THE BURMA CRISIS, ONE YEAR AFTER THE COUP

HEARING

BEFORE THE

SUBCOMMITTEE ON ASIA, THE PACIFIC, CENTRAL ASIA, AND NONPROLIFERATION

OF THE

COMMITTEE ON FOREIGN AFFAIRS HOUSE OF REPRESENTATIVES

ONE HUNDRED SEVENTEENTH CONGRESS

FIRST SESSION

FEBRUARY 17, 2022

Serial No. 117–105

Printed for the use of the Committee on Foreign Affairs

Available: http://www.foreignaffairs.house.gov/, http://docs.house.gov, or http://www.govinfo.gov

U.S. GOVERNMENT PUBLISHING OFFICE

46–709PDF WASHINGTON : 2022

COMMITTEE ON FOREIGN AFFAIRS

GREGORY W. MEEKS, New York, *Chairman*

BRAD SHERMAN, California
ALBIO SIRES, New Jersey
GERALD E. CONNOLLY, Virginia
THEODORE E. DEUTCH, Florida
KAREN BASS, California
WILLIAM KEATING, Massachusetts
DAVID CICILLINE, Rhode Island
AMI BERA, California
JOAQUIN CASTRO, Texas
DINA TITUS, Nevada
TED LIEU, California
SUSAN WILD, Pennsylvania
DEAN PHILLIPS, Minnesota
ILHAN OMAR, Minnesota
COLIN ALLRED, Texas
ANDY LEVIN, Michigan
ABIGAIL SPANBERGER, Virginia
CHRISSY HOULAHAN, Pennsylvania
TOM MALINOWSKI, New Jersey
ANDY KIM, New Jersey
SARA JACOBS, California
KATHY MANNING, North Carolina
JIM COSTA, California
JUAN VARGAS, California
VICENTE GONZALEZ, Texas
BRAD SCHNEIDER, Illinois

MICHAEL T. MCCAUL, Texas, *Ranking Member*
CHRISTOPHER H. SMITH, New Jersey
STEVE CHABOT, Ohio
SCOTT PERRY, Pennsylvania
DARRELL ISSA, California
ADAM KINZINGER, Illinois
LEE ZELDIN, New York
ANN WAGNER, Missouri
BRIAN MAST, Florida
BRIAN FITZPATRICK, Pennsylvania
KEN BUCK, Colorado
TIM BURCHETT, Tennessee
MARK GREEN, Tennessee
ANDY BARR, Kentucky
GREG STEUBE, Florida
DAN MEUSER, Pennsylvania
AUGUST PFLUGER, Texas
PETER MEIJER, Michigan
NICOLE MALLIOTAKIS, New York
RONNY JACKSON, Texas
YOUNG KIM, California
MARIA ELVIRA SALAZAR, Florida
JOE WILSON, South Carolina

SOPHIA LAFARGUE, *Staff Director*
BRENDAN SHIELDS, *Republican Staff Director*

SUBCOMMITTEE ON ASIA, THE PACIFIC, CENTRAL ASIA, AND NONPROLIFERATION

AMI BERA, California, *Chairman,*

BRAD SHERMAN, California
DINA TITUS, Nevada
ANDY LEVIN. Michigan
CHRISSY HOULAHAN, Pennsylvania
ANDY KIM, New Jersey
GERALD CONNOLLY, Virginia
TED LIEU, California
ABIGAIL SPANBERGER, Virginia
KATHY MANNING, North Carolina

STEVE CHABOT, Ohio, *Ranking Member*
SCOTT PERRY, Pennsylvania
ANN WAGNER, Missouri
KEN BUCK, Colorado
TIM BURCHETT, Tennessee
MARK GREEN, Tennessee
ANDY BARR, Kentucky
YOUNG KIM, California

JAMIE MORGAN, *Staff Director*

CONTENTS

THE BURMA CRISIS, ONE YEAR AFTER THE COUP

Thursday, February 17, 2022

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ASIA, THE PACIFIC,
CENTRAL ASIA, AND NONPROLIFERATION
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittee met, pursuant to notice, at 10:05 a.m., via Webex, Hon. Ami Bera (chairman of the subcommittee) presiding.

Mr. BERA. The virtual gavel is banged. The Subcommittee on Asia, the Pacific, Central Asia, and Nonproliferation will come to order.

Without objection, the chair is authorized to declare a recess of the committee at any point. And all members will have 5 days to submit statements, extraneous materials, and questions for the record, subject to the length limitations in the rules. To insert something into the record, please have your staff email the previously mentioned address or contact full committee staff.

Please keep your video function on at all times, even when you are not recognized by the chair. Members are responsible for muting and unmuting themselves. And please remember to mute yourself after you finish speaking. Consistent with remote committee proceedings on H.Res. 8, staff will only mute members and witnesses as appropriate when they are not under recognition to eliminate background noise.

I see that we have a quorum and will now recognize myself for opening remarks.

You know, prior to making my remarks, let me recognize Ranking Member Chabot who was not able to join us today due to a family obligation. He has long been a leader on Burma. And I look forward to continue to work with him on the challenges facing this country as we look for a path forward. I also want to appreciate the vice ranking member, Ms. Wagner, who has long been a champion on issues in Southeast Asia, and particularly Burma, who will be serving in Rep Chabot's stead as the ranking member. Thank you, Ms. Wagner, for doing that.

Let's talk about why this hearing is so important. When we think about the coup that the Tatmadaw executed almost a year ago on February 1st. We are now marking the first anniversary. The military junta known as the Tatmadaw flagrantly disregarded the Democratic process that was taking place. It was a young democracy, but the Democratic process that the Burmese people had put in place.

The Burmese security forces the Tatmadaw had detained, jailed, and tortured countless selected representatives, journalists, and

human rights defenders in this effort to stifle defense. They have killed thousands of innocent civilians, and uprooted and displaced hundreds of thousands more, destabilizing the region.

What the Tatmadaw did not recognize is that the Burmese people have changed. They have experienced some beginnings of freedom and they rose up and this feels very different than other uprisings. You have seen several ethnic armed organizations that have used the ongoing crisis to expand their territorial and administrative control to certain regions. And as we have entered the dry season, you have seen the increased fighting that has worsened the already deteriorating humanitarian situation.

Having traveled to the region last fall to—I went on to talk to individuals there, to talk to our embassy staff there, as well as NGO's that are operating on Thai-Burmese order to try to provide aid. You know, there is a real concern that the Tatmadaw will use this crises and extending into May to really try to stifle the resistance movement. With that said, we have seen the resistance movement fight back, join together with other ethnic minority groups. And there is a real concern that we are losing a window of opportunity to find a diplomatic solution here to avert this humanitarian crisis.

I do want to commend our ASEAN colleagues. I had a chance to visit Jakarta and talk to the Indonesians who I do want to single out as really, you know, taking a leadership role, trying to push ASEAN to find a solution forward. As Indonesia passes the—or as the baton passes on to Cambodia, I really urge my Cambodian colleagues to continue to work within the ASEAN context to push Myanmar to at a minimum adhere to the five-point plan that was put in place. And again, work with countries in the region, including the United States, China, India and others to find a path forward here.

Today, I look forward to the testimony of our witnesses as they give us an assessment of what they are seeing on the ground, their conversations with the countries in the region, including ASEAN, but also potentially there is an opportunity to find common ground with China where our interests may align. Also, with the Indians who were, you know, experiencing a border crisis as well as Thailand.

I also do want to commend the Biden Administration for very early on implementing aggressive sanctions, taking aggressive policy positions and, working with Congress to speak with one voice, Democrats, Republicans, and the Administration to condemn this coup.

So with that, I really do look forward to our witnesses giving us an update on what is happening on the ground.

And let me recognize Representative Ann Wagner, the acting ranking member from Missouri. Thank you. Ms. Wagner.

Mrs. WAGNER. I thank you, Mr. Chairman, certainly for holding this very important hearing that is near and dear to my heart. And I am pleased to be filling in in Congressman Chabot's stead here. And I want to thank our witnesses certainly for their service.

What is happening in Burma is devastating. My heart breaks, continues to break for the Rohingya who continue to suffer unimaginable atrocities at the hands of the genocidal Burmese mili-

tary are Tatmadaw. And for the courageous protesters braving a brutal crackdown as they fight for democracy.

I have been proud to work with my colleagues on this committee, to demonstrate Congress' unequivocal support for the Burmese people seeking a return to democracy, as well as our strong condemnation of the military coup.

I am happy to say that the Foreign Affairs Committee unanimously advanced H.Res. 896 just last week which condemns the Burmese military for perpetrating gross violations of human rights. And I am hopeful that this legislation will soon be considered by the House.

I am also urging the House to immediately take up Chairman Meeks' H.R. 5497, which is the Burma act, which I am a proud cosponsor. This critical legislation imposes tough sanctions on the perpetrators of the coup, requires action to cutoff the regime sources of financial support and calls on the State Department to formally designate the persecution of Rohingya as in fact genocide. The United States must continue to support the people of Burma as they stand up to the military junta and to bring to justice those responsible for egregious human rights violations and crimes against humanity.

The global norms that safeguard international peace and security require active defense and enforcement by the international community. And in the last few years, we have seen China, Russia, Iran, and other autocracies align against Democratic norms, universal human rights, and even rights to freedom and self determination.

Our adversaries are watching to see how we will respond when peace and Democratic freedoms are challenged. The Biden Administration's failure to respond swiftly and decisively to Russian aggression against Ukraine using a deterrent factor before a Russian invasion and uphold the responsibilities to our Afghan allies has further emboldened some of the dictators and bullies around the world. It is difficult to believe that any responsible member of the international community would hesitate to take action against Burma's military junta which has committed genocide against the Rohingya Muslims, illegally seized control of the Burmese government, and visited extraordinary violence and suffering on its own people.

And yet, China and Russia continue to stand in the way of efforts to build a coordinated and meaningful international response to the cries in Burma. This is unacceptable. And I urge the Administration to demand stronger action in the United Nations to hold the Tatmadaw accountable.

We must do more to isolate and punish the Burmese military. And it is imperative that the United States show strong and consistent leadership through this crisis to secure a future in which rule of law and democracy underpin relations among States.

I thank you, Mr. Chairman. And I yield back the remainder of my time.

Mr. BERA. Thank you, Representative Wagner.

Let me now introduce our witnesses. Our first witness is Principal Deputy Assistant Secretary Kin Moy. Mr. Moy was appointed the principal deputy assistant secretary for the Bureau of East

Asian and Pacific Affairs on June 15, 2021. Immediately prior to this appointment, Mr. Moy was the Acting Assistant Secretary of State in the Bureau of Intelligence and Research. He has been a Foreign Service officer for 29 years. Mr. Moy, thank you for your service.

Our second witness is USAID Deputy Assistant Administrator Craig Hart. Craig Hart is a career member of the USAID Senior Foreign Service and has served as the Deputy Assistant Administrator for East Asia and the Pacific since August 2020. Prior to this, Craig served as deputy mission director in Vietnam from 2016 to 2020. Since joining USAID in 2005 he has served as a program officer in Tanzania, Afghanistan, the Republic of Georgia, and Washington, DC. Mr. Hart, thank you for your service.

Let me go ahead and recognize Mr. Moy for 5 minutes his testimony.

STATEMENT OF KIN MOY, PRINCIPAL DEPUTY ASSISTANT SECRETARY, BUREAU OF EAST ASIAN AND PACIFIC AFFAIRS, U.S. DEPARTMENT OF STATE

Mr. MOY. Thank you, Mr. Chairman, and madam vice ranking member, and all of the subcommittee members here today. I want to thank you for inviting me to speak with you about this very grave situation in Burma.

The opening remarks that you made, Mr. Chairman, and as well as you madam vice ranking member were very thoughtful, very insightful. I think Secretary Blinken would want me to say that we will continue to work with you. We will continue to share as much information about the situation there as we can in order to really unite in order to, you know, protect as many Burmese citizens as we possibly can.

In the year following the coup, the total damage the Burmese military has inflicted on innocent people in the country is impossible to calculate. But I would like to share a few data points with you to demonstrate the devastation it has wrought. Credible sources indicate the military has killed more than 1,500 people in Burma, including at least 117 children. And those are only the deaths that have been verified. The number is likely much larger.

The regime has arrested at least 12,000 people and more than 9,000 of them remain in detention. More than 400,000 have been forced to flee their homes and are internally displaced, while others are seeking refuge in neighboring countries.

The numbers paint a bleak picture. And the Burmese military's determination to employ horrific violence shows no sign of letting up. This is the same force that committed ethnic cleansing other atrocities against Rohingya in 2017.

Mr. Chairman, I would like to spend a few minutes detailing how the Administration is grappling with this situation including our efforts to pressure the regime to immediately cease the violence, allow unhindered humanitarian access, release those unjustly detained by the military, including wrongfully detained U.S. citizen Kyaw Htay Oo. Ensure those responsible for atrocities and other human rights abuses are held to account and swiftly return Burma toward a path to inclusive democracy.

Immediately after the military detained Burma's elected leaders the State Department acted quickly to assess that the military carried out a coup d'etat. President Biden issued an executive order shortly thereafter. The executive order authorizes sanctions in connection with the coup, including on individuals and entities responsible for undermining Democratic institutions in Burma and on their family members. We have used this authority to apply targeted sanctions on 65 individuals and sanctioned or placed export controls on 26 entities to date. These includes top military commanders, senior officials of the regime and their family members, as well as entities that generate revenue for the military and its leaders, and cronies that are involved in the military's procuring of the weapons.

The State Department continues to work with the Department of the Treasury and other interagency partners to identify and assess additional sanctions, as well as other actions to restrict revenue to the regime. A top consideration when carrying out targeted sanctions is to ensure we are not exacerbating humanitarian crisis on the ground or increasing poverty for the people of Burma.

We have closely coordinated all of our actions, including sanctions with our allies and partners to present a united front in the international community. We regularly consult with our partners in capitals across the world and the United States remains a leading voice in driving international policy on Burma. This coordination has severely limited the regime's international space. The U.N. General Assembly has also called on States to prevent the flow of arms into Burma. And our colleagues at the U.S. Mission to the U.N. similarly pushed for action there. The U.N. has established and the Administration is supporting the independent investigative mechanism for Myanmar otherwise known as IIMM to lay a robust foundation for criminal accountability efforts that may become available.

Since the coup, the U.N. Security Council has met seven times to discuss the situation in Burma. Outside of the United Nations senior State Department officials are in regular contact with the ASEAN counterparts. And we value the role of ASEAN's neutrality as well as efforts by individual member States in promoting a peaceful resolution to the crisis and providing much needed support to the people of Burma.

We are also in regular contact with the National Unity Government and other representatives from the pro-democracy movement. Burma faces both a political crisis and a humanitarian crisis on top of a myriad of economic and other challenges. And I will defer to my good friend, USAID Deputy Assistant Administrator Craig Hart, on those details of our efforts to mitigate the humanitarian crisis.

But I would like to highlight the ongoing work to support vulnerable populations with Congress' support. In Fiscal Year 2021, the U.S. Government provided more than $434 million to the humanitarian assistance for those affected by ongoing violence, including those internally displaced in Burma. Refugees from Burma in the region and communities hosting from Burma.

Again, Mr. Chairman, I thank you very much for your time and all of the members of the subcommittee. And I look forward to taking your questions.

[The prepared statement of Mr. Moy follows:]

Testimony of Kin W. Moy
Principal Deputy Assistant Secretary of State for East Asia and Pacific Affairs
House Subcommittee on Asia, the Pacific, Central Asia and Nonproliferation
February 17, 2022

Mr. Chairman, members of the Asia Subcommittee, thank you for inviting me to speak with you today. And thank you for your continued attention to the grave situation in Burma, particularly since the Burmese military carried out its coup d'état just over one year ago.

In the year following the coup, the total damage the Burmese military has inflicted on innocent people in the country is incalculable, but I would like to share a few numbers to demonstrate the devastation it has wrought. Credible sources indicate the military has killed more than 1,500 people in Burma – including at least 117 children – and those are only the deaths that have been verified. The number is likely much larger. The regime has arrested at least 12,000 people and more than 9,000 of them remain in detention. There are numerous reports of the Burmese military committing torture and sexual violence against those in detention. More than 400,000 have been forced to flee their homes and are internally displaced, while others are seeking refuge in neighboring countries. The World Bank estimates the economy has contracted by 18 percent, and the United Nations Development Program estimates nearly half of Burma's population will live below the poverty line this year.

The numbers are bleak, and the Burmese military's determination to employ horrific violence shows no signs of abating. We were appalled by the Christmas Massacre, in which the military killed and burned 35 people, including two Save the Children staff members. This is the same force that committed ethnic cleansing and other atrocities against Rohingya in 2017. Military units continue to carry out atrocities across the country and prevent the flow of humanitarian assistance to people in need.

Mr. Chairman, I would like to spend a few minutes detailing how the Administration is grappling with this situation, including our efforts to: pressure the regime to immediately cease the violence; allow unhindered humanitarian access; release those unjustly detained by the military – including wrongfully detained U.S. citizen Kyaw Htay Oo; ensure those responsible for atrocities and other human rights abuses are held to account; and swiftly return Burma towards a path to inclusive democracy.

Immediately after the military detained Burma's elected leaders, the State Department acted quickly to assess that the military carried out a coup d'état, and President Biden issued an Executive Order Blocking Property with Respect to the Situation in Burma shortly thereafter. The executive order authorizes sanctions in connection with the coup, including on individuals and entities responsible for undermining democratic institutions in Burma and on certain of their family members. We have used this authority to apply targeted sanctions to 65 individuals and sanctioned or placed export controls on 26 entities to date. These include top military commanders, senior officials of the regime, and their family members, as well as entities that generate revenue for the military and its leaders, and cronies that are involved in the military's procurement of weapons. In addition, the U.S. government took steps to prevent the generals from improperly having access to the $1 billion in Burmese government funds held in the United States.

The State Department continues to work with the Treasury Department and other interagency partners to identify and assess additional sanctions, as well as other actions to restrict revenue to the regime. A top consideration when carrying out targeted sanctions is to ensure we are not exacerbating the humanitarian crisis on the ground or increasing poverty for the people of Burma.

We have closely coordinated all of our actions, including sanctions, with our allies and partners to present a united front in the international community. We regularly consult with our partners in capitals across the world, and the United States remains a leading voice in driving international policy on Burma. Collectively, we have issued numerous joint statements with our allies and partners. Most recently, Secretary Blinken co-signed a joint statement with 35 other countries to mark one year since the coup, which included a call for an end to arms sales and transfers to the regime. This coordination has severely limited the regime's international space.

The United Nations General Assembly also has called on states to prevent the flow of arms into Burma and our colleagues at the U.S. Mission to the UN similarly push for action there. The United Nations has established, and the Administration is supporting, the Independent Investigative Mechanism for Myanmar to lay a robust foundation for criminal accountability efforts that may become available. Since the coup, the UN Security Council has met seven times to discuss the situation in Burma, including to hear briefings by the UN and ASEAN special envoys, and has publicly called for an end to the violence, a peaceful resolution to the crisis, and unhindered access for the delivery of life-saving humanitarian

aid. Outside of the United Nations, senior State Department officials are in regular contact with their ASEAN counterparts, and we value the role of ASEAN centrality, as well as efforts by individual member states, in promoting a peaceful resolution to the crisis and providing much needed support to the people of Burma. We urge ASEAN to continue to hold the regime accountable to the Five-Point Consensus.

We also are in regular contact with the "National Unity Government" and other representatives from the pro-democracy movement as we continue to support all in Burma—civil society, independent media, human rights defenders, and others—seeking to restore their country's democratic path.

As Representative Chabot has noted, Burma faces both a political crisis and a humanitarian crisis, on top of a myriad of economic and other challenges. I will defer to USAID Deputy Assistant Administrator Craig Hart on the details of our efforts to mitigate the humanitarian crisis, but I would like to highlight the ongoing work to support vulnerable populations with Congress's support. In total in fiscal year 2021, the U.S. government provided more than $434 million in humanitarian assistance for those affected by ongoing violence, including those internally displaced in Burma, refugees from Burma in the region, and communities hosting refugees from Burma. We continue to work with our partners in the region to seek additional ways to provide assistance to the people of Burma, including across its borders.

Again, I thank you for your time this morning and I look forward to your questions.

Mr. BERA. Thank you, Mr. Moy.

And I should have said without objection both witnesses' prepared written statements will be made part of the record.

Now let me go and recognize Mr. Hart for his opening statement for 5 minutes.

STATEMENT OF CRAIG HART, DEPUTY ASSISTANT ADMINISTRATOR, BUREAU FOR EAST ASIA AND THE PACIFIC, U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT

Mr. HART. Chairman Bera, Vice Ranking Member Wagner, distinguished members of the subcommittee thank you very much for the opportunity to testify today regarding the important role that the United States Agency for International Development is playing to address the ongoing crisis in Burma.

It was just 1 year ago that the start of the military coup d'etat slammed the door shut on Burma's recent Democratic opening. The coup is worsening the humanitarian plight of the people of Burma and has rolled back years of development gains, threatening what prosperity and freedom the country had achieved.

So in 2021 poverty doubled, the country's GDP plummeted by 18 percent. Government services are crippled, including health. The coup and pandemic have stolen more than a 1–1/2 years of education from over 12 million children. TB treatment and case notifications plunged by half, elevating the risk of multi drug resistant variants that could spread beyond Burma's borders. Some 6 million people in Burma are now requiring humanitarian assistance.

So on the ground, USAID partners face harassment, detention, raids, intimidation, and deadly violence. Despite these challenges, our USAID office that was reopened almost 10 years ago in Burma and our great implementing partners are continue to support health, livelihoods in education, and the drive for peace, democracy and human rights.

USAID's comparative advantage is our field presence and our programmatic flexibility. Just days after the start of the coup, we shifted more than $42 million in assistance in activities that would have benefited the government to expand work supporting local civil societies, NGO's, and private sector partners to benefit the people of Burma, not the regime.

Our immediate concern has been deliver humanitarian assistance. In 2021, we reached over 430,000 people with lifesaving aid through internal access. USAID's partners, including the U.N. World Food Programme continue to deliver food and other critical assistance to hundreds of thousands of internally displaced persons.

For Rohingya IDPs and other vulnerable people in the Rakhine States. USAID provides shelter, water, and COVID–19 prevention among other services.

In health, USAID has expended health service delivery through NGO's, ethnic health organizations and the private sector. Burma currently has the lowest proportion of people who are fully vaccinated against COVID–19 in Southeast Asia. The regime secured about 60 million doses from the People's Republic of China, India, and Russia as of February 13th and has administered two doses to about 36 percent of the population.

