but also where there are continued protection challenges facing several hundred thousand forcibly displaced people inside Burma and also those from Burma who are seeking refuge in neighboring countries.

We turn now to the grim situation of those forced to flee from Rakhine State, Burma. Forced out by what the Burmese military³ reportedly have referred to as a "clearance campaign," an estimated 501,000 people

¹ Pope Pius XII, *Exsul Familia* (On the Spiritual Care of Migrants), September, 1952.

² "Top Myanmar General defends military's 'clearance operations'," *South China Morning Post*, 9/17/2017, available at <http://www.scmp.com/news/asia/southeast-asia/article/2111530/top-myanmar-general-defends-militarys-clearance-operations>

have fled from Rakhine State, Burma, to Bangladesh since August 25, 2017.³ Most are women and children, and the most vulnerable are newborns, pregnant women, and the elderly. Many have only makeshift shelters at best, are struggling to find the mere basics of life, and are trying to avoid debilitating and life-threatening water-borne and air-borne diseases. They are all in our thoughts and prayers as the Catholic Church joins with others to mobilize in response to the horrific situation.

One frustration for many has been that Daw Aung San Suu Kyi, the human rights icon and de facto democratic leader of Burma, has not been publicly very vocal about the plight of these Muslims from Rakhine State. Also, Christians and others have long been oppressed by the army of Burma in Kachin and Shan States. Despite these serious unresolved political and human rights situations, there continues to be strong efforts at positive change by the recently elected democratic government, the first after over 50 years of military rule. While the Burmese military still maintains substantial political and economic control, Daw Aung San Suu Kyi has managed to lead the effort on the so-called Panglong Process, whereby Burma's ethnic groups have an ongoing process for seeking to build a federal, democratic system in which all of Burma's people have access to shared governance and shared resources. As we shed light on the human rights tragedies in Burma, we urge continued U.S. support to resolve these critical situations and to support the democratically elected government in addressing these situations while also supporting their broader efforts to build a new, democratic, inclusive Burma.

Before turning to recommendations, we share three sets of statements from other Catholic leaders. The first two are from Pope Francis and Cardinal Patrick D'Rozario, the Archbishop of Dhaka, Bangladesh, and they are particularly tied to this recent exodus from Rakhine State. The third, by Cardinal Charles Maung Bo, Archbishop of Yangon, speaking in February 2017, concerns other atrocities in Rakhine State, and concludes with remarks that continue to resonate with what we consider sound advice.

Pope Francis Statement. "Sad news has reached us of the persecution of our Rohingya brothers and sisters, a religious minority. I would like to express my full closeness to them — and let all of us ask the Lord to save them, and to raise up men and women of good will to help them, who shall give them their full rights."⁴

Cardinal Patrick D'Rozario, Archbishop of Dhaka, Bangladesh. "It is very good that Bangladesh has opened its doors for the Rohingya, who have suffered all kinds of atrocities."⁵

"Bangladesh has not only opened the borders but also opened their hearts with love and compassion to the children, women, old, the sick, the wounded and even the thousands who are unborn... Bangladesh out of her poverty is sharing her richness of human values..."⁶

³ UNHCR, "Rohingya Emergency," 9/28/2017, available at <http://www.unhcr.org/en-us/rohingya-emergency.html>

⁴ "Pope Francis: Appeal for End to Violence Against Rohingya," *Vatican Radio*, August 27, 2017, available at http://en.radiovaticana.va/news/2017/08/27/pope_francis_appeal_for_end_to_violence_against_rohingya/1333091

⁵ Nirmala Carvalho, "Catholic Church in Asia Responds to Rohingya Refugee Crisis," *Crux*, September 15, 2017, available at <https://cruxnow.com/global-church/2017/09/15/catholic-church-asia-responds-rohingya-refugee-crisis/>

⁶ "Cardinal D'Rozario: The Church can be a Field Hospital," *Vatican Radio*, September 28, 2017, available at http://en.radiovaticana.va/news/2017/09/28/card_d'rozario_the_church_can_be_a_field_hospital_/1339551



October 3, 2017

Representative Ed Royce

Chairman

Committee on Foreign Affairs

2170 Rayburn House Office Building

Washington, DC 20515

Representative Eliot Engel

Ranking Member

Committee on Foreign Affairs

2170 Rayburn House Office Building

Washington DC 20515

Re: Hearing on the Rohingya Crisis: The U.S. Response to the Tragedy in Burma

Dear Chairman Royce, Ranking Member Engel, and Members of the Committee:

On behalf of Amnesty International ("AI")¹ and our more than seven million members and supporters worldwide, we hereby submit this statement for the record. This hearing comes about five weeks after the Myanmar military launched a brutal operation targeting Rohingya Muslims living in Rakhine State.

This statement captures AI's research and documentation of the August/September Rohingya crisis which is based on: (1) refugee interviews conducted by AI crisis response researchers on the ground in Bangladesh throughout September 2017; (2) high-resolution satellite imagery, fire detention data, photographs, and videos; and (3) photographs of antipersonnel landmines and rocket launchers.

Since August 25, 2017, over half a million Rohingya, almost one half of the 1.2 million Rohingya living in Rakhine State, have fled Myanmar and crossed into Bangladesh. Fleeing a scorched-earth campaign waged by the Myanmar military, the Rohingya are part of the swiftest exodus from any country since the Rwandan genocide in 1994, according to the Washington Post. The Rohingya have escaped mass burnings, extrajudicial killings, group rapes, torture, and other atrocities committed by Myanmar military and security forces. According to the Associated Press, children make up about 60 percent of the Rohingya who have poured into

¹ Amnesty International was awarded the Nobel Peace Prize in 1977.

Bangladesh since August 25. Thousands of Rohingya continue to arrive each day, turning this area one of the largest and densest refugee concentrations in the world.

Amnesty International's response: Shortly after Rohingya refugees started to pour into Bangladesh, AI quickly dispatched a crisis response team in Bangladesh along the Myanmar border. AI has interviewed refugees, and used active fire-detection data, satellite imagery, photographs and videos from the ground to document, and analyze the destruction of Rohingya villages in northern Rakhine state.

AI has documented how Myanmar security forces have torched whole Rohingya villages inside Rakhine state and have fired on people trying to flee. These attacks constitute crimes against humanity. Despite the Myanmar government's claims that the military operations stopped as of September 5, AI has continued to confirm new burnings of villages.

AI has also documented the planting of landmines along the paths used by the fleeing Rohingya. Eyewitnesses have described how in recent weeks Myanmar soldiers have laid antipersonnel landmines at key crossing points on the Myanmar-Bangladesh border.

Taken together, the totality of evidence gathered by AI points to two conclusions:

- **Since August 25, 2017, Myanmar security forces have carried out a deliberate and systematic campaign of ethnic cleansing against Rohingya Muslims in northern Rakhine State.**
- **The violence is the worst that Amnesty International has documented in this troubled region over the past five years.**

I. The Myanmar military has waged a scorched-earth campaign to expel the Rohingya from northern Rakhine State.

AI has documented a mass-scale, scorched-earth campaign across northern Rakhine State of security forces and vigilante mobs burning down entire Rohingya villages and shooting people as they try to flee.

A. *Over half a million Rohingya on the run*

The United Nations ("U.N.") estimates that violence and burning of villages have forced over half a million Rohingya to flee from northern Rakhine State into Bangladesh since August 25. Tens of thousands more are likely displaced and on the run inside Myanmar. This is on top of some 87,000 Rohingya estimated to have fled in late 2016 and early 2017 during a large-scale military operation in Myanmar.

B. *Eyewitness testimony from Rohingya refugees*

Refugees have described harrowing accounts of security forces setting ablaze Rohingya villages and shooting people trying to flee. Rohingya describe a chilling modus operandi by the security forces. Soldiers, police and vigilante groups encircle a Rohingya village and fire into the air before entering, then storm in, and start firing in all directions. As surviving villagers desperately try to leave the area, security forces torch houses using petrol or shoulder-fired rocket launchers.

In late September 2017 AI interviewed three sexual violence survivors who fled Rakhine State and crossed into Bangladesh. They described how Myanmar security forces had shoved groups of women into homes, raped them, and then set the homes ablaze, killing many of the women. Three women managed to break through a bamboo section of the dwelling and escaped.

In late September 2017 AI interviewed a Rohingya mother who had fled Myanmar with her newborn. She presented the dead child to the AI team with a portion of the baby's head blown off.

In late September 2017 AI interviewed many Rohingya children with gunshot wounds, who had managed to flee Myanmar after running, hiding, and walking for many days. Many have been orphaned and have no surviving family member.

Below is a portion of the eyewitness accounts compiled by AI in September 2017:

- One 27-year-old man from Inn Din described how on August 25 the army, accompanied by a small group of vigilantes, surrounded the village and fired into the air, before entering and firing at random on Rohingya residents as they were fleeing. He said he hid in a nearby forest and watched as the military stayed for three days in the village, looting and burning homes.
- One 48-year-old man said that he witnessed army and police storm into his village of Yae Twin Kyun in northern Maungdaw township on 8 September: "When the military came, they started shooting at people who got very scared and started running. I saw the military shoot many people and kill two young boys. They used weapons to burn our houses. There used to be 900 houses in our village, now only 80 are left. There is no one left to even bury the bodies."
- One Rohingya man who fled his home in Myo Thu Gyi in Maungdaw township on 26 August said: "The military attacked at 11am. They started shooting at houses and at people, it went on for around an hour. After it stopped I saw my friend dead on the road. Later at 4pm the military started shooting again. When people fled, they burned the houses with bottles of petrol and rocket launchers. The burning continued for three days. Now there are no homes in our area – all are burned completely."

MATERIAL SUBMITTED FOR THE RECORD BY THE HONORABLE DAVID CICILLINE, A
REPRESENTATIVE IN CONGRESS FROM THE STATE OF RHODE ISLAND

National Security Waivers to the JADE Act
Submitted to House Committee on Foreign Affairs

12-17-12. State. Certification related to waiver of JADE Act Visa Ban

1-28-13. State. Certification related to Waiver of JADE Act Visa Ban

3-4-13. State. Certification related to Waiver of JADE Act Visa Ban

5-16-13. State. Certification related to Waiver of JADE Act Visa Ban

5-21-13. State. Certification related to Waiver of JADE Act Visa Ban

6-3-13. State. Certification related to Waiver of JADE Act Visa Ban

6-18-13. State. Certification related to Waiver of JADE Act Visa Ban

6-18-13. State. Certification related to Waiver of JADE Act Visa Ban

1-6-14. State. Certification related to Waiver of JADE Act Visa Ban

1-6-14. State. Certification related to Waiver of JADE Act Visa Ban

2-24-14. State. Certification related to Waiver of JADE Act Visa Ban

3-11-14. State. Certification related to Waiver of JADE Act Visa Ban

3-31-14. State. Visa Waiver for Burmese Cabinet Minister

4-7-14. State. Certification related to Waiver of JADE Act Visa Ban

4-11-14. State. Certification related to Waiver of JADE Act Visa Ban

9-30-14. State. Waive the visa ineligibility for Burmese official for UNGA

9-30-14. State. Waive the visa ineligibility for Burmese official for UNGA

9-30-14. State. Waive the visa ineligibility for Burmese official for UNGA

9-30-14. State. Waive the visa ineligibility for Burmese official and family for Burmese Embassy

10-20-14. State. Waive Travel Restrictions for Burmese Cabinet Minister

10-20-14. State. Waive travel restrictions for Burmese World Bank employee

10-30-14. State. Certification related to Waiver of JADE Act Visa Ban for Study Program

National Security Waivers to the JADE Act
Submitted to House Committee on Foreign Affairs

- 1-26-15 State. Certification related to Waiver of JADE Act Visa Ban
- 3-3-15 State. Certification related to Waiver of JADE Act Visa Ban
- 4-14-15. State. Certification related to Waiver of JADE Act Visa Ban
- 5-21-15. State. Certification related to Waiver of JADE Act Visa Ban for World Bank Health Conference
- 6-30-15. State. Certification related to Waiver of JADE Act Visa Ban for leader of Burmese athletes to sporting events
- 7-21-15. State. Certification related to Waiver of JADE Act Visa Ban
- 8-6-15. State. Certification related to Waiver of JADE Act Visa Ban to attend an American university
- 9-10-15. State Dept. Certification related to Waiver of JADE Act Visa Ban
- 2-19-16. State. Certification related to Waiver of JADE Act Visa Ban
- 2-23-16. State. Certification related to Waiver of JADE Act Visa Ban
- 3-10-16. State. Certification related to Waiver of JADE Act Visa Ban for Travel to San Francisco
- 4-13-16. State. Certification related to Waiver of JADE Act Visa Ban Travel to US to Visit Father
- 7-13-16. State. Certification related to Waiver of JADE Act Visa Ban
- 7-22-16. State. Certification related to Waiver of JADE Act Visa Ban Travel to attend an American college
- 8-18-16. State. Certification related to Waiver of JADE Act Visa Ban to attend a program at an American university
- 8-22-16. State. Certification related to Waiver of JADE Act Visa Ban to Travel to attend a symposium
- 8-25-16. State. Certification related to Waiver of JADE Act Visa Ban
- 9-2-16. State. Certification related to Waiver of JADE Act Visa Ban
- 9-6-16. State. Certification related to Waiver of JADE Act Visa Ban

National Security Waivers to the JADE Act
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9-20-16. State. Certification related to Waiver of JADE Act Visa Ban

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11-3-16. State. Certification related to Waiver of JADE Act Visa Ban

11-3-16. State. Certification related to Waiver of JADE Act Visa Ban

11-23-16. State. Certification related to Waiver of JADE Act Visa Ban

1-6-17. State. Certification related to Waiver of JADE Act Visa Ban

2-17-17. State. Certification related to Waiver of JADE Act Visa Ban

3-8-17. State. Certification related to Waiver of JADE Act Visa Ban to attend a conference

4-11-17. State. Certification related to Waiver of JADE Act Visa Ban to Participate in an exchange program

4-14-17. State. Certification related to Waiver of JADE Act Visa Ban to participate in USG Meetings

5-8-17. State. Certification related to Waiver of JADE Act Visa Ban to Attend a training course

5-24-17. State. Certification related to Waiver of JADE Act Visa Ban for a high-level official in the Burmese Navy

6-14-17. State. Certification related to Waiver of JADE Act Visa Ban

7-21-17. State. Certification related to Waiver of JADE Act Visa Ban

8-23-17. State. Certification related to Waiver of JADE Act Visa Ban for a high-level official in the Burmese Air Force

8-23-17. State. Certification related to Waiver of JADE Act Visa Ban to attend training and a workshop

9-1-17. State. Certification related to Waiver of JADE Act Visa Ban

9-7-17. State. Certification related to Waiver of JADE Act Visa Ban for Burma Embassy official

Statement for the Record
Submitted by Mr. Connolly of Virginia

On August 25, Rohingya militants attacked around 30 police and army outposts, leaving 12 Burmese officers dead. Following these attacks, the Burmese military has embarked on a violent retaliation campaign, including razing Rohingya villages, placing landmines along the border, killing civilians, and committing sexual violence. While the Burmese military claims that this campaign is a “clearance operation” against an insurgent terrorist group, their actions targeting civilians tell a different and abhorrent story. The United Nations High Commissioner for Human Rights Zeid Ra’ad al-Hussein has called these atrocities a “textbook example of ethnic cleansing.”

Tragically, state-sponsored persecution and violence against the Rohingya in Burma is nothing new. In 2014, I joined several of my colleagues in writing to the Administration to outline a few disturbing trends in Burma’s democratic transition, including continued discrimination and violence against the Rohingya. The latest violent crackdown has only compounded such concerns. Last year, I visited Burma with the House Democracy Partnership to meet with members of the legislature and the new democratically elected government of Aung San Suu Kyi. The United States needs to strike a balance between supporting Burma’s democratic transition, while urging an end to violence and discrimination against Rohingya. The outsized power of the military within Burma’s civilian government is an obstacle to Burma’s democratic progress and hinders the government’s attempts to prevent an explosion of sectarian violence in Rakhine State. Burma’s government must cease its policy of keeping the minority Rohingya population stateless, displaced, and in a constant state of humanitarian crisis.

The recent wave of violence in Burma’s northern Rakhine State has sparked the region’s largest refugee crisis ever, and the world’s fastest growing humanitarian crisis. An estimated 507,000 refugees and counting have fled to Bangladesh. The sheer volume has quickly overwhelmed Bangladesh’s two formal refugee camps, and the vast majority of refugees are now living in fragile and unsanitary conditions in informal camps, roadside settlements, and even in uninhabited forest. Bangladesh has shown incredible generosity in welcoming these refugees, especially given that 350,000 Rohingya refugees were already in the country prior to this latest crisis.

Lack of clean water, poor hygiene conditions, and acute shortages of food and medicine could lead to a full-blown health crisis. The Bangladesh authorities have already reported thousands of cases of diarrhea, respiratory problems, and skin diseases, and the World Health Organization has warned of a growing risk of a cholera epidemic. I urge the Bangladesh Government to lift existing restrictions on international non-governmental organizations so that a coordinated global effort can stave off a health emergency.

During the 72nd Session of the United Nations General Assembly, the United States announced an additional \$32 million in humanitarian assistance for Rohingya internally displaced in Rakhine State and the refugees and host communities in Bangladesh. According to the State Department, this supplemental provision brings total U.S. humanitarian assistance for Rohingya to nearly \$95 million in FY 2017. Nonetheless, the U.N. High Commissioner for Refugees has called for a redoubling of the

international humanitarian response in Bangladesh, citing the pace and extreme vulnerability of refugees. The Trump Administration also recently announced a cap of 45,000 refugees for FY 2018, the lowest ceiling since the enactment of the Refugee Act of 1980 (P.L. 96-212). Amidst the largest refugee crisis in history, such a meager response from the Trump Administration undermines U.S. global leadership and threatens our national security interests.

The Rohingya are one of the most persecuted communities around the world. They have endured horrific abuses at the hand of the Burmese Government for far too long. As Bangladesh prepares to host more than one million Rohingya refugees, the United States must address both the urgent humanitarian needs and the long-term societal needs of the Rohingya people. I look forward to hearing from our witnesses on how Congress can continue to assist in both of these respects.

**Questions for the Record Submitted to
Acting Deputy Assistant Administrator V. Kate Somvongsiri and
Deputy Assistant Secretary W. Patrick Murphy by
Chairman Edward Royce
House Foreign Affairs Committee
October 5, 2017**

Question:

Ms. Somvongsiri, the administration has pledged \$4 million to help those Rohingya who remain inside Burma. That's a positive step and unfortunately there is no shortage of those in need but access issues remain. How is the administration planning to use these funds to help those inside Burma, given the constraints? How will this assistance be distributed if NGOs cannot operate freely?

Answer:

Insecurity and government restrictions limited humanitarian access to Rakhine State in August and September 2017. In FY 2017, the U.S. government provided nearly \$40 million in humanitarian assistance in Burma and Bangladesh after August 2017 in response to the Rakhine State Crisis. This included nearly \$4 million provided by the Department of State's Bureau of Population, Refugees, and Migration (PRM), to the International Committee of the Red Cross (ICRC) appeal for northern Rakhine State; at that time, the Red Cross Movement agencies, including ICRC, were the only humanitarian actors granted access to northern Rakhine State. This funding is part of the nearly \$104 million in humanitarian assistance the U.S. government provided for Burmese in Burma and the region in FY 2017, including funding from State/PRM and USAID.

Since then, the UN World Food Program (WFP) has been granted access to northern Rakhine State, but access to northern Rakhine continues to be restricted for all other USAID partners. Our partners have maintained a presence in Rakhine and have adequate resources on hand to resume activities in northern Rakhine as soon as access is possible; in Fiscal Year 2017, USAID provided \$28 million in humanitarian assistance to Burma and Bangladesh. While the Government of Burma has stated that it intends to increase its own assistance in northern Rakhine, broad access by a wider range of humanitarian actors with the technical capacity to conduct assessments and deliver effective services is urgently needed. The WFP is coordinating with the Red Cross agency and local authorities on a distribution plan and rapid assessments in northern Rakhine.

Access to central Rakhine is also limited. The Government of Burma has granted some INGOs travel authorizations for central Rakhine, but other regulations and procedures are hindering international NGOs from accessing affected communities. Despite challenges, WFP's October distributions in central Rakhine State have reached approximately 118,000 people, including 24,000 pregnant and lactating women, adolescent girls, and malnourished children under the age of 5.

In Rakhine State, USAID's Office of Food for Peace (USAID/FFP) support to UNICEF provides ready-to-use therapeutic foods (RUTF) to children under 5 suffering from severe acute malnutrition (SAM). On October 22, 200 metric tons of USAID/FFP funded RUTF arrived at a UNICEF warehouse. The RUTF will be used to treat children aged 6 to 59 months experiencing severe acute malnutrition in Burma—including Rakhine State.

Question:

Mr. Murphy, you were recently in Burma. Did you raise the need for unfettered humanitarian access with military authorities? What was their response? Were you able to travel around Rakhine state?

Answer:

When I was in Burma, I met with Armed Forces Chief of Staff Lt Gen Mya Tun Oo. In this meeting, as in my other meetings with central and local government officials, I urged an immediate expansion of humanitarian access to affected areas of Rakhine State and a commitment to allowing refugees to return to their homes. I also raised allegations of human rights abuses and violations and called upon the Burmese security forces to end all violence and protect all communities. Following my trip, we are continuing to engage with the government to allow humanitarian access, end violence, and address allegations of human rights abuses and violations.

I traveled to the capital of Rakhine State, Sittwe, and met with key officials and stakeholders, including civil society representatives and displaced persons from the different communities.

Question:

The government of Bangladesh has earned well-deserved praise for its generosity in taking in over 800,000 fleeing Rohingya. But this massive refugee presence will strain Bangladesh, which has significant humanitarian and security challenges of its own. How is the United States working with the government of Bangladesh to mitigate the destabilizing effects of the refugee crisis? Are the State Department and USAID pivoting foreign assistance activities in response?

Answer:

We welcome the government of Bangladesh's generosity in responding to this humanitarian crisis. The U.S. government responded quickly to the urgency of the humanitarian crisis in Bangladesh and the needs of the displaced populations. In FY 2017, we provided nearly \$104 million in humanitarian assistance for displaced people in and from Burma, including those in Bangladesh. This funding includes nearly \$40 million in life-saving emergency assistance in direct response to the post-August 25 Rakhine State crisis.

We are also continuing our support in the wide array of bilateral and regional assistance for a stable, secure, and democratic Bangladesh. This includes continued economic development, work with Bangladesh's civilian law enforcement, and support for the Global Community Engagement and Resilience Fund, of which Bangladesh is a pilot country. This funding supports grassroots projects to strengthen communities' resilience to violent extremism. Other State Department programs administered in Bangladesh focus on labor rights, youth empowerment and civic education, women's rights, media independence, legal aid for diverse communities, and religious freedom.

Question:

Our current priorities must be to end the violence and help those in need. But to stop these cycles of violence we must also think about the future. What role can the U.S. play in building understanding and trust between the Rohingya, the Rakhine, and Burma's other ethnic groups?

Answer:

The US will continue to play an important role in building understanding and communal harmony throughout Rakhine State as well as the rest of Burma. Our programs seek to address the fundamental challenges that ultimately foster an environment where these kinds of crises can occur. The work the US Government is doing targets three critical issues: 1. a poor understanding of conflict mitigation and peace building at the local level, 2. limited capacity of civil society and local government, and 3. the pervasive nature of rumors, false news, and other narratives that can incite violence. Access is key to impacting in these three areas, and it is imperative that our partners are granted access to all conflict-affected populations as soon as possible so that we can continue to work with them in these critical areas.

It is important to understand that even within ethnic and religious minority communities there is often a limited understanding of conflict prevention and dialog, and this is further exacerbated when communities live in isolation from one another. After decades of military rule and interethnic fighting in many of Burma's states, trust between majority and minority communities in many parts of Burma is tenuous at best. USAID programs work directly with local communities to build up their knowledge base on these issues, to develop early warning networks about conflict, and, when appropriate, to sit with other ethnic groups to begin the dialog process.

In addition, USAID has created strong relationships with civil society and developed their technical capacity in addressing conflict sensitive issues, as well as their ability to advocate to the government for the needs of the community. This programming is intentionally combined with outreach and conflict mitigation training to local government at the village level. This approach is critical, as many communities view the government as the main actor in preventing the spread of violence. This was seen clearly after the insurgent attacks on August 25th, when

village tract administrators in Mrauk-U, Central Rakhine, immediately began engaging directly with both Rakhine and Rohingya communities in their towns in order to counter rumors that the violence was moving to Mrauk-U. These administrators were taking part in a USAID/OTI training on conflict mitigation at the time and were able to immediately put their training to use and help prevent violence from spreading in central Rakhine.

The US Department of State's Bureau of Democracy, Human Rights and Labor (DRL) also seeks to address the root causes of distrust between the Rohingya, the Rakhine, and Burma's other ethnic groups and religious minorities. For example, one DRL program addresses social, political, and economic factors that contribute to ethnic and religious intolerance and cycles of violence across Burma, including in Rakhine, by increasing production of high quality media content and by enhancing the flow of trusted, non-inflammatory information within and between communities.

Finally, in order to counter rumors, hate speech, and false news, we work directly with new and traditional media to support their accurate reporting and strengthen their journalistic capacity. These programs are developed in close coordination with local conflict prevention committees at the state and regional levels to ensure their communities have access to the right information and a better understanding of the issues. These activities are woven together in a holistic approach that combines with traditional humanitarian and development activities that also contain conflict sensitive approaches. There are no quick nor easy solutions to this problem; it will take long-term and consistent efforts to effect lasting change.

Question:

Bangladesh and Burma have agreed to discuss plans for the Rohingya to return to Burma. They must be allowed to do so freely, without coercion. But how can the Rohingya have the confidence to return to their homes in Burma when they denied citizenship?

Answer:

Burma's government has committed to implement the recommendations of the Rakhine Advisory Commission, led by Kofi Annan. We have offered our support to the government as it works to address the long-term challenges addressed in the Commission's report, including a credible, transparent citizenship process for all people in Rakhine and lifting restrictions on freedom of movement. Ensuring the Rohingya feel secure enough to return to their homes will not happen overnight, but we are encouraging the Burmese and Bangladeshi governments to work together to facilitate the conditions for their safe, voluntary return. The Government of Burma has granted citizenship to a handful of Rohingya who have participated in the National Verification Card process and the citizenship verification process. However, these Rohingya have not enjoyed concomitant improvements in their freedom as a result, and for this reason, as well as the fact that participants in the process have reportedly sometimes been required to self-identify as "Bengali," most Rohingya refuse to participate in the government's citizenship

process. This was an issue addressed in the Rakhine Advisory Commission's final report and government efforts to follow through on the Commission's recommendations would help ensure improved freedoms for the Rohingya.

Question:

How State and USAID are currently organized to respond to this refugee crisis, and do you foresee changes to this organization? Specifically, are State and USAID working out of the existing Regional Development Mission in Asia (RDMA), or are there plans to detail full-time resident refugee coordinators to Burma and Bangladesh? Are there plans to close or consolidate the Regional Development Mission in Asia? If so, how would such a closure or consolidation impact the refugee response?

Answer:

State/PRM is the lead agency for response to refugee crises. USAID's Office of U.S. Foreign Disaster Assistance (OFDA) and Food for Peace (FFP) are providing humanitarian assistance through UN and INGO humanitarian agencies in areas of Rakhine State, as access allows, and FFP is providing food assistance to refugees in Bangladesh. USAID's Humanitarian Advisor in Burma is coordinating closely with State and USAID staff in Bangkok and Washington, D.C. USAID has personnel on the ground who staff the current mission in Burma. An OFDA Regional Advisor and a State/PRM regional Refugee Coordinator are currently based in Bangkok.

In Bangladesh, State/PRM and USAID are working with UN and international organization partners to coordinate the overall response and support host communities. State/PRM and USAID have dedicated significant staff time to donor coordination around the response efforts and needs; USAID designated two, full-time staff to provide oversight to the food and nutrition program, in close coordination with FFP in Washington, which is providing TDY assistance at regular intervals to review progress and provide additional Mission support. State/PRM is also responding with additional TDY support to monitor and evaluate the emergency humanitarian response, identify gaps and needs of the refugee community, and ensure that humanitarian operations are well-coordinated.

USAID is not closing RDMA. However, we are developing reform options to improve the efficiency and effectiveness of Mission operations and are planning consultations with all relevant stakeholders before final decisions are made. No reforms envisioned would affect USAID's response to the Rakhine State crisis as supported by RDMA.



**Questions for the Record submitted to
Deputy Assistant Secretary W. Patrick Murphy by
Representative Elliott Engel
House Foreign Affairs Committee
October 5, 2017**

Question:

State and USAID recently announced \$38 million in humanitarian assistance for this crisis, which is included in the top line \$104 million in assistance that was already allocated for Burma, Bangladesh and surrounding countries. In your written testimony, Mr. Murphy, you note the United Nations estimates \$200 million in assistance is needed between now and February 2018. However, humanitarian organizations working with Rohingya refugees in Bangladesh have said that they need over twice that -- over \$434 million over the next six months to provide food, shelter and life-saving assistance for the refugees there.

Please explain in detail what funding is needed -- by the international community and with to address this crisis over the next six months. What more will the U.S. government be doing to respond?

Answer:

While the \$200 million figure in the written testimony represented an earlier estimate of the needs, humanitarian organizations have since developed a fuller picture of needs, encapsulated in their estimate that \$434 million in funding will be required for the refugee response through February 2018. This higher figure reflects the immense needs generated by this crisis, which may increase as refugees continue to cross into Bangladesh. PRM and USAID are in the process of allocating additional funding for the refugee response to the International Organization for Migration (IOM), the UN Children's Fund (UNICEF), and the UN High Commissioner for Refugees. USAID/FFP, already supporting the World Food Program, is also planning a contribution to UNICEF in the nutrition sector. Other countries have pledged funds toward the response. However, it often takes time for pledged funds to arrive and pledges may not translate into actual funding, as sometimes donors do not follow through on their pledges.

Question:

Burma and Bangladesh have already begun discussions on repatriation and UNHCR is not a party to those discussions, nor is UNHCR allowed much access to the refugee population on the border. This raises concerns about refugee protection, both in the camps and regarding repatriation. Does Bangladesh want to see a greater role for UNCHR in this crisis? What is the Burmese government's position on UNHCR in the context of this crisis? What actions will State and USAID take to ensure that UNHCR has adequate access to the refugee populations, both before and during resettlement? In the absence of UNHCR, how will the USG seek to address refugee protection?

Answer:

Bangladesh has been working with UNHCR to undertake a registration of those arriving from Burma. We are working with international partners to urge that Burma enables unhindered access to relevant areas for international humanitarian organizations, including UNHCR, and we continue to push for a role for credible outside observers in the repatriation process to ensure the conditions are right for all refugees and internally displaced people to return to their homes and land, safely, and voluntarily.

Question:

Several countries and human rights organizations have called for humanitarian groups to receive complete access to the Rohingya who still live in Burma. Although the government has announced that it will work with the International Red Cross, most international aid organizations fear that there may be hundreds of thousands that still lack access to potentially life-saving aid. What is the U.S. government doing to ensure that the Burmese government is allowing for access into Rakhine state? Is there any sense of how many Rohingya people remain in Burma and need medical access? Do international NGOs have sufficient capacity and funding to expand operations effectively if access were to be increased?

Answer:

Our top humanitarian priority is gaining access to those in need in Rakhine State. Relief agencies' access to many of the affected areas remains severely limited. Although the Government of Burma has granted some international NGOs travel authorizations to work in central Rakhine State, no international NGO staff have been issued travel authorizations for northern Rakhine, and other government regulations and procedures are also hindering UN agencies and INGOs from accessing all IDP camps and affected communities. In addition, safety concerns, a local climate of intimidation, and restrictions on movements prevent many local Burmese staff of these organizations from accessing those in need. We take every opportunity to emphasize to Burmese officials at all levels of government the need to allow humanitarian assistance to those in need. The White House, State Department, and the U.S. Mission to the United Nations have issued statements calling for immediate unhindered humanitarian access to all affected populations, including in northern Rakhine State. We note that the civilian government's commitment to do so is encouraging, but we seek further implementation on the ground.

It is difficult to know for certain how many Rohingya are internally displaced within Rakhine State due to lack of access, ongoing population movements, and the security situation.

Our partners in Rakhine State report that they have capacity and resources available to carry out activities in northern Rakhine if access is granted. If full and unhindered access is granted, the United States stands ready to provide support to ensure that international NGOs have sufficient capacity and funding to expand their humanitarian operations to meet the needs of the affected populations.

Question:

Does the Department of State believe that human rights violations against Rohingya in Rakhine State are part of a Tatmadaw plan for “ethnic cleansing” or constitute “crimes against humanity”? What in your view is the best way for the United States and international community to investigate the alleged human rights violations in Rakhine State?

Answer:

The facts indicate that since August 25, over 600,000 Rohingya have been forced across the border, fleeing for their lives from reported killings, torture, rape, and widespread burnings of their villages. Many have been displaced internally. These are terrible atrocities. In some cases, there is evidence that Burmese military and security forces have perpetrated these mass atrocities in concert with local militias. Ambassador to the United Nations Nikki Haley said on September 28, “We cannot be afraid to call the actions of the Burmese authorities what they appear to be: a brutal, sustained campaign to cleanse the country of an ethnic minority.” Secretary Tillerson has been clear in saying that violence and persecution “have been characterized by many as ethnic cleansing.” We are working with international partners to urge that Burma enables unhindered access to relevant areas for international humanitarian organizations, including UNHCR, and we continue to push for a role for credible outside observers in the repatriation process to ensure the conditions are right for all refugees and internally displaced people to return to their homes and land, safely, and voluntarily.

The Secretary also observed while in Burma on November 15 that what has occurred in Rakhine State that led to so many people fleeing has a number of characteristics of crimes against humanity. We are encouraging an independent investigation to understand the motivations for these crimes and hold accountable those responsible. We are working with international partners to urge that Burma enables unhindered access to relevant areas for the United Nations Fact-Finding Mission, international humanitarian organizations, and media. We are also consulting with allies and partners on accountability options at the UN, including the UN Human Rights Council and other appropriate venues. In addition, the administration has taken direct measures to hold the Burmese security forces accountable for their perpetration of atrocities. Since August 25, the State Department has ceased consideration of JADE Act travel waivers for current and former senior leaders of the Burmese military. We have found all military units involved in Rakhine, and everyone in their chain of command, ineligible for U.S. training under the Leahy Law due to credible reports we have received on their commission of gross violations of human rights. We are also exploring targeted economic sanctions available under current U.S. law to apply pressure to the Burmese military to stop abuses, prevent similar behavior in the future, and hold violators accountable, while limiting economic damage to the lives of ordinary Burmese.

Question:

State Counsellor Aung San Suu Kyi has indicated that her government intends to implement most of the recommendations made by the Advisory Commission on Rakhine State which is the report issued by the commission led by Kofi Annan when circumstances permit.

What is the United States government doing to see that those recommendations are implemented in a timely and effective manner?

Answer:

The Advisory Commission on Rakhine State's recommendations provide valuable ways forward in addressing underdevelopment, shortcomings in government services, access to justice, human rights violations, and ensuring a credible, transparent citizenship process for all people in Rakhine State. The government of Burma has committed to implementing the recommendations, and has established mechanisms to do so. We are supporting and encouraging these efforts, and in particular are pressing the Burmese armed forces to support the civilian elected government in implementing all of the recommendations.

Question:

In previous instances of humanitarian disaster, whether floods in Pakistan, or the disaster in Haiti, administrations have worked with USAID to promote private giving, including through mobile phones. What is this administration doing to facilitate private donations?

Answer:

USAID continues to encourage the public to assist disaster-affected people through private giving to reputable relief organizations on the ground in Burma and elsewhere.

Question:

Over the past few weeks we have seen troubling reports about sexual abuse committed by the Myanmar military. The most recent reports from UN medics on the ground state that there have been dozens of cases reported of women being sexually assaulted. Can you corroborate these reports? If so, what plans are being made to help those who have suffered from gender-based violence (GBV)?

Answer:

We are deeply troubled by numerous reports of sexual violence against Rohingya by security forces. We have made it clear to Burmese civilian and military officials at the highest levels, within the central government and in Rakhine State itself, that all stakeholders must work to end the violence, respect the rule of law, and hold accountable those responsible for violations and abuses.

The United States supports the UN and international organization partners in responding to violence against women and the broader protection needs of the Rohingya in Burma and Bangladesh. In FY17, the U.S. government provided nearly \$40 million in response to the UN's emergency appeals, which includes referral systems and safe spaces for survivors, enhancing efforts to identify boy and girl children at risk, and with support from the U.S. Safe from the Start initiative, deploying staff to provide technical assistance. Those most vulnerable to

trafficking can access services through ongoing child protection and other prevention and protection programs that serve men and women. Limits on access to Rakhine imposed by the Burmese government since August 25 continue to hamper implementation of the response efforts, and the provision of essential services for survivors remains limited.

Question:

Given the more than 500,000 Rohingya fleeing from Burma to Bangladesh, what has been the extent of onward maritime and other migration of Rohingya from Bangladesh to other nations in the region? How is the region responding to any onward migration? Have neighboring nations taken action to facilitate the mass migration of Rohingya? What are the numbers of Rohingyas in other countries? How many Rohingya refugees are in the countries of Burma's regional neighbors?

Answer:

In contrast to 2015, we have not yet observed onward maritime migration of Rohingya from Bangladesh to other nations in the region. The 2015 Migrants at Sea Crisis involved over 5,000 Rohingya. There are more than 55,000 UNHCR-registered Rohingya refugees in Malaysia, 16,500 in India, over 700 in Indonesia, and 132 in Thailand. Humanitarian organizations and the international community have advocated with neighboring countries to develop and implement protocols for rescue at sea, disembarkation, registration, and temporary protection, should Rohingya refugees arrive at their shores.

The U.S. government is also advocating for neighboring countries to use existing multilateral mechanisms, including ASEAN and the Bali Process, to coordinate on responses to a possible secondary migration of Rohingya by sea or land. In Thailand, there have been mixed messages from the military leadership and the prime minister as to how any potential arrivals would be treated. The Malaysian government has publicly condemned the Burmese government for its treatment of Rohingya and has disavowed the September 24 ASEAN Foreign Ministers' statement on the Rakhine State crisis. The Government of Malaysia has not made any public statements on how Rohingya arrivals by sea would be treated. UNHCR assesses that Indonesia plays a positive role in the region, particularly in the context of irregular migratory movements and the situation in Rakhine State. As co-chair of the Bali Process, Indonesia contributed to securing a regional agreement on temporary protection and local stay arrangements for migrants rescued at sea during the 2015 migrant crisis. The Indonesian government has been more circumspect than Malaysia in its public statements on the Rakhine State crisis, calling for an end to the violence without explicitly condemning the Burmese security forces' actions. The Indonesian government has sent humanitarian aid to both Burma and Bangladesh to respond to the current crisis.

Question:

One of the major problems for the Rohingya is that most of them are stateless. In 1982, the Rohingya were stripped of their citizenship by the Burmese government. Is there a viable

pathway for Rohingya to gain citizenship such that they would have full rights of a citizen like access to voting, education, protection under the law, medical care, and property ownership?

Answer:

Burma's civilian government has launched a "National Citizenship Verification" process in Rakhine State through which Rohingya can apply for verification of their citizenship status. Very few Rohingya have entered into the process, although most of those who have done so have received some form of citizenship as a result. The lack of participation is due largely to a lack of trust by Rohingya in the Burmese government; concern that they would be forced to self-identify in the paperwork as other than "Rohingya;" the fact that many Rohingya who have received citizenship did not see any change to their fundamental freedoms, such as freedom of movement; and what has reportedly been a coercive approach to pursuing Rohingya participation by some government actors. The Advisory Commission on Rakhine State recommendations call for the government to establish a clear strategy and timeline for a transparent, efficient, simplified, and voluntary citizenship process; the government has accepted the Commission's recommendations and says it will implement them as quickly as possible.

Question:

How would you describe the Arakan Rohingya Salvation Army in terms of strength, organization, leadership, international linkages, finances and other backing? Is it more nationalist or Islamist in nature?

Answer:

The Arakan Rohingya Salvation Army (ARSA) claims to have no ties to transnational terrorist organizations. We know that ARSA has claimed responsibility for roughly 30 coordinated attacks on Burmese security forces on August 25 that killed 12. Reports from Burmese government officials and sources inside the Rohingya community also suggest that ARSA is responsible for killing some members of the Rohingya community ARSA suspected of collaborating with the government. The self-proclaimed head of ARSA, Ata Ullah, is a Rohingya. We understand he spent formative years in Pakistan and Saudi Arabia.

Question:

The International Crisis Group has interpreted the events following the October 2016 attack on Burmese Border Guards as signifying "the emergence of a new Muslim insurgency." Do you agree with this characterization?

Answer:

Even prior to August 25, State Department officials at all levels consistently communicated to the Government of Burma the risks of radicalization of the Rohingya population due to systematic discrimination and abject poverty. Our understanding of ARSA is

that it has limited capacity and limited support from the Rohingya community, but the risks of radicalization exist, particularly with the displaced population in Bangladesh.

Question:

Will the Trump Administration remove or revise any of the existing waivers on sanctions on Burma? When will these decisions be made? Are there any downsides to imposing greater sanctions on Burma, in terms of U.S. diplomatic influence on Burma or U.S. foreign assistance objectives in Burma?

Answer:

The Administration has since the current Rakhine State crisis began in August ceased issuing waivers to the visa ban for current and former military leaders established by the 2008 JADE Act. We are considering a range of other options to address accountability for abuses. Any tools the United States uses to address the situation have to be carefully targeted to be effective in the complex environment. We do not want to make the crisis worse for vulnerable populations, or inhibit the flow of aid and assistance, and we want to continue to support those in Burma who are working to improve the situation in Rakhine, as well as to advance peace and broader democratic reforms.

Question:

Have any of the individuals, or their family members, who have received a national security waiver under the JADE Act since 2012, been involved, directly or indirectly, with the recent violence in Rakhine state?

Answer:

We have no information indicating that any members of the security forces operating in Rakhine State or their family members have received a waiver since 2012.

Question:

Are the Departments of Defense or State considering the suspension of assistance, education, and training programs involving officers in Burma's security forces? What other measures is the Administration considering?

Answer:

In accordance with existing restrictions on engagement with Burmese security forces, assistance, education, and training programs are extremely limited. Pursuant to the Leahy Law, we find all units and officers involved in operations in northern Rakhine State to be ineligible to receive or participate in any U.S. assistance programs. We have also rescinded invitations for senior Burmese security forces to attend U.S.-sponsored events. We are considering all available options to ensure accountability for abuses in Rakhine State.

Question:

What legislation, if any, would the Trump Administration like to see Congress pass regarding the crisis in Rakhine State?

Answer:

We believe the Administration currently has sufficient legislative authorities to address this crisis.

Question:

What is the goal we are seeking in a relationship with Burma that has kept us from taking more concrete actions against the military?

Answer:

The United States supports Burma's transition to democracy. Less than two years ago, an elected, civilian-led government took office for the first time in over half a century. The crisis in Rakhine State reminds us that the democratic transition in Burma remains in process, however, and that progress is fragile. Burma's civilian leadership has been trying to address five decades of authoritarian military misrule and inherited challenges, including long-standing inter-ethnic tensions in Rakhine State. We are well aware of the constitutional constraints on the democratically elected government. In spite of this, the democratically elected civilian government has made some progress in addressing difficult inherited challenges, including by releasing many political prisoners, amending some old laws limiting freedom of expression, and carrying out long-overdue economic reforms. Perhaps most importantly, there has been a marked decrease in high-level corruption among senior civilian government officials. None of this excuses inaction or failings by the civilian government on Rakhine or any other issue.

Question:

In 2011 the military was driven to open to the outside world because it felt it was no longer in its interest to remain closed. What do you see as the military's calculation in terms of the outside world's response to its ethnic cleansing of Rohingya? What's changed?

Answer:

Discrimination and prejudice against the Rohingya are widespread in Burma and have been for decades. Domestically, most Burmese support the military's actions as being in defense against the threat of ARSA; many in Burma continue to deny the allegations of abuses or scale of displacement. The military rank and file likely share this view, and domestic support discourages criticism of the military from both the civilian government and local organizations. The armed forces remain interested in opening to the rest of the world and in greater military-to-military engagement, but both the military and most people in Burma see the international

response to the conflict in Rakhine State as based on misinformation and misunderstanding. Most Burmese people's personal unfamiliarity with the Rohingya community exacerbates and hardens these nationalist opinions and bolsters support for the military.

Question:

What has the United States done, in terms of diplomatic engagement or other tools, to try and stop this current round of violence against the Rohingya?

Answer:

This administration is undertaking all efforts to end the violence and suffering immediately. Our most pressing objectives are achieving protection for all local populations and meaningful, durable solutions for those who have been displaced, including the establishment of conditions that allow displaced individuals to go home voluntarily, in safety, and with dignity. We have made it clear to Burmese civilian and military officials at the highest levels, within the central government and in Rakhine State itself, that all stakeholders must end the violence, respect the rule of law, cease displacement, pave a path for Rohingya and others to return voluntarily to their homes, and hold accountable those responsible for violations and abuses. We have expressed alarm about continuing reports of intimidation perpetrated by security forces, as well as of civilian vigilantes operating outside the rule of law in committing arson attacks on Rohingya homes and blocking humanitarian assistance to many populations. We have also taken concrete actions to demonstrate our concerns to the Burmese military, including ceasing consideration of JADE Act travel waivers for current and former senior leaders of the Burmese military, and finding all military units involved in Rakhine, and everyone in their chain of command, ineligible for U.S. training under the Leahy Law. We are also exploring options available under current U.S. law to apply pressure to the Burmese military to stop abuses, prevent similar behavior in the future, and hold violators accountable.

Question:

Despite our "never again" response to atrocities around the world, why has the U.S. not taken stronger action to stop what the UN High Commissioner for Human Rights Zeid Raad al-Hussein has called a "textbook example of ethnic cleansing." What impact do you believe this has on our credibility when it comes to atrocity prevention?

Answer:

Secretary of State Tillerson has said that "the world can't stand idly by and be witness to the atrocities that are being reported" in Burma. This administration is undertaking all efforts to end the violence and suffering immediately, in addition to pursuing accountability for perpetrators of human rights violations. Our most pressing objectives are achieving protection for all local populations and meaningful, durable solutions for those who have been displaced, including establishment of conditions that will allow displaced individuals to go home again voluntarily, in safety, and with dignity.

Question:

Does the State Department believe that this is an act of ethnic cleansing? Why/why not?

Answer:

The facts indicate that since August 25, over 600,000 Rohingya have been forced across the border, fleeing for their lives from reported killings, torture, rape, and widespread burnings of their villages. Many others have been displaced internally. These are terrible atrocities. In some cases, there is evidence that Burmese military and security forces have perpetrated these mass atrocities in concert with local militias. Ambassador to the United Nations Nikki Haley said on September 28, "We cannot be afraid to call the actions of the Burmese authorities what they appear to be: a brutal, sustained campaign to cleanse the country of an ethnic minority." Secretary Tillerson has been clear in saying that violence and persecution "have been characterized by many as ethnic cleansing." The Secretary also observed while in Burma on November 15 that what has occurred in Rakhine State that led to so many people fleeing has a number of characteristics of crimes against humanity. We are encouraging an independent investigation to understand the motivations for these crimes and hold accountable those responsible.

Question:

How would you characterize Bangladesh-Burma relations? How has the refugee crisis affected their bilateral relationship? Indian PM Modi was in Burma while the violence was going on. How would you characterize India's response?

Answer:

Burma-Bangladesh have long suffered from a lack of trust on both sides. However, both countries are seeking to resolve jointly their bilateral issues, including finding a path forward on repatriation of Rohingya refugees. We are encouraging this bilateral collaboration.

India has sought to strengthen its relations with Burma's democratic government. In addressing the continued outflow of Rohingya from Rakhine State, Indian government statements have condemned attacks on Burmese security forces, called for the government to protect the civilian population, and affirmed that Burma must allow refugees to return. A strong relationship with Burma is an important element of India's "Act East" policy of increasing ties in Asia.

Question:

How is the U.S. government attempting to continue supporting the democratically elected leaders within Burma while fighting against the Burma Military's excesses? How has the U.S. assisted Burma's democratically elected leaders like Suu Kyi while fighting against the Burmese military?

Answer:

We will continue to support Burma's transition to democracy, as well as efforts to resolve the current crisis in Rakhine State. The United States has offered its support to the government as it works to address the long-term challenges identified in the Advisory Commission on Rakhine State's final report. U.S. officials at all levels continue communicating our commitment to the U.S.-Myanmar Partnership and to supporting civilian officials in all areas of our engagement. We maintain a robust portfolio of assistance activities to communicate strong support for the civilian government and the democratic transition, including support to the peace process, assistance to civil society organizations promoting human rights and democracy, and extensive programs through USAID to foster economic development and poverty reduction, address intercommunal conflict, and provide technical assistance to Parliament on legislation and other initiatives. At the same time, there should be a place in Burma for a reformed military, one that is respected for its adherence to the rule of law, strict avoidance of human rights abuses, and full acceptance of civilian control.

Question:

There is concern that Suu Kyi's actions might be because of the upcoming election in Burma. What, if anything, can be done by the U.S. to strengthen Burma's democracy as well as Suu Kyi's political position that can give her leverage to better support the Rohingya?

Answer:

The United States provides substantial assistance to Burma to support the development of democratic norms, including free and fair elections, as well as an appreciation for the value of diversity and a respect for minority rights.

Question:

Our understanding is that the recently, democratically elected Burma officials do not have control over the Burmese Military that ran the country for over five decades, and that the actions against the Rohingya are driven by the military, not by the democratically elected government. Is that accurate? Is it accurate to assume the view that Burma's relatively new democratic government has not been able to control the Burmese military forces that previously ruled the country?

Answer:

Our information indicates that Burma's military, in conjunction with vigilante groups in many instances, is responsible for violence against the Rohingya community in northern Rakhine State.

Under the Burmese constitution, drafted by the military in 2008, the armed forces are not subject to civilian control. The military also controls 25% of seats in Burma's legislature, giving it an effective veto over constitutional reform, and has authority over three key security-related Ministries of Defense, Border Affairs, and Home Affairs.

Questions:

As you know, women face a heightened risk of sexual violence during crisis situations. Harrowing stories have been reported regarding the rape of Rohingya women. How is the United States supporting survivors of sexual violence? What is being done to ensure women and girls receive comprehensive, confidential counseling and medical care? What steps are being taken to mitigate the risk of sexual violence?

Answer:

The United States supports the UN and international organization partners to respond to violence against women and the broader protection needs of the Rohingya in Burma and Bangladesh. In FY 2017, the U.S. government provided nearly \$40 million in humanitarian assistance in Burma and Bangladesh following the crisis in Rakhine State. This includes funding for partners implementing the U.S.-led initiative *Safe from the Start*, which prioritizes improved GBV services and the mitigation of GBV risks. In Rakhine State, USAID partners support activities focused on responding to and preventing gender-based violence, including Women's and Girls Centers at camps for internally displaced persons, case management and counseling for survivors, group-based activities for those vulnerable to gender-based violence (GBV), referrals to other sector services, and integration of clinical management of rape into health programming. USAID also requires all partners to design their programs so that delivery of services is safe and minimizes any risks, particularly those faced by women and girls. These efforts are further reinforced by protection monitoring activities implemented by other key protection partners, such as UNHCR, in Rakhine state to monitor critical risks and trends. However, since August 25, limits on access in Rakhine have hampered implementation of both GBV response programming and critical prevention efforts.

In light of historical data and more recent reports of rape and other forms of sexual violence, it is critical that the humanitarian community is able to provide life-saving protection and GBV services. The provision of services such as clinical management of rape, individual counseling or case-work, or safety planning for Rohingya continues to be particularly restricted in Rakhine State. We are pursuing unhindered access to vulnerable populations for humanitarian actors and ensuring that life-saving protection and GBV-related interventions are sufficiently resourced and can be safely accessed.

In Bangladesh, State/PRM is providing humanitarian assistance to Rohingya refugees through UN and international organizations. This funding provides multi-sector life-saving assistance to meet critical humanitarian needs, including GBV prevention and response services, through trusted humanitarian partners including the UN High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM), the UN Children's Fund (UNICEF), and international non-governmental organizations, among others. GBV prevention and response services underway by PRM-funded partners include delivery of psychosocial support services, establishment of safe spaces for women and children in the refugee camps and communities, provision of child- and youth-focused activities, direct case management and referral, and linkages to emergency health services for GBV and child abuse survivors.

Question:

The current crisis has taken a devastating physical and psychological toll on Rohingya minors. Many have lost parents and caretakers. How do you plan on supplying aid to Rohingya youth? Particularly those left without a family.

Answer:

Prior to the current crisis, USAID partners carried out a range of child protection activities in Rakhine State, including safe spaces for children at IDP sites, psychosocial support for children affected by conflict, and case management services for survivors of protection violations. It is imperative that protection actors are granted access to all conflict-affected populations as soon as possible so that delivery of these services can resume.

In Bangladesh, State/PRM is providing humanitarian assistance to Rohingya refugees through UN and international organizations. This funding provides life-saving assistance to meet critical humanitarian needs, including child protection services, through trusted humanitarian partners including the UN High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM), the UN Children's Fund (UNICEF), and international non-governmental organizations, among others. Child protection activities underway by U.S.-funded partners include family tracing services, interim family-based care for unaccompanied and separated children, mental health and psychosocial support services, establishment of child friendly spaces to offer recreation, psychosocial support, and informal education, and prevention and response to gender-based violence.

Question:

How are U.S. officials working with other partners to track and assess health conditions in the densely populated camps? What steps is the U.S. prepared to take to address issues, like malaria or tuberculosis, and ensure a rapid response in the event of an outbreak?

Answer:

U.S. officials are engaging with the Government of Bangladesh and humanitarian partners regularly to track and assess health conditions. U.S. funding is supporting key health, nutrition, and water, hygiene, and sanitation interventions to prevent an outbreak of disease. For example, UNICEF and WHO are leading the vaccination campaign against cholera, polio, and measles-rubella with funding from various donors, including the U.S. WHO plans to administer 700,000 of its donated 900,000 cholera vaccinations between October 10 and 18. The remaining 200,000 vaccinations will be administered to newly-arrived children under the age of five during the second week of November. U.S. officials based in Bangladesh work closely with the Inter-Sector Coordination Group (ISCG), the coordination body for the refugee response, on preparedness for possible disease outbreaks. As a part of the Acute Watery Diarrhea (AWD) preparedness and response plan, humanitarian partners are in the process of prepositioning contingency supplies including water purification tablets and chlorine powder and a Non-Food-Item (NFI) kit. UNICEF and other partners are conducting an assessment of the refugees'

nutritional status to inform next steps. UNHCR is conducting an assessment of water, sanitation, and hygiene (WASH) activities in the camps and is working to establish community-based mortality surveillance in the camps and a health information system for managing data. At the request of partners, subject matter experts from CDC have provided on-the-ground technical support to the nutrition and WASH assessments and the establishment of the UNHCR mortality surveillance and health information systems. Humanitarian partners are also distributing hygiene kits and plan to assess different sites to set up diarrhea treatment centers.

Question :

Malaria, Zika, and other mosquito-borne infections are a health threat in Burma/Myanmar. What, if anything, have you heard regarding reported cases and the possible spread of mosquito-borne infections among IDPs and refugees?

Answer:

Populations in IDP camps and isolated communities of Rakhine face a similar risk of malaria as other populations in Rakhine State. As of 2015, Rakhine State has remained the highest-burden area of Burma and accounted for 19 percent of all malaria cases within the country reported. Transmission varies within the state, but is estimated to be higher in northern Rakhine and thus presents a health risk for Rohingya populations on both sides of the border. This includes refugees who have fled to Bangladesh. It is not possible at this time to assess whether cases have increased in northern Rakhine. In IDP camps in central Rakhine, while there have been cases of dengue and malaria reported, no major spikes have been reported during the current crisis. Among IDP camps in Sittwe, for instance, malaria incidence is reported to be low, corresponding with lower incidence across Sittwe townships as a result of malaria control efforts. Dengue is also endemic, though Rakhine is not among Burma's most at-risk areas. Zika prevalence is not well-documented, but is not presently considered a significant public health threat.

In Bangladesh, WHO reported that during the period of August 25 to October 21, 2017, out of a total of 174,731 consultations reported through the Early Warning and Response System (EWARS), there were 25,192 cases of fever of unexplained origin, and 1,737 confirmed cases of malaria. The International Center for Diarrhoeal Disease Research, Bangladesh (ICDDR,B) is conducting malaria surveillance in the camps. Dengue, Chikungunya and Zika are highly prevalent in Bangladesh, but have not yet been reported as affecting significant numbers of Rohingya are refugees.



**Question for the Record Submitted to
Acting Deputy Assistant Administrator, Bureau for Democracy, Conflict, and
Humanitarian Assistance, V. Kate Somvongsiri by
Representative Ann Wagner
House Foreign Affairs Committee Hearing
October 5, 2017 Hearing**

Question:

Ms. Somovongsiri, we hear so many stories of rape and sexual abuse coming out of Burma. The Bangladesh Embassy has reported that many of the Rohingya flowing into Bangladesh are women and children.

Can you talk about the risks facing women and girls in Rakhine State and help us understand how the international humanitarian response can better confront sexual violence and the needs of female survivors?

Answer:

Women and girls face compounding security risks in both Rakhine State and in Bangladesh, where many have fled violence as refugees. During humanitarian crises, when law enforcement and social protection structures are strained, women, adolescents and children are especially susceptible to many forms of violence, including sexual violence, rape, human trafficking, survival sex, as well as child, early and forced marriage. Violence against women is a feature of the current Rohingya humanitarian context, and has likely amplified in scope and scale. During the latest clearance operation by Burmese security forces and vigilante groups, reports of rape and sexual assault have been widespread. Women and adolescent girls in Rohingya communities are particularly vulnerable due to limited resources, restrictions on their freedom of movement, and some inadequate access to water and sanitation facilities (which often must be done at night) due to congested camp living conditions surrounded by large numbers of armed men. Additionally, the common practice of smuggling via boat across the river dividing Burma and Bangladesh, which was a feature of the 2013/2014 Rakhine crisis, has elevated the risk of trafficking in persons of women and girls since the onset of the 2017 violence.

The United States supports the UN and international organization partners to respond to violence against women and the broader protection needs of the Rohingya in Burma and Bangladesh. In FY17, the U.S. government provided nearly \$40M in response to the UN's emergency appeals, which includes referral systems and safe spaces for survivors, enhancing efforts to identify boy and girl children at risk, and with support from the U.S. *Safe from the Start* initiative, deploying staff to provide technical assistance. Those most vulnerable to trafficking can access services through ongoing child protection and other prevention and protection programs that serve men and women. Limits on access to Rakhine imposed by the Burmese government since August 25 continue to severely hamper implementation of the response efforts, and therefore, the provision of essential services for survivors is extremely limited. Humanitarian actors need unhindered access to vulnerable populations, and programming addressing the ramifications of violence against women should be prioritized as lifesaving.