

### KEY FINDINGS

In 2022, religious freedom conditions in Burma continued to decline significantly. Since staging a military coup in February 2021, the country’s junta—the Tatmadaw—has ruled through the State Administration Council (SAC) under the leadership of General Min Aung Hlaing. The SAC maintains full control of only an [estimated](#) 17 percent of the country’s total territory, and in that limited space it has significantly cracked down on all dissent and freedoms.

Throughout the year, the SAC continued to link its legitimacy to the sponsorship of Burma’s Buddhist majority. In August, Major General Zaw Min Tun [promised](#) that any verbal, written, or online post insulting Buddhism would be punished according to the law. In July, General Hlaing [joined](#) two Buddhist monks in consecrating a replica of Shwezigon Pagoda in Moscow, Russia. In March, it was [reported](#) that since the time of the coup, the junta had destroyed, raided, and looted at least 30 Buddhist monasteries in Sagaing Region and 20 more in Magwe Region. The SAC’s sponsorship is limited to those Buddhist communities that support the junta.

The government violently targeted houses of worship belonging to religious minorities throughout the year, with evidence suggesting the SAC is using the same tactics against these communities that its forces have deployed against Muslim-majority Rohingyas since 2017. From the time of the 2021 coup through December 2022, government forces damaged or destroyed at least nine Catholic churches in Kloikaw Diocese in Kayah State and severely [affected](#) at least 16 out of 38 Catholic parishes. Government forces have also [burned](#) villages of religious minorities and even members of the Buddhist majority, destroying homes and houses of worship and schools in the process. The conflict displaced

over 1.1 million people during that same timeframe, bringing the total of internally displaced persons (IDPs) in Burma to 1.4 million. This number [includes](#) 121,000 from religious minority communities as well as from majority Buddhist groups within Kachin and Shan states. The SAC has deliberately [blocked](#) the delivery of humanitarian aid to vulnerable populations.

The increasing conflict between the SAC and the various ethnic armies, as well as forces aligned with the opposition National Unity Government (NUG), have [caused](#) the conflict to spread to approximately 83 percent of Burma’s territory. Growing [evidence](#) reveals that neither the SAC nor the NUG have the ability to control many of the territories within Burma, including the regions in Rakhine State that are or were formerly home to the Rohingya community. Instead, the ethnoreligious militia known as the [Arakan Army \(AA\)](#) has become the dominant political force in that region, lessening the influence of both the SAC and the NUG in Rakhine State. Some members of the Rohingya community who spoke with USCIRF reported that in addition to the Tatmadaw and other Burmese authorities who drove them out of Rakhine State, the AA has also targeted members of their community. The AA has yet to [reverse](#) its past opposition to the presence of the Rohingya community in Rakhine.

International efforts to hold the Burmese authorities and the Tatmadaw legally accountable for atrocities they committed against the Rohingya community continued throughout 2022. Related cases were ongoing at the International Court of Justice (ICJ), the International Criminal Court (ICC), and in Argentina under the principle of Universal Jurisdiction. In July, the ICJ dismissed the SAC’s objections to the case, allowing it to proceed.

### RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Redesignate Burma as a “country of particular concern,” or CPC, for engaging in systematic, ongoing, and egregious violations of religious freedom, as defined by the International Religious Freedom Act (IRFA);
- Engage with the prodemocracy Burmese opposition, including the NUG, as well as ethnic armed organizations as outlined in the Burma Unified through Rigorous Military Accountability Act of 2022, and
  - prioritize religious freedom—including justice, voluntary repatriation, and restored citizenship for the Rohingya community—as a prerequisite for recognition and/or ongoing and substantial engagement;
  - Work with Bangladeshi authorities and the international community to assist the Rohingya community with immediate needs while waiting for eventual voluntary repatriation, including identifying solutions to fully scale up livelihood and skills training programs for adults and youths and providing access to the Burmese curriculum to ensure a quality education for all children within Cox’s Bazar; and
- Expand options for Rohingya refugees to resettle in the United States—with an emphasis on especially vulnerable members of that community—and encourage like-minded partner countries to do the same.

### KEY USCIRF RESOURCES & ACTIVITIES

- **Factsheet:** [Pursuing Justice and Accountability: Next Steps for Rohingya Community of Burma](#)
- **Policy Update:** [Burma](#)
- **Podcast:** [Rohingya Genocide Determination and Accountability](#)
- **Commission Delegation Visit:** [Cox’s Bazar, Bangladesh, in November 2022](#)

## Background

Burma's population consists of Buddhists (87.9 percent), Christians (6.2 percent), Muslims (4.3 percent), Animists (0.8 percent), and Hindus (0.5 percent). Although the 2008 constitution treats Buddhism as the de facto state religion while recognizing Christianity, Islam, Hinduism, and Animism, non-Buddhist religious and ethnic minorities have faced longstanding persecution. In 2015, Burma [passed](#) race and religion laws with the support of hardline Buddhist nationalist groups such as the Ma Ba Tha. These laws regulate religious conversion, marriage, and births; they also restrict the religious freedom of non-Buddhists, particularly Muslims.