The COVID–19 vaccine facility COVAX allocated, but has yet to deliver about 10.7 million doses to Burma, since this is pending agreement regarding vaccine distribution. USAID and like minded donors agree that COVAX can play a unique role in vaccinating people who cannot or will not seek vaccinations through a regime controlled rollout. USAID supports site readiness for COVID–19 in terms of the vaccine doses that are coming, and also promotes COVID–19 prevention, testing, and treatment in community clinics.

Since the coup began, we have launched four new activities, the first of these supports human rights defenders and pro-democracy groups. Equipping civil society with the tools that they actually need to respond to human rights violations and atrocities. This is strengthening the foundations of resilience that the people will rely on to achieve their Democratic aspirations.

The second will strengthen the quality of basic education through nongovernments, ethnic and Monastic providers helping them meet community needs and this includes out of school youth as well.

Finally, two health activities will ensure that people in conflict affected and hard to reach areas can still access malaria, HIV, and TB services that benefit the people of Burma and help prevent global threats. USAID will continue to look for new opportunities to support the people of Burma as we work to regain what has been lost in the face of this derailed Democratic trajectory.

Thank you for the opportunity to represent USAID. And I am looking forward to your questions.

[The prepared statement of Mr. Hart follows:]

Statement for the Record United States Agency for International Development
Craig Hart, Deputy Assistant Administrator for Asia
Before the House Subcommittee on Asia, the Pacific, Central Asia and Nonproliferation
"The Situation on the Ground in Burma One Year since the Military Coup"
Thursday, February 17, 2022, 10:00 a.m.

Introduction

Chairperson Bera, Ranking Member Chabot, and distinguished members of the Subcommittee: Thank you for the honor of testifying about the important role that the United States Agency for International Development (USAID) is playing as part of the U.S. Government's response in addressing the ongoing crisis in Burma. USAID is grateful for our ongoing collaboration with this Subcommittee on all issues, including the situation in Burma.

One year ago, Burma's military launched a coup d'état that slammed the door shut on Burma's recent democratic opening. The coup has rolled back development achievements, harming the health and well-being of Burma's people and threatening advancements in prosperity and freedom that the country had achieved. Today, we see a Burma that is unrecognizable from the country we knew one year ago. The coup has worsened the humanitarian plight of the people. Despite significant obstacles, the people of Burma have not given up—and we stand with them in support of democracy.

To this end, USAID's work on the ground in Burma continues. Just 10 days after the coup, USAID shifted $42.4 million in assistance from activities that would have benefited the government to support local civil society, non-governmental organizations, and like-minded private sector partners to directly benefit the people of Burma—not the regime. This marked our first step in adapting to and continuing to provide critical assistance in this quickly evolving context. Over the last 12 months, our team has tirelessly supported the aspirations of the people of Burma for justice, peace, and democracy.

Amid the evolving realities on the ground, USAID increased our focus on promoting and protecting human rights, mitigating violence, and supporting actions that foster Burma's return to the path of democracy. We continue to improve access to life-saving services for the rising number of underserved and disenfranchised communities and fight COVID-19, HIV/AIDS, malaria, and tuberculosis to support the health of the people of Burma and mitigate the emergence of dangerous drug-resistant variants that could affect us here at home. Our efforts focus on saving lives as well as improving education, livelihoods, and food security. Critically, USAID provides life-saving humanitarian assistance to hundreds of thousands of people across Burma, both those displaced before the coup and the newly vulnerable.

USAID Programming on the Ground

Since the coup, the regime has killed over 1,500 people—among them children, journalists, and aid workers—and arrested thousands more for acts as simple as applauding a general strike or hanging up a sign. Violence is escalating, and the polarization between the regime and the diverse groups opposing the coup and the regime is intensifying.

The regime's actions have slowed the international response to the COVID-19 pandemic and to the ongoing humanitarian crisis. According to the United Nations High Commissioner for Refugees, over 438,800 people in Burma are internally displaced post- February 1, 2021, and millions of others are newly vulnerable. The regime's actions in part led the World Bank to conclude that the country's economy contracted by more than 18 percent in 2021, with the UN estimating that the number of people living in poverty could double in 2022, from approximately 25percent of the population to nearly half of it—or, as many as 27 million people. Families are resorting to selling their belongings just to keep food on the table. Reflecting these trends, the international community is now targeting approximately 6.2 million people in need of humanitarian assistance within Burma.

The UN and other USAID partners face harassment, office raids, and other forms of intimidation; through these tactics, the regime is trying to control and exact penalties on its perceived enemies. In a horrific assault by military forces on Christmas Eve 2021, at least 35 unarmed people were killed, including women, children, and two Save the Children staff members.

Despite the hardships, USAID continues to support the health, livelihoods, and education needs of Burma's population and to drive for peace, democracy, and human rights. USAID's comparative advantages are our on-the-ground presence within Burma and across the region, our ability to convene like-minded partners in Burma, and built-in programmatic flexibility. We will continue to adjust our work to make it as effective and high impact as possible, consistent with our principles as well as foreign policy and national security priorities.

Democracy, Rights and Governance

The restoration of the path to democracy is USAID's overarching priority in Burma. USAID partners with a large swath of pro-democratic stakeholders to work to build a common vision for an inclusive, multiparty democracy. These partners include the emerging pro-democracy movement, ethnic organizations, civil society organizations (CSOs), non-governmental organizations, both secular and religious; and like-minded members of the private sector.

Since the coup began last year, long-time former government leaders and civil society activists have been arrested, some are on the run and in hiding, and others have fled the country. To preserve what little democratic space remains, USAID provides grants to independent media houses and journalists to help maintain the flow of credible and timely information despite a deteriorating media environment. USAID also supports democratically elected women members of parliament to learn about the roles they rightfully should have assumed following the November 2020 election. With USAID support, these MPs are finding ways to remain committed to representing their constituents.

USAID partners are working closely with local communities to promote well-being and build resilience among pro-democracy actors during these dark and difficult times, equipping pro-democracy activists, human rights defenders, journalists and ethnic minorities with the basic physical and mental health resources they need to cope with trauma and strengthen their peaceful struggle for a democratic future. Through a new activity launched after the coup, we are providing timely, targeted, and strategic support to human rights defenders and pro-democracy

groups in addition to building bridges between groups that, before the coup, operated separately, such as activists and ethnic leaders. Through this work, we are helping equip civil society with the tools they need to robustly respond to human rights violations and prevent future mass atrocities—while strengthening the foundations of resilience that the people will rely on to achieve their democratic aspirations.

Health Assistance, including for COVID-19

Amid the twin crises of crumbling democratic freedoms and swelling humanitarian need, the coup has crippled government services in Burma even as it exacerbated the need for such services. As part of the ongoing civil disobedience movement—indeed as early leaders of it—roughly three-quarters of the health workforce in the public sector went on strike in opposition to the coup, and, in consequence, the regime arrested hundreds of health workers, including doctors.

USAID is working with NGOs, ethnic health organizations, and the private sector to deliver health services, especially in communities heavily affected by the public sector shutdown. This is the approach we took in Burma a decade ago, which illustrates the severity of this setback; before the coup, Burma's health system had a foundation—however shaky—and was making gains. But today, open hospitals are confirmed in only 38 percent of townships.

COVID-19: Burma has the lowest proportion of people fully vaccinated against COVID-19 in Southeast Asia. Transmission of the COVID-19 Omicron variant is on the rise, and the regime has procured vaccines on the open market. We worry about people's lack of trust in and access to public providers who would deliver these vaccinations. Limited and insufficient vaccinations have been given to internally displaced persons (IDPs).

To date, the COVID-19 Vaccine Facility (COVAX) has allocated but not yet delivered 10.7 million doses to Burma. The regime secured 60 million doses from the People's Republic of China, India, and Russia and, as of February 13, has administered two doses to about 36 percent of the population. USAID and like-minded donors agree that COVAX can play a special role in facilitating vaccinations for people who cannot or will not seek vaccinations through a regime-controlled rollout. To boost vaccination rates, COVAX should deliver doses through independent, trusted channels, including civil society, ethnic health organizations, non-governmental organizations, and private sector sites, focusing on locations excluded by the regime. UNICEF, the World Health Organization, and Gavi are negotiating the terms of COVAX delivery with the regime that would allow the underserved to get vaccinated. USAID funds site readiness for COVID-19 vaccine doses deployed to Burma in addition to supporting site preparedness, training for vaccinators, and reducing vaccine hesitancy. USAID also supports COVID-19 prevention, testing, and treatment in community clinics.

COVID-19 is not the only health threat in Burma. The country's TB prevalence, at 338 cases per 100,000 people, is two times the regional average and three times the global average, per the WHO. In past years, USAID increased TB cases identification and treatment in Burma, contributing to a 50 percent decline in active TB prevalence over the last decade. Since the coup, however, TB treatment and case notifications plunged by half. USAID will expand TB diagnostic and treatment services in the coming year to reach patients outside the public sector.

The coup also interrupted care for women and children and people with disabilities, with patients losing access to essential services; USAID expands pre- and ante-natal care and safe delivery with skilled birth attendants and works with local NGOs to provide mental health and psychosocial support for people with disabilities.

USAID remains engaged with our NGO partners to protect health gains. We cannot afford to stand idly by while citizens are failed by the health sector.

Livelihoods

The combination of the coup and COVID-19 has devastated the economy. In 2021, poverty doubled and the country's GDP plummeted by 18 percent.

Economic Growth: Immediately following the coup, USAID redirected our economic growth programming away from training and advisory services for the government to focus instead on the civilian-controlled private sector, especially small- and medium-sized enterprises that ensure the availability of food. These private businesses compete directly with regime-controlled economic enterprises that raise revenue for the military. USAID support for private businesses, cooperatives, CSOs, and business associations directly benefits the communities in which they operate. Lastly, we are monitoring Burma's economic conditions so that humanitarian assistance organizations can make informed crucial decisions about how aid is delivered and so that pro-democracy and ethnic groups can formulate new policies for reviving the economy.

Agriculture and Food Security: USAID continues to improve livelihoods, food security, and agriculture. Burma's domestic agriculture markets are still functioning despite rising prices and security concerns. USAID supports market-based solutions to agriculture and food security, including expanding access to finance, to ensure the people of Burma are able to feed themselves. While challenged, our agriculture programs are still operating, even in now heavily contested areas of the country. We are identifying agricultural trends, including weather-related shocks, that are exacerbating food insecurity and humanitarian needs.

Education: The coup further exacerbated Burma's nationwide COVID-19-related closure of government schools. Over 12 million children have lost more than a year and a half of education. The regime has started reopening public schools, but over half of the nation's students are choosing not to attend. To help fill this gap, USAID launched a new effort—post coup—to strengthen the quality of basic education provision at non-government, ethnic, and monastic providers. Through direct programming, capacity strengthening, and policy advocacy, our work will help these providers meet the needs of their communities and explore partnership opportunities to educate preschoolers and out-of-school youth.

Humanitarian Assistance

Over the past year, our immediate concern has been delivering humanitarian assistance across the country, and we reached over 430,000 people with life-saving aid through internal access in 2021. According to the UN, the number of people needing humanitarian assistance in Burma will skyrocket from 3 million in 2021 to more than 14 million in 2022 due to economic instability, escalating conflict, and COVID-19. As of February 7, UNHCR estimates that 809,200 IDPs in Burma are in desperate need of essential commodities and assistance. Recent intensification of

violence has displaced close to 150,000 individuals in the new year alone. Humanitarian relief partners have the capacity to scale programming to assist displaced populations and communities in need, but their ability is constrained; road closures, harassment at military checkpoints, detentions, travel restrictions, and threats of violence on top of post-coup procurement challenges are hindering their efforts. Despite these severe constraints, USAID partners, including the UN World Food Program, continue to deliver food rations and other critical assistance to hundreds of thousands of IDPs while advocating for access to violence-affected communities in newly emerging conflict areas.

Ongoing Crisis in Rakhine State: As of January 2022, more than 620,000 ethnic Rohingya remain in Rakhine, with nearly 150,000 displaced internally following the clashes that occurred a decade ago. USAID's humanitarian assistance for Rohingya IDPs and other vulnerable people in Rakhine State continues (as it does for the over 888,000 Rohingya refugees that USAID and the U.S. Department of State's Bureau of Population, Refugees, and Migration help support in Bangladesh). We provide protection services, shelter and settlements, essential household items, sanitation kits, and safe drinking water, among other services, including COVID-19 prevention.

Closing

In Burma the path to democracy is imperiled. In fact, across the Indo-Pacific, we see democratic backsliding, autocratic ascendancy, and unchecked human rights violations. These challenges undermine the long-term stability of the region and puts innocent lives, hard-won development gains, and global stability and health at risk.

For decades, USAID has stood shoulder to shoulder with the people of Burma in their struggle for peace, democracy, and freedom. Today, USAID echoes the global chorus condemning the coup, military violence, and unjust detentions—including health care workers, journalists, technical advisors, democratically elected officials, and others from all walks of life who have objected to the unjust actions of Burma's military. Moving forward, we will continue to look for new opportunities to support the people of Burma as they work to regain what has been lost in the face of a stolen democratic trajectory, rising oppression, and human rights abuses. The people of Burma deserve to live in peace and harmony. They have our support to transform into a truly inclusive democracy.

Thank you for the opportunity to represent USAID. I look forward to answering any questions you may have.

Mr. BERA. Thank you for your testimony.

I will now recognize members for 5 minutes each. And pursuant to House Rules, all time yielded is for the purpose of questioning our witnesses. Because of the virtual format of this hearing, I will recognize members by committee seniority, alternating between Democrats and Republicans. If you miss your turn, please let our staff know and we will circle back to you. If you seek recognition, you must unmute your microphone and address the chair verbally.

I will start by recognizing myself for 5 minutes. To both witnesses, thank you for your testimony. A few weeks ago, Chairman Meeks, myself, Ranking Member Chabot had a chance to virtually have a conversation with our Ambassador to Burma, Tom Vajda. And I should recognize and thank the folks on or mission that still operates in Rangoon for their service obviously operating in a difficult circumstance.

He did give us an assessment of what we were seeing on the ground. And maybe PDAS Moy I direct that first question to you. This feels very different right now but, you know, but the Tatmadaw has made statements that they have been sanctioned before, that they can survive the sanctions and, you know, continue to operate.

And that may necessarily be true, but what seems different this time is the rising up of the Burma people and the resiliency of this resistance movement. And the increase in violence, how the Burma people are coming together with some of the ethnic minorities, whether it is under the National Unity Government. And my big fear is that this may be a long protracted conflict that may spill into an all out civil war. And the diplomatic opportunity to find a solution may be closing fairly rapidly. And while it is not synonymous with what we saw in the Middle East and Syria, I mean there are some similarities that you may have a full on staled State that does put tremendous on the region and the other countries in the region.

I ask the question PDAS Moy, is the window to find a diplomatic solution closing? Is there a diplomatic solution that does not include bringing the Tatmadaw to the table in some way to deescalate violence? And then what are the opportunities—I touched in my opening statement on the importance of ASEAN here.

And again, I think the Indonesians and others have done a wonderful job trying to push ASEAN to lead a solution, but are there—you know, India clearly has some concerns here, China clearly has some concerns. And is there a place where our interests may align?

So I will recognize PDAS Moy first.

Mr. MOY. Well, thank you very much, Mr. Chairman. Thank you for recognizing Ambassador Vajda's incredible work out in the field and his mission out there who continue to work in some very unfavorable conditions to say the least.

You really raise a very good point about the difference between 2022 and the 1990's. I think a year ago you would hear many sort of grizzled veterans of the region say, well, we can expect the junta will consolidate power and prevail as it has in the past. Well, that did not happen as you noted. And one of the reasons for that and I think that all of us agree that over the last few years because of the influence of Democratic governance, the people of Burma, es-

pecially those younger generations continue to thirst for governance that represents the people's interest and the rule of law.

And so, the situation is much different today where if you ask people on the ground, people in the region, they would say, well, they had thought that the junta would have consolidated power by now. But in fact, that is not the case at all. If you are on the ground, and Ambassador Vajda's noted this to us, they are not in control. And one of the reasons is there is so much opposition, especially among those who continue to thirst for that democracy.

I do agree with you completely that we still, even though we have tapped into multilateral groups and we have talked to like minded countries, we can still urge more coordination in terms of showing the junta that they are not likely to avail in the near future and their options are limited. And we are hopeful that that creates an environment that is conducive for all parties, especially those who are promoting nonviolence and a return to democracy.

An environment where they can get together. Ambassador Vajda has said this often to us, and I think it is absolutely true, and that is the change in Burma must come within. And I am hopeful, we are all hopeful that with U.S. support and other countries, like minded countries and also you mentioned partners like India.

And also maybe reaching out, I know that Secretary Blinken has spoken to China about Burma issues as well, but other parties, especially those on the border can play a role in encouraging the kind of dialog and maybe disabusing the notion that this is going to be the junta of the 1990's prevailing once again.

Thank you.

Mr. BERA. Great. Thank you.

And since we are a smaller group today, we will probably do a second round of questions, because members have a number of other questions.

Let me go and recognize Representative Ann Wagner from Missouri.

Mrs. WAGNER. I thank you, Mr. Chairman.

Russia has undermined the international response to the coup by selling the junta lower than $2.3 billion in weapons over the last year, while it prepares the most significant threat to peace in Europe since World War II.

Deputy Assistant Secretary Moy, what consequences will the United States impose on Russia for being complicit in the Tatmadaw's staggering human rights abuses?

Mr. MOY. Well, thank you very much for that question, Congresswoman.

While we continue to press the regime to cease the violence release all those who are unjustly detained and return Burma back to democracy. And you have noted with regard to international arms sales and flows into Burma, I am not going to personally name and shame myself. But I think we all know what you are talking about, because you cited the name of the country.

You know, we lead efforts last June at the U.N. General Assembly to call on the suspension of arms flows into Burma. And the Secretary himself has pledged to seek ways to cutoff the regime's access to weapons.

Just earlier this month we cosigned with 35 other country's a statement commemorating the 1 year anniversary of the coup. And there was a prominent mention of a call for an arms embargo and the end to transfers to the regime.

I think we all know that arms trafficking is one of the kind of shadowy or even shady types of transactions we see out there. There are times when our government learns about potential arms flows or different packages that could go into Burma. And when we learned of this information, we can work bilaterally to try to dissuade countries——

Mrs. WAGNER. Now, I appreciate that. $2.3 billion in weapons over the last year alone from Russia is unconscionable. I am certainly proud, let me just say that Congress has never hesitated to call the violence against the Rohingya what it is in fact, which is genocide. But the United States has now at last recognized the Uyghur and the Armenian genocide, but has not yet recognized a Rohingya genocide. And Deputy Assistant Secretary Moy, why has the Administration neglected to make a formal determination on the Rohingya genocide?

Mr. HART. Thank you very much for the question. As you know, the Secretary did commit to a review last year of the atrocities committed against Rohingya. And the review would make a determination whether it fit the criteria for genocide determination. The review is ongoing. I do not have a timetable for you in terms of when that will conclude, but I think what makes this determination so impactful is that we review factual information, we review all the evidence, we review, you know, the interviews of people. And then we make an objective determination.

And so, I think at the end of this process, we will give a recommendation to the Secretary. Again, this is ongoing, but we are going to be meticulous in how we approach that review.

Mrs. WAGNER. Well, let me just jump in, because I have so many other questions. But I have to say, I hope that you will take into account Congress' lead in calling this in fact what it is, genocide, because it has been very bipartisan.

I also, let me just say, I am outraged that China and Russia are impeding efforts to craft a robust response to the coup in the United Nations. Deputy Assistant Secretary Moy, how is the United States working to break this deadlock over an international arms embargo on the Burmese military?

Mr. MOY. Well, as I noted, we led and effort last June at the General Assembly in New York to call out countries and to call on an arms embargo. I think that with regard to Russia in particular, because we see that country as being the sort of the main perpetrator in this case. There are other countries as well. But I think that to find ways to apply pressure, international pressure, using other like minded countries where we come together, we call on all countries to refrain from arms flowing in.

I think that when arms do flow into Burma, it necessarily means that there will be more destablization there, there will be more violence. And I hardly think, especially with border countries that is in the interest of Burma's neighbors. And so, we are going to rely on like mindedness to help persuade or dissuade Russia from those kinds of transactions.

Mrs. WAGNER. The time is urgent. My time has run out.

I appreciate your indulgence, Mr. Chairman. And I yield back.

Mr. BERA. Thank you, Representative Wagner.

Let me now recognize the gentlelady from Pennsylvania, Ms. Houlahan for 5 minutes.

Ms. HOULAHAN. Thank you, Mr. Chair. And thank you, Mr. Hart and Mr. Moy for joining us today.

Last May, this committee held a hearing on at the time the recent coup in Burma and how the United States was responding. And I asked at that time about the potential positive impact that American businesses could have if they stayed in Burma by continuing to provide jobs and economic support to local communities.

So as a followup to that question, I was wondering if you could tell me if the State Department or USAID is indeed tracking American commercial involvement in Burma still? And if a significant number of companies chose to leave or to stay? And for those possibly that stayed, has their presence in fact supported the Burmese people?

And either one of you please. Thank you.

Mr. MOY. I do not know, Craig, if you wanted to start. I can——

Mr. HART. Sure.

Mr. MOY. Go ahead, please.

Mr. HART. Sure. Thank you. Thank you so much for the question. And I would say that one of the areas that we have very much focused in on has been the humanitarian assistance in food security. And so, what we have been doing as part of that food security spectrum is both bringing in significant amounts of humanitarian assistance through our partners, but also looking at local options for supporting the small holder farmers for processing locally, to ensure that there is another option to food security.

And so, that is one of areas where we had worked with the private sector to be able to engage on that. I do not currently have a breakout of U.S. companies within that mix, but that is very much an area that we are zeroing in on.

The other area that we have worked with private sector is the health provision, looking at private health clinics, because many people are not comfortable or cannot assess public clinics. So therefore, we have shifted our entire program to look at working with other partners, be they local NGO's, international, and others who are operating in that space as well, because the health gains that we had achieved are really—have significantly backslid in areas like TB, and other maternal and child and health areas as well. And so, we are looking for a range of partners very much to include private sector to help address those gaps.

Thank you.

Mr. MOY. In terms of American businesses and other businesses for that matter who are working in Burma, we regularly consult with them. As you may have seen on the 1 year anniversary of the coup, we actually issued a business advisory to frankly or to have a frank discussion about the potential hazards of working in Burma.

We do support businesses that are legitimately working there because our commitment is to helping the people of Burma. And we think that having economic activity there, especially when they are

trusted U.S. firms and trusted foreign farms, that can help the population there.

But it is tricky. We want to make sure that we are not legitimizing the junta. We are not legitimizing what we regard as an illegitimate force that took over a year ago. And so, to make sure that those sources of revenue do not flow to those who are perpetrating violence that is——

Ms. HOULAHAN. Sure. Sure.

And I totally understand from both of you gentlemen the dangers that exist if the resources that we are sending end up having unintended consequences. But I do think it is intriguing and interesting that as near as I can tell neither of you know of what businesses remain that are American, you know, run or operated, or maybe have we not documented whether they have stayed?

Do we have a very directed and specific outreach to them that clearly these—or not clearly, I would assume these would be trusted assets and resources because they are American owned and operated. So it is intriguing to me that we do not have a direct program or plan or understanding of where they are. Is that a fair statement?

Mr. MOY. We do keep contact through our embassy. I do not know—I am not aware of any comprehensive list of U.S. firms that are working there. However, we are in touch with American citizens who do business there. And there is a Chamber of Commerce as well that we maintain contact with.

Again, we would advocate on behalf of U.S. firms that are trying to do legitimate business there is it is in our national interest to help the Burmese people and to make sure—I think earlier there was a mention, and we hate to use this terminology because it sounds so ominous, but we do not want Burma to be a failed State.

Ms. HOULAHAN. Yes.

Mr. MOY. And if the economy does not exist and it continues to plummet further, that is exactly what we might have.

Ms. HOULAHAN. No. I appreciate that. I was waning seconds. I know I have run out of time. I want to foot stomp on the fact that we should be benefiting from the private sector, as you guys have mentioned, and particularly those who are American-owned businesses and operated in the area would be seem to be trusted resources. And I think we should have a better handle on who they are and how we can be using them.

And with that, I yield back. And thank you for your time, gentlemen.

Mr. BERA. Thank you, Representative Houlahan.

And with that, let me go ahead and recognize the gentleman from Pennsylvania, Mr. Perry, for 5 minutes.

Mr. PERRY. I thank the chairman, my friend, the gentleman from California.

Mr. Moy, I think I will start with you, if you do not mind. Secretary Blinken when he was confirmed, I think, made a commitment to make a determination on the Rohingya genocide. And I am sure you know, and certainly my colleague, Ms. Wagner, who has brought this up. I think it is kind of all on our minds. I think in 2018, if memory serves correctly, about 400, so that has a fairly large chunk of Congress. It is hard to get, you know, 40 on agree-

ment on something, let alone 400 agreed, you know, to characterize it as such.

I am just wondering if you know and can impart to us what else it will take or is there something that the Secretary's waiting on? Is there something he needs to see? What are we waiting on regarding the determination of genocide?

Mr. MOY. Thank you for the question, Mr. Congressman.

And as I noted earlier, the review is ongoing. I think that it is just—I think the Secretary is waiting for the conclusion of that. And so, I do not think that there is any sort of special delay or reason for delay here. It is just—it is a fairly meticulous process. It has to go through, you know, legal review as well as other.

But that does not really stop us at all from continuing to condemn those who perpetrated these atrocities. And we have taken steps in recent years, including through global Magnitsky, to identify some of those key figures involved in the atrocities and it does not stop us from applying sanctions on those individuals.

Mr. PERRY. And listen, I appreciate that. I do not know. I suspect there is no timeline associated with it. And look, you know, as a guy who lived in the private sector, many of us have, it is frustrating, you know, that we cannot get this done. I know there is a process, but for goodness sakes. I mean, you can imagine how much that would help us. It would help the world community in dealing with what has happened in Burma.

And quite honestly for the people that continue to suffer there, my goodness. I mean, I do not know if you just wait until there is nothing left to do to say, you know, we recognize what happened in the past. I mean, we want to help people now. We cannot change the past, but for goodness sakes, let's speed it up. I would just say that. From my standpoint, if you are going to send a message back to the Secretary, you know, light a fire under somebody's rear end, you know. People are being persecuted, they are being tortured, tormented, and killed. It is unacceptable, quite honestly. It is just taking too long.

I will just move on here. Can you or how do you assess China's approach to Burma? And what do you believe their most important goals are? And what they might do in the upcoming months to pursue those goals? So where is China? What is their position on Burma? What are they going to do?

Mr. MOY. Yes. Thank you for the question. It is a very interesting one, because as a border country with a long history, actually, especially the relationship between the sort of familiar relationships across the border, China has a very unique way of approaching Burma. What we would request, as we do with other neighboring countries, is that they all play a constructive role in achieving peace.

I think that China because of their concerns about instability across their border, it does not matter if it is Burma or any other country, it could be North Korea, it could be other countries that I think there are 17 countries that sit on China's borders, but I think that is always there, their central concern. And so, you know, we have——

Mr. PERRY. What are they willing to do about it?

Mr. MOY. Well, without going into, you know, too much detail, it is my understanding that they have reached out to some of the ethnic groups across the border. I think that they are trying to in their own ways tamp down the level of violence right now because it does not serve their interest. And that is really where China usually comes from. It is not necessarily an altruistic goal, but it is something that serves their own national interest. And I think that keeping that border calm, whether it has to——

Mr. PERRY. Excuse me. Is the U.S. Government or any of our NGO's working directly with China to facilitate our goals in Burma?

Mr. MOY. I am not aware that we worked together on issues like humanitarian assistance. I think as I understand they have their own ways of getting vaccines to Burma. But we have Secretary Blinken, in fact has raised with his counterpart the Burma issue and our kind of shared interest in making sure that the violence stops. And I think that there are other countries that share those goals as well, including India.

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

I appreciate the chair's diligence and patience. Thank you very much. And I yield.

Mr. BERA. Thank you, Representative Perry.

I see Mr. Sherman's camera on, but I do not see Mr. Sherman.

Not seeing the gentleman from California, let me go ahead and recognize the gentleman from Michigan, Representative Levin, for 5 minutes of questioning.

Mr. LEVIN. Thank you very much, Chair Bera, and thanks for having this really important hearing.

I want to thank you Deputy Assistant Administrator Hart and Principal Deputy Assistant Secretary Moy for appearing before us.

You know, this hearing today speaks not just to the immediate and ongoing crisis in Burma, but also to larger questions about our government's duty to the international community in the face of genocide and our willingness to adhere to the Democratic values to which we aspire.

During my first trip as a Member of Congress, I visited the Rohingya refugee camps in Cox's Bazar, Bangladesh, where over 700,000 people fled after a horrific campaign of violence against them.

Long since that trip now, I remain shocked and saddened that our government has not acknowledged what we already know to be true, military forces in Burma committed atrocities that amount to genocide against the Rohingya people. In fact, I shudder to think that it is in part because of our government's refusal to recognize this fact that the Tatmadaw continue to act with impunity and their brazenness grows by the day.

PDAS Moy, I was glad that reading your testimony that the State Department is working to ensure those responsible for atrocities and other human rights abuses are being held to account to quote you. And I have heard some of the earlier back and forth on this.

But, you know, in 2018 the State Department found that violence committed by the Burmese military against the Rohingya, including from August to October 2017 was not only, and I am quoting,

"extreme, large scale, widespread, and seemingly geared toward both terrorizing the population and driving out the Rohingya residents." end quote. But also quote, "well planned and coordinated." end quote.

Given this and reports by groups like the U.S. Holocaust Museum, and fortified rights that painstakingly, sir, detailed the systematic violence and crimes committed by the Tatmadaw by Burmese militants working with them and others. The question of why the State Department is slow walking this determination just has to be answered.

On the anniversary of the coup this year, the Jewish Rohingya Justice Network issued a statement calling out the United States and the international community's failure to help the people of Burma. As they put it, remaining silent is not an option, particularly when it is the very same military that led the genocide against the Rohingya that is now in control and continuing to commit atrocities against the Burmese people.

So PDAS Moy, I understand that you are not answering this question directly today. But I really need you to commit to, me to a timeline to get back to me, or to explain why the State Department is taking so much time to something with all due respect to your earlier statements about how painstaking you're being and so forth. This is extremely well documented, sir. So what—give me an answer.

Mr. MOY. Thank you very much, Congressman.

I wouldn't agree with the characterization that we are slow walking this at all. In fact, I know that this——

Mr. LEVIN. Five years, sir, it is 5 years.

Mr. MOY. The review—I mean, the Secretary committed last year to the review and we are undertaking that review. You know, we are still in the process of finalizing and we are just going to be very meticulous. It is—we take this very, very seriously. And I can commit to you that we will continue to share information about this with you and your team about how we are proceeding. And we know that people are watching. We get inquiries from human rights organizations, and other interested parties all the time.

Mr. LEVIN. All right. Well, let me go on. I just—I appreciate your willingness to be in touch with my office directly.

And Mr. Chair, without objection, if it is all right, I would like to enter the full statement from the Rohingya Jewish Justice Network into the report.

Mr. BERA. Without objection.

[The information referred to follows:]

JEWISH ROHINGYA JUSTICE NETWORK

February 1, 2022 | PRESS RELEASES

One Year Later, the U.S. and International Community Have Failed to Help the People of Burma

More action is needed from the U.S. Government, Congress, and the international community

One year ago, the world watched as the Burmese military seized power in a coup against the democratically-elected legislature, just hours before the parliament was scheduled to be seated— a terrifying setback for the cause of human rights in Burma and democracy globally.

Since that day, the people of Burma have taken to the streets and virtual spaces to bravely fight for their democracy and persuade the international community to do more. In response, the military has continually unleashed a brutal crackdown on protesters and anyone who dares dissent against their violent, illegitimate rule.

The toll on the people of Burma has been truly staggering. Under the military's harsh rule, no one is safe from violence, arbitrary detainment, military attack, and infringements on human rights, including the rights of expression and assembly. Since the coup, nearly 1,500 civilians, including 94 children, have been killed and thousands have been arbitrarily arrested, including at least 115 journalists. The humanitarian situation has further deteriorated, with at least 320,000 people becoming internally displaced since February 2021, adding to the 370,000 internally displaced persons prior to the start of the coup. There are also nearly one million Burmese refugees and asylum-seekers in neighboring countries, including the Rohingya people who languish in Bangladesh with little access to basic needs such as education, healthcare, or livelihoods. Refugees lack access to the durable solutions of integration, resettlement to a third country, or voluntary return. There are also thousands of new refugees in Thailand all of whom are struggling to access food, water, and medical aid. The U.N. Office for the Coordination of Humanitarian Affairs estimates that 14.4 million people need humanitarian assistance in 2022 inside of Burma, a drastic increase from previous years with an expected $826 million needed to assist these populations in 2022, triple the need from 2021.

Immediately following the February coup, the U.S. Government rightfully took quick action. On February 11, 2′ ⓘ U.S. President Joe Biden released an executive order that immediately authorized increased sanctions and travel restrictions against the military responsible for the coup, their business interests, and other entities and

community that will help the people of Burma restore their country to a genuinely representative democracy. While many global actors enable the military's brutality and blunt or prevent multilateral action, nevertheless there are still additional unilateral actions the U.S. Government could take that would make a difference.

Further, despite significant pressure from the Burmese people and advocacy organizations throughout the country, the U.S. Congress has failed to pass any legislation since the February coup that would truly help the people of Burma. In October 2021, U.S. Senator Ben Cardin (D-MD), House Foreign Affairs Committee (HFAC) Chairman Gregory W. Meeks (D-NY), and Representative Steve Chabot (R-OH) introduced the Burma Unified through Rigorous Military Accountability Act (BURMA Act; S. 2937/ H.R. 5497). While the HFAC did work to quickly pass the bill out of Committee in late October, there has been no further action in the House since that time, and the Senate Foreign Relations Committee has thus far failed to take any action on the legislation at all.

It is clear that the genocidal and authoritarian behavior of the Burmese military has become entrenched and more brazen by the day, underscoring the need for urgent action from the U.S. and the international community. While we welcome the Biden Administration's actions so far to hold the perpetrators of the coup responsible, more can and must be done by both the U.S. Government and Congress.
The Jewish Rohingya Justice Network calls for:

- Every Member of Congress to cosponsor and support passage of the BURMA Act (S. 2937/ H.R. 5497).
- The full House to take up and pass the BURMA Act without delay.
- The Senate Foreign Relations Committee to take up and pass the BURMA Act out of Committee and send it to the full Senate for quick consideration and passage.
- The Biden Administration to use already existing authority to further target the Burmese military including sanctioning the oil and gas sector, specifically the state-owned Myanmar Oil and Gas Enterprise (MOGE)
- The U.S. to increase its funding for humanitarian assistance for displaced populations, including the Rohingya people in Bangladesh, and help lead multilateral efforts to increase durable solutions for Rohingya refugees.
- The Biden Administration to help increase access to durable solutions for all Burmese refugees, including increased third country resettlement opportunities and support for sustainable local integration, where possible.

Finally, the Jewish Rohingya Justice Network again implores Secretary of State Antony Blinken to prioritize justice for the Rohingya people and recognize the military's past crimes for what they are: genocide. Words matter and the U.S. must call atrocities what they are. Remaining silent is not an option particularly when it is the very same military that led the genocide against the Rohingya that is now in control and continuing to commit atrocities on the Burmese people. Not calling a genocide what it is signals to those responsible - and

The evidence is clear. The urgency is here. U.S. leadership must be clear, too.

About the Jewish Rohingya Justice Network

The Jewish Rohingya Justice Network is a prominent consortium of Jewish NGOs advocating for the rights of the persecuted Rohingya people of Burma. JRJN's membership includes 33 organizations and all four major branches of American Judaism that together encompass the support of millions of American Jews —all standing together against genocide.

Inspired by the Jewish commitment to justice, the Jewish Rohingya Justice Network (JRJN) works to promote a robust U.S. and international response to the Rohingya genocide through education of our communities and advocacy in Washington, DC.

To reach the Jewish Rohingya Justice Network for comment, email jewishrohingyajusticenetwork@gmail.com.
To see all of our previous statements, click here.

The Jewish Rohingya Justice Network

contact: jewishrohingyajusticenetwork@gmail.com

Mr. LEVIN. PDAS Moy, I want to turn very quickly to another way the Biden Administration can hold the Tatmadaw accountable. I am the colead of the new resolution with the chair and ranking member of this subcommittee, Chair Meeks, Congresswoman Eshoo, which both recognizes the sanctions the Biden Administration has imposed thus far and calls for you to go further including by sanctioning Tatmadaw-controlled entities and State-owned enterprises.

Does the State Department agree that continuing to allow entities like the Myanmar Oil and Gas Enterprise to operate freely enables the Tatmadaw to continue to act with impunity and gives them resources for their oppression?

Mr. MOY. Thank you so much for that question.

It is one that we have been discussing over the last year. I can say that there is no tool out there that we have rejected. No tool out there that might have an impact on the calculation of the junta that we have dismissed. And so, without going into specifics and revealing our hand, I would say that we continue that discussion.

We also, and I think, Mr. Chairman, I know that you have traveled in the region fairly recently, as you probably heard when we applied these broader kinds of actions, we always have to consider some of the effects especially on the people of Burma. And so, those are the kinds of things that we consider. The bigger the impact, we do understand that there are some actions that we could take that might have a very, very deep impact on the thinking of the junta. But we also have to remember that they do have impacts on ordinary citizens as well. And that is something that we really do have to take into consideration.

Mr. LEVIN. Thank you.

Mr. MOY. And also consideration of other countries.

Mr. LEVIN. Well, thanks.

I think you may know that I am the author of other legislation to deal with the impact of sanctions on civilians. And so I am very sensitive to that.

Mr. Chairman, I just want to close by thanking the State Department and in particular you all have mentioned Ambassador Vajda. You know, this team, Mr. Chairman, and Ambassador Vajda in Myanmar worked tirelessly to win the release of my constituent, Danny Fenster, who was unjustly imprisoned for 5–1/2 months. And I will always be grateful to the embassy and consular officials in Burma and the whole State Department team for their assistance in getting Danny Fenster out of that unjust detention.

And with that, I yield back. Thank you, Mr. Chairman.

Mr. BERA. Great. Thank you, Representative Levin.

Let me now recognize the gentleman from Tennessee, Mr. Burchett for 5 minutes.

Mr. BURCHETT. Thank you, Mr. Chairman. I realize that we skipped Representative Sherman. If we need to go back to him we can do that if you need to. I am cool with it.

Mr. BERA. I am sorry. Go ahead and continue.

Mr. BURCHETT. Do what?

Mr. SHERMAN. Mr. Chairman, is it my turn or is it the gentlemen's turn?

Mr. BERA. We are alternating Democrat and Republican. So Mr. Burchett, if you want to go and then Mr. Sherman you are up next.

Mr. SHERMAN. OK.

Mr. BURCHETT. OK. Thank you, Mr. Chairman.

This for Mr. Moy and Mr. Hart. I understand that the Burmese military they do not even recognize the Rohingya people. And I am wondering what USAID's doing to help these folks specifically. But then Mr. Moy, you mentioned that they I think, I am curious about the humanitarian aid that we are sending and they are ripping us off and they are stealing it. And I am wondering what we are doing to stop that? And how much of it is actually getting to the people we intend it to go to? That is for both of you all.

Mr. HART. Me, I can start it, if that is OK.

So thank you very much for the question. That is an extremely important areas for us of course. And the U.S. Government is leading the donor and humanitarian response to the conflict. And we have about 1.6 billion since August 2017 of which USAID is about 711 of that. In terms of responding both to the conflict within Burma and to the refugees from Burma. So that is the large picture aspect of things.

For Fiscal Year 2021, for example, USAID provided almost $50 million in critical humanitarian needs of IDPs in Burma for about 430,000 people. What that really means in terms of items on the ground is that what we are doing is we are procuring locally and regionally to be able to provide protection services, nutrition, mobile medical clinics, shelter and settlements there, also essential household items, sanitation kits, drinking water, et cetera. So the basics. This picture is shifting inside of Burma week by week and sometimes day by day. And our partners are doing a few things to adapt because adaptation is critical.

So one, we are working with World Food Programme and others to be expand our local NGO base to be able to push this—these items out to Burma in a variety of ways to ensure that we are actually addressing the most needy of individuals through our systems.

The great thing is that we have, and since it has been almost 10 years since we have reopened our USAID office in Burma and therefore have built a platform by which we can continue to operate. We have a lot of the relationships in place. And so with the humanitarian assistance, we are operating from those relationships. We are also very much closely working with the U.N. and others such as the ASEAN center for humanitarian assistance there as well where we have been assisting them in the past and continue to collaborate with them to look for new opportunities and new ways to be able to ensure that these items reach the intended beneficiaries. That is one.

You also mentioned in terms of the aspect of is this—are these materials actually getting to the intended recipients. One, we immediately after the coup, we shifted out $42 million worth of our portfolio away from assistance that could have benefited the government. So we took that immediate action. We took that assistance and made sure that that was supporting the civil society actors and others in a very direct fashion.

But since then, we have also launched additional programs for education, as well as human rights in civil society. And so, we are

taking those actions to immediately stand up our response to support exactly these groups. If there is at any time—while we do not provide any assistance of course to the regime, if there is any type of report, we have reporting mechanisms from our partners in terms of standard practice. But we also have a public hotline to be able to have folks call in and identify issues that they see.

And so, we are taking every precaution to ensure that there is no overlap there, that these items are not hitting anyone within the regime or that the regime is allowed to even take credit for any of those. And so, I think those have some of the critical pieces that you referred to, sir.

Mr. MOY. I think Mr. Hart actually went into some of the areas I was going into. Our main principle is really to make sure that we do not legitimize the junta and that we close off all forms of revenue. And so, I think that we do have some the system in place to ensure that do not happen.

Specifically in terms of Rakhine State, USAID and the State Department's Bureau of population refugees and migration, what we know as PRM. And with the generous support of Congress has provided more than $201 million in humanitarian assistance to those affected by the Rakhine State crisis in Burma and that is since 2017.

So I think in total, Mr. Hart mentioned this before, but we provided more than $1.2 billion to assist those effected by the crisis in Burma. And Bangladesh as well where about 900,000 Rohingya are right now. But we work as Craig said, to make sure that none of those moneys go to the illegitimate junta.

Mr. BURCHETT. I think I am about out of time.

But I just want to warn you all, the tides are kind of shifting in Washington. In the past I have supported USAID, but I would hope we could get some definite answers over if this aid is actually getting to where it is supposed to be.

And I had some others, but the Russians and their involvement with the Chinese, but I believe my time is up, Mr. Chairman. Is that correct?

Mr. BERA. That is correct, Mr. Burchett.

Mr. BURCHETT. All right. Thank you, brother. Appreciate you.

Mr. BERA. Thank you. Let me go ahead and recognize the gentleman from California, Mr. Sherman, for 5 minutes of questioning.

Mr. SHERMAN. Thank you. I want to build on other comments, particularly those of Mr. Levin, regarding the Rohingya. We have seen a democracy movement in Burma, Myanmar that has inspired us. Many of us have come to know Aung San Suu Kyi as an inspirational, figure and we are so disappointed when the democracy movement in Burma was unwilling to State clearly that all the Rohingya born in Burma should be given citizenship documents and repatriated.

Has Aung San Suu Kyi herself embraced that explicitly?

Mr. MOY. Thank you, Congressman.

Not that we are aware of but we have focused our attention on the atrocities themselves and that is why we have called out the junta. The Burmese military is responsible.

Mr. SHERMAN. We are being called upon—it is—look, we know how bad the junta is but we are being called upon to support a de-

mocracy movement that seems to believe in democracy for almost all the people of Burma and cannot bring itself to oppose the ethnic cleansing of the Rohingya. They make—they make a few statements like, well, we should respect the Rohingya according to Burmese law. Then you look at Burmese law and it says wipe out the Rohingya or at least do not give them citizenship documents. Make them all illegal residents and then presumably expel them.

So what have—we have—our friend should listen to us more than we expect our enemies to listen to us. Has the democracy movement said that the Rohingya people who were born in Burma are Burmese citizens and entitled to citizenship documents?

Ms. MOANKER. Not that I am aware of, sir.

Mr. SHERMAN. That is consistent with what I know and is very disappointing. And I would point out that if neither the junta nor even the democracy—if Burma is unwilling to govern its territory in a way that is non-genocidal to the people who have a right to live there, then maybe a portion of Rakhine States should become independent or join Bangladesh. We have only recognized this century, I believe, one changed international border, that being the creation of South Sudan. And we did so precisely because the government in Khartoum was intent upon oppression, some would say genocide, of a portion of its territory and they lost that territory.

I am also concerned with the fact that we are still giving economic aid to Burma. I brought this up in the hearing that we did on September 28 of last year. And we have got a way, money we send, economic development aid we send to Burma to aid that we could provide to starving people in Yemen or Tigray. And I understand why we would provide food aid to displaced people. But we are also providing economic investment aid that was defended by your colleague, Mr. Shear, on the theory that we need to keep the Burmese people on our side. Should we be helping the junta meet its economic development objectives in Burma-Myanmar?

Mr. MOY. Thank you, Congressman.

With regard to the Rohingya issue, I am not—I am not going to speak on behalf of the various groups, especially the pro democracy groups. But in our recent meetings, in fact, with the NUG, they have invited in Rohingya to represent part of their larger groups. And so was that the first time that we covered——

Mr. SHERMAN. That is a step in the right direction and clearly the democracy groups are less bent on ethnic cleansing and genocide than the junta is but that is the low Bart.

Go ahead.

Mr. MOY. Yes, thanks very much.

But, yes, there are small steps, and I think there is recognition, especially after having more and more consultations with international partners and countries that are interested in democracy like the United States.

I think we talked about economic issues a little bit earlier. We are very concerned when the junta can benefit from any economic arrangements. And so we, when we consult with companies, that is one thing that we caution. And we are very much a part, but we are very much in favor of a legitimate businesses that can help the Burmese people.

Mr. SHERMAN. Yes, my question was about American tax dollars going to economic development in Burma. And that ought to be redirected to less ambiguous situations, situations sort of where it is clearly beneficial to the goals that we all have.

And with that, I yield back.

Mr. BERA. Great. Thank you, Representative Sherman.

Let me now recognize the gentlelady from California, Mrs. Kim, for 5 minutes of questioning.

Mrs. KIM OF CALIFORNIA. Thank you, Chairman Bera and Acting Member Ann Wagner. And I want to thank all of our witnesses for joining us today.

You know, Congress stands united in continuing to condemn the violent coup in Myanmar last year. And that resulted in the murdering of unarmed civilians, destruction of the democratically elected government, and continued persecution of ethnic minorities.

However, the United States' and Allies' pressure on Myanmar can only accomplish so much, and the country is no stranger to isolation and relying on China and its Southeast Asian neighbors.

The question—the first question is to you, Secretary Moy. Could you please assess ASEAN's efforts to lessen the violence in Myanmar and urge a return to dialog, and how has the United States supported ASEAN diplomacy on Myanmar or urged a more forceful response from its Southeast Asia neighbors?

Mr. MOY. Thank you for the question, Madam Congresswoman. It is a very good question because, since the very beginning last year, the, you know, days following the coup, ASEAN has had to respond to a very uncomfortable situation for them because so many of the ASEAN members do not support what happened there.

I think that you saw in the last few months, even though the five-point consensus had not been adopted yet, ASEAN has sought to marginalize the junta by not allowing political representation from Myanmar, from Burma in ASEAN leadership meetings.

And so just today I was reading an account of the ongoing ASEAN foreign ministers meeting in Cambodia, and they have not allowed Burma to send political representation there. So they are at odds.

And so we really do tip our cap to them because this is quite unprecedented for ASEAN. As you know, it is a consensus organization. And they sometimes may be willing to try to appease or they are unwilling to take a harder position. But we think that there, in ASEAN today, there is recognition that this is—this is—that the coup cannot be supported, cannot be legitimized by ASEAN. And there is, you know, choosing ways to make that known.

And I think it was, from what I understand, it was very unexpected from the perspective of the junta. They did not believe that ASEAN would take this step, and they have. And so I think that we will continue to rely on ASEAN's neutrality but also use other kinds of diplomacy—Japan, Korea, India, those, Australia, other like-mindeds—to make the junta aware that 2022 certainly is not the 1990's.

Mrs. KIM OF CALIFORNIA. Thank you so much.

I would also like to ask how you would describe the opposition to the military junta government, including the National Unity Government, specifically in organization goals and decisionmaking.

Are they seeking a return to the status quo pre-coup, or are they looking to establish and reform the form of government in Myanmar?

Mr. MOY. Thank you very much.

We have met a number of times with the National Unity Government in recent months including at very senior levels of the State Department. I know that in the NSC as well. Our Deputy Secretary, Wendy Sherman, has met with the NUG and Counselor Derek Chollet has. And I think those meetings were very productive. We were able to learn that the NUG is very much, you know, in favor of putting Burma back on the right path toward full democracy.

And so those are areas that really do overlap with what we think should happen there. So and not only the NUG, we would continue to consult with other parts of, you know, civil society, those who are in support of rule of law, in support of democracy.

And, you know, I think that, you know, in contrast to times past, this has really sobered the junta in the sense that what they thought was going to happen was that they would simply roll over these, you know, activists, those who favor democracy. That hasn't happened at all.

Mrs. KIM OF CALIFORNIA. Proponents of opposition to the military regime have claimed repeatedly that their organization is inclusive of all ethnic groups and affiliations including the Rohingya who have been subjected to ethnic cleansing and potential genocide for years at the hands of the Myanmar military.

Let me ask this question. I hope I have some time to do this. Administrator Hart, is it accurate to say that the Rohingya stand a better chance at receiving protection and inclusion with the opposition? If the opposition were to somehow take back control of the country, what would stop them from continuing to carry out violent and discriminative policies to the Rohingya?

Mr. BERA. And, Mr. Hart, I would have you to keep your answer tight and short.

Mr. HART. Thank you so much for the question.

While I think my colleague, Kim Moy, may have a more fulsome answer to this, I think that what we are interested in doing are assisting the people, the Rohingya and those who have been affected in Burma. And so that has been our perspective in terms of how can we best support them so that they can then achieve their goals.

And that support right now is very basic in terms of the need to ensure basic humanitarian issues are being addressed, basic health issues are being addressed. That has been our focus that enables them to further support their own goals. Thank you.

Mrs. KIM OF CALIFORNIA. Thank you.

I do not think I have any time to yield back. Thank you so much.

Mr. BERA. OK. Thank you, Representative Kim, and for both you and Mr. Sherman raising the important issue that the National Unity Government has to be an inclusive government. I know in May, I think, it was Representative Levin that raised that issue when we had a witness. We have also raised that issue directly with the National Unity Government, if they want full recognition, full support. They are slowly moving in that direction, but they are

not quite there, as PDAS Moy has indicated. And we will continue to deliver that answer.

Let me now recognize the gentleman from Virginia, Mr. Connolly, for 5 minutes of questioning.

Mr. CONNOLLY. Thank you, Mr. Chairman. And welcome to our witnesses.

Mr. Hart, you were talking about the mission of USAID is to help the people and to get assistance to the people. Has USAID explored or is it now providing humanitarian assistance to locally administered territories outside the purview or control of the current military government?

Mr. HART. Thank you, sir, for that question.

Yes, we are providing a wide range of humanitarian assistance through the front door, if you will, into Burma to be able to provide a range that I summarized earlier in terms of the basic needs, because across the board, education systems have gone down, health systems have gone down, and we need better opposites.

Mr. CONNOLLY. So your answer is that, outside of the control, territories that are outside the control of the current military junta, that are locally administered, often backed up by armed militias, we are, in fact, providing assistance to those territories directly.

Mr. HART. So assistance is going through both our international and our local partners. They are adapting on a regular basis to be able to pursue exactly what you are speaking of which is delivering these items to the most vulnerable. They are very innovative.

Mr. CONNOLLY. I am sorry. I am worried about time, but thank you.

Are you finding resistance from the military junta in your efforts to do that?

Mr. HART. Absolutely. And that is why we are definitely relying on our implementing partner, partners to be able to be as innovative as possible, given a conflict situation, to be able to identify who is out there and that needs this assistance, how we can best get them to them, and we are working with other donor partners as well to be able to do just that. We are pursuing as many avenues as we can.

Mr. CONNOLLY. Got it. And the Chinese are already doing that, are they not?

Mr. HART. That is our understanding. What our coordination mechanism usually is, is through the U.N. to be able to coordinate with other donors, in addition to all of the other donor conversations that are going on. The U.S.G. Has been definitely the lead in terms of humanitarian assistance, but we are also working with, as I mentioned earlier, the AHA Centre out of ASEAN, the U.N. system, as well, in terms of providing that response, and others to be able to coordinate the humanitarian assistance that is coming into country.

Mr. CONNOLLY. Thank you. Very heartening to hear.

Mr. Moy, why did the U.S. Government not declare genocide when the Tatmadaw was involved in numerous atrocities in trying to put down demonstrations opposing the military coup?

Mr. MOY. Mr. Congressman, I am not sure I can answer exactly—oops. Sorry. I just unmuted myself.

I am not sure I can explain the reasons in the past. All I can say is that the review is ongoing today to make that determination. There, I think, are a number of steps that were taken in recent years to make it known that those atrocities were unacceptable. And, you know, we will continue to condemn the regime because they were—the current military was responsible for those, you know, violations of human rights starting in 2017.

Mr. CONNOLLY. Well, let me just say as a member, and I am sure other members feel the same way, you know, the situation in Myanmar is grave. The violence, the brutality exercised by the military junta is deplorable, and at some point the U.S. Government has to weigh in. We cannot, you know, for political niceties or in the hope that maybe we can create a diplomatic pipeline to the military by softening our position with respect to the atrocities that have occurred and I do not mean to say that we have soft-pedalled it.

But at some point it seems to me the heavy hammer here is to say these are genocidal, you know, behaviors by the military junta. And we also need to be very cognizant of the message we are sending the Burmese people. You know, they have got to be feeling very isolated right now. The United States is the essential player even there for them, and that means that we have got to weigh very carefully how we present this and how we condemn it.

And so I strongly would urge you to go back to the State Department with your colleagues and let them know that there are many of us here on the Hill who believe the time has come for a much stronger statement than just condemning atrocities.

I mean, of course, we all condemn atrocities. But this pattern of atrocities means something. And what does it mean, and what is the United States prepared to say with respect to it?

Thank you, Mr. Moy.

Mr. MOY. Thank you. And we could understand the importance and the urgency. Thank you.

Mr. CONNOLLY. I am sure you do. Thank you.

Mr. Chairman, thank you. I yield back.

Mr. BERA. Thank you, Representative Connolly.

Let me now recognize the gentlelady from Virginia, Ms. Spanberger, for 5 minutes of questioning.

Ms. SPANBERGER. Thank you very much, Mr. Chairman.

And I want to followup the sort of line of questioning related to sanctions. And certainly, you know, along with the measures imposed last year, the Administration has now sanctioned 65 individuals and sanctioned export controls on 26 different organizations with close regime ties.

So, Mr. Moy, I would love to begin with you. In your assessment, could you—and I know that people have talked about sanctions along the way throughout this hearing. But can you give a baseline discussion of how effective these sanctions can be or have been—excuse me? In particular, what are the effects of sanctions on those who are aiding the Tatmadaw but from within Burma who do not necessarily have foreign assets?

Mr. MOY. Yes, that is such a thoughtful observation right there, Madam Congresswoman.

I think that the sanctions themselves were not intended to in and of themselves create the change but are part of a larger policy to change the thinking of the regime. I think we all know that especially the junta leadership is not as exposed maybe as other, you know, entities in other countries would be to the international economy. And, therefore, sometimes sanctions, even, you know, with a targeted approach, they might not be the, you know, dispositive, shall we say, element in the decisionmaking.

Ms. SPANBERGER. And so kind of, given that I think throughout the course of the hearing today and even just drawing out from your answer to my first question, you know, could you just talk about what other policy tools or points of leverage might be more impactful, you know, considerations about a ban on aviation fuel going into Burma or Myanmar as an effort to stop deadly air strikes? Are there other considerations or policy tools that have been considered and not implemented or that you would want to raise in response to that question?

Mr. MOY. Yes, there have been other tools that have been discussed. And, in fact, as I noted earlier, we haven't actually rejected any of those as possible tools. We are trying to find—we are trying to thread a needle, really, to make sure we are causing no more harm out there to the people of Burma but also delivering a message to the junta, too.

And so I think a few weeks ago you might have seen we designated more or we made a few more designations in terms of sanctions. We will continue to review more possibilities, and that applies not just to those involved in or in more senior leadership positions but also family members as well. You mentioned the entities. We are also in contact with other governments, those who might control financial pursestrings, so to speak, that also might be able to apply a little bit more pressure.

Ms. SPANBERGER. And so——

Mr. MOY. So——

Ms. SPANBERGER [continuing]. Mr. Moy, just kind of related to that, because you mentioned some of out partner nations, knowing that the military does draw not an inconsequential amount of money from business interests and networks, in addition to State-owned conglomerates, what has the United States or any of our partners done to crack down on these other sources of revenue that come in for the military? And what in your estimation could be among the most effective ways for us to cut down on the junta's access to foreign currency?

Mr. MOY. Right. Yes, without going into the specifics of the information, we have had conversations with a number of countries about the things they know and the actions they could take, because sometimes these, you know, economic or these transactions, if you will, are not made through the United States.

And so when we do come across information, we can act on that information. And we have let other governments know that we will be coming to them. And I think that there is a willingness——

Ms. SPANBERGER. And coming to them with disapproval. Am I understanding that correctly?

Mr. MOY. Right. Coming to them with information that they can act on as actionable, so to speak, and in our various conversations,

especially when we have been on the road, I think that we have heard actually very positive reactions because, when it comes to other countries, they do not want their names sullied by dealing with the junta, too. And so they have their own interests in working with us to make sure some of those sources of revenue are cut-off.

Ms. SPANBERGER. Excellent.

Well, thank you, Mr. Moy.

And, Mr. Chairman, I yield back.

Mr. BERA. Thank you, Representative Spanberger.

I am going to allow us to do a second round of questioning, and I know Mr. Levin had a followup question. We are going to lose him in a moment.

But, Mr. Levin, if you want to go ahead and be recognized for a second question.

Mr. LEVIN. Thank you so much, Mr. Chairman. You are the best.

So I want to followup on a couple of questions that I think Mr. Sher—you know, Representative Sherman, Representative Kim asked and broaden this out a little bit beyond the questions about the Rohingya because, you know, in the November 2020 election, more than 1–1/2 million voters or would-be, should-be voters were disenfranchised from mostly among ethnic minority communities in Kachin, Karen, Mon, Rakhine, Shan, and Chin States.

And so this is—and in our resolution, after the coup, we called not just to restore the government, the, you know, sort of weird balance between the military and the civilian government that had existed but true democracy and inclusive democracy. And what is interesting to me, PDAS Moy, there is have in the resistance in the organizing of the people to, you know, against the coup regime, there have been chutes, right, growing of collaboration. And I think of the majority Burma people realizing that everyone is in this together and that they need to work together.

So can you just say a little more about how that—where does that stand today, not just about the, you know, the sort of opposition shadow government but amongst—what is happening in the country about people organizing so that the coup regime might be followed by a more fulsome democratic order?

Mr. MOY. Yes, thank you, Congressman, for recognizing actually that there are changes that are underway.

I do want to temper all of this. I mean, you used the metaphor chutes. Right? And I think that that is true. These are changes that will happen, you know, gradually over time.

But I think to the extent that we can help in that conversation, we have urged various groups, civil society groups, those that are interested in, you know, restoring democracy in Burma. We have had a constant conversation about further recognition. And we see, as Congressman Sherman noted, you know, a little bit of that coming through in where the NUG has invited representation from Rohingya.

And the statement is true for ethnic groups as well. They are finding common cause. I guess that is sort of a good thing. But, you know, we still have a lot, of, you know, real estate to cover when it comes, to you know, full recognition and these kinds of issues.

I know my time is running short. But I did want to pick up op something you mentioned earlier, Congressman. I do want to thank you actually for, you know, the work that you did, continuing to consult with the Fenster family. I know that Bryan Fenster was in touch with you and other family members. We could not have—no one can do this alone. And when we saw Danny Fenster, when he came to the department shortly after his released, he was quite effusive in praise for all of those, you know, people in Michigan who came to bat on his behalf. I just wanted to mention that.

Mr. LEVIN. Thanks. It was a whole-of-community effort. That is for sure.

Thanks, Mr. Chairman. I yield back.

Mr. BERA. Great. Thank you.

And if I could just followup on the point Mr. Levin made, it does seem like the Myanmar people, you know, now that they are being attacked by the Tatmadaw, are realizing the atrocities that were perpetrated against the Rohingya. There is a long ways to go, but with the common enemy and recognizing they have all got to come together, the fight for freedom, you know, for those in the National Unity Government that are listening to this, that is a step in the right direction. And, you know, democracy is inclusive and, you know, we would like to continue to see that as you fight for your freedom.

Let me recognize Representative Kim if she has any additional questions she would like to ask. Representative Kim? Any addition questions?

If not, let me recognize myself for an additional question. And maybe this is for Mr. Hart.

One thing that, you know, when I was in Thailand, talking to the NGO's, I think Deputy Secretary Sherman heard this as well, a long history of refugee camps along the border. And this was in late October. Obviously, the violence has escalated, the targeted air strikes and the number of displaced individuals.

Can you give us an assessment of what we are seeing in terms of the refugee camps, both internally displaced folks—and certainly we have read open-source stories of, you know, refugees fleeing into India as well as, you know, Cambodia and Thailand—and kind of your sense from the USAID perspective or your implementing partners that are in the camp how well-equipped the camps are, you know, if the border countries are allowing folks to flee across the border or if they are being kept, you know, in camps internally within Burma.

Mr. HART. Thank you for that question, sir.

Yes, we have—one of the benefits to having an office both in Thailand and in Burma—and we have opened our office almost 10 years ago in Burma—is being able to have that longstanding relationship with civil society, the civil society that will both be responding to and is responding to the humanitarian assistance crisis but also that same civil society that will give voice to the democratic movement. And so we are working across the board with local entities to be able to respond to the range of issues that are coming up.

To address your specific question, what we have—we also actually, Kim Moy and I, with State counselor traveled to Thailand, as

well, to have those conversations. We have very much working together with our Thai counterparts, as well as with our ASEAN counterparts across the board, to be able to be creative which it comes to solution sets. We need that creativity now because the situation is very much fluid. On a week-to-week basis, things are changing based on the conflict. And so we need to be responsive, and we need to be adapting to the situation.

That is exactly the type of guidance that we have given our partners is to be able to look for opportunities when they present themselves. There are definitely a sufficient number of roadblocks in our way, but we have partners and standing relationships to be able to understand how best we can get some of these items and services to a range of those being affected by this.

When it comes to along the border areas, that is an area very much that we have been speaking with the Thais about as well and have gotten their support as we look at the best way in which to address the very complex situation.

And so we do have partners on both sides of the border.

Mr. BERA. Great. Thank you.

And let me now recognize Representative Spanberger, if she has additional questions.

Ms. SPANBERGER. Thank you very much, Mr. Chairman.

So just to followup a little bit related—well, on an issue separate from sanctions, the coup and certainly the ensuing conflict has resulted in a spike in the transnational drug trafficking challenges that we see globally, particularly from drugs emanating and originating in the Golden Triangle region of Burma. So I was wondering if you all could address some of the spillover effect, whether narcotics, crystal meth, meth pills, heroin are destined for countries including the United States, emanating out of this region, and what you are seeing in terms of what is the actual kind of current status and then what is the U.S. response.

Mr. MOY. Well, thank you very much, Congresswoman.

Our assessment is that it is one source of revenue for the junta and that, since the coup, there has actually been an increase in the amount of narcotics trafficking coming out of Burma. And so it is a difficult situation for us just because of, you know, the instability on the ground.

We do not have our RDA colleagues who are with us today. But I would say this is something that we have noted through our information channels, and we are going have to take steps. But it is, you know, an issue that is very difficult to resolve just because what is happening on the ground.

Ms. SPANBERGER. And have we taken either in a collaborative way or have we discussed or raised this issue related to the increased flow of narcotics emanating from Burma? Has that been an issue that we have raised with some of our partners?

Mr. MOY. I think that our main thrust when we talk to our partners has been the path forward or the return to the path for democracy for Burma. I think probably increasingly, depending on the partner, because there are a number of border countries that are very concerned about the opium trade and what it might mean to their own, you know, stability and their own economies, I think

that it may actually become more of a conversation piece down the road.

You know, in the past there has definitely been concern on the Chinese side of the border about the opium trade and I do not think that they are interested in seeing an increase in the amount of drugs or narcotics going into the PRC and I think that there are other sort of neighboring countries as well that are concerned about that.

But, again, you know, the situation is unstable as it is and the trajectory of Burma right now. And, you know, I do not want to return to the terminology failed State but, you know, that is where we are headed. There are so many problems that we are dealing with, and narcotics would be absolutely one of those.

Ms. SPANBERGER. Well, certainly in my life before Congress, when I was over at CIA, I spent some time working in what was then called the counternarcotics center and certainly have seen firsthand how an uncontrolled and unbridled or unprofitable narcotics trafficking enterprise can really just cut efforts to democratize or strengthen democracies off at the knees.

So I thank you for your answers and I do hope that, moving forward, central to our efforts to advocate for democratic values that we will look at some of the illicit activities that are certainly contributing to the proliferation of criminal activity and a move away from democracy.

So thank you very much to both of our witnesses.

And, Mr. Chairman, I yield back.

Mr. BERA. Thank you, Representative Span.

Let me now recognize Representative Young Kim and see if she has got any additional questions.

Mrs. KIM OF CALIFORNIA. Thank you so much, and I do apologize for my technical difficulty here with my computer this morning.

Secretary Moy, since the coup, Radio Free Asia and Voice of America both have experienced a dramatic spike in audience. We have Facebook and online with millions turning to these news sources as the junta mercilessly cracks down on local outlets and journalists. But with more Burmese people fleeing unrest and to border provinces and zones, where there is less cell signal available, people are turning to radio, particularly shortwaves, to get potentially lifesaving means of information.

So is the Administration including the State, USAID, and the USAGM aware of that? And how are they coordinating efforts to ensure that the shortwave is sustained for the people of Burma who rely on outside media but especially the RFA and the extensive coverage of what is happening?

Mr. MOY. Well, thank you very much. And it is actually a very good observation about what is happening on the ground.

And so one of the things that we are aware of is the huge crackdown on domestic journalists there. I think that is why they are turning to, as you mentioned, shortwave sources. We have mentioned how deeply concerned we are. And we have actually been, you know, in, you know, in our conversations with like-minded partners who are in unison in condemning any actions against journalists. And we called for the released of those they have detained, and they have detained many.

And so I think, when I was speaking to Congressman Levin's, you know, interest in Danny Fenster, I mean, this is