In 2022, the SAC continued to perpetrate mass human rights violations within Burma. The SAC has [received](#) support from Russia and China, although there are [indications](#) China's past support for the Tatmadaw had waned by late 2022. In July, the SAC ordered the execution of four prodemocracy activists, and in August, General Hlaing extended the state of emergency by six months, citing ongoing efforts to combat the opposition, whom he referred to as "terrorists." In December, an SAC court [found](#) former State Counsellor Aung San Suu Kyi guilty of corruption, sentencing her to 33 years in prison.

## Rohingya and Other Refugees

Muslim-majority Rohingya have borne the brunt of religious freedom violations by Burmese authorities and ethnic armies, and the corresponding violence has externally displaced most of that community. Of the reported [600,000 Rohingya](#) who remain within Burma, at least [100,000](#) are likely in IDP camps. Sea crossings remained a persistent challenge, as an [estimated](#) 1,920 people, mostly Rohingya, fled Burma by sea between January and November; of those, a total of 119 were reported dead or missing. Rohingya and other contacts inside Burma generally indicate that the government heavily restricts their freedom of movement, further noting that some Rohingya received university admissions in 2022 but still faced persistent discrimination.

In November, USCIRF traveled to Cox's Bazar, Bangladesh, to assess the conditions of the approximately one million Rohingya who reside in the refugee camps established in 2017. The majority of refugees to whom USCIRF spoke confirmed a desire to repatriate to Burma. USCIRF learned that the Bangladesh government had [approved](#) recent initiatives to provide a Burmese curriculum to children within the Rohingya refugee community as well as livelihood and skills training for youths and adults. Multiple groups working with those refugees consistently communicated that Bangladesh and the international community need to urgently scale up such initiatives while seeking creative solutions to [funding shortfalls](#). In 2022, Bangladesh only permitted humanitarian funds for Rohingya refugee programs, insisting that development and other forms of funding would both imply and establish permanence for the refugees' presence in Cox's Bazar.

In November, USCIRF met in Malaysia with refugees of several Burmese diaspora communities, all having fled persecution in their homeland; they represented various Christian groups primarily from Chin State, including the Zomi people. They indicated some in their communities had attempted to return to Burma during the

quasi-democratic period that ended with the 2021 coup, but subsequent violence forced them to flee again. These refugees' lack of formal status in Malaysia has [prevented](#) them from accessing health-care and other essential services in addition to preventing children from attending schools and adults from accessing stable employment opportunities.

## Regional Efforts at Accountability

In April 2021, the Association of Southeast Asian Nations (ASEAN) and SAC leader General Hlaing met and agreed to a [Five-Point Consensus](#) to restore peace to Burma. In 2022, General Hlaing completely [disregarded](#) that plan. His government restricted access by ASEAN's Special Envoy to all parties involved in the conflict, including ethnic and religious groups and detained elected leaders. In November, following the 40th and 41st ASEAN Summits, ASEAN leaders [reaffirmed](#) Burma's place in their ranks and called on the military to comply with the consensus.

## Key U.S. Policy

The United States continued to impose [sanctions](#) on the SAC, the Burmese military, and other Burmese authorities throughout 2022, including [targeting](#) the regime's military aircraft suppliers. President Joseph R. Biden gave a [speech](#) in February denouncing the military junta and marking the coup anniversary. In March, Secretary of State Antony J. Blinken [announced](#) that the United States had determined that the atrocities the Burmese authorities and the Tatmadaw committed against the Rohingya in August 2017 constituted genocide. In July, at the ASEAN summit in Bangkok, Thailand, Secretary Blinken [urged](#) China and ASEAN members to escalate pressure on Burma's rulers to return to democracy and to hold them accountable to the Five-Point Consensus.

Since 2017 to the end of the reporting period, U.S. contributions to the Rohingya Refugee Crisis reached approximately \$1.9 billion, making the United States the largest single donor in support of humanitarian assistance to Rohingya refugees inside and outside Burma. In September, the United States [announced](#) more than \$170 million in additional humanitarian assistance to Rohingya refugees, and in December it [announced](#) a resettlement program for vulnerable members of that community in collaboration with Bangladesh and the United Nations (UN) High Commissioner for Refugees. Also in December, President Biden [signed](#) into law the Burma Unified through Rigorous Military Accountability Act as part of the 2023 National Defense Authorization Act, which updated how the U.S. government can engage with ethnic armed organizations and pro-democracy forces.

In December, the United States supported UN Security Council [Resolution 2669](#) denouncing the Tatmadaw's human rights violations since the coup—the first such resolution on Burma to pass since its independence in 1948. On November 30, the U.S. Department of State [redesignated](#) Burma as a CPC under IRFA and reimposed as the relevant presidential action existing ongoing restrictions referenced in 22 CFR 126.1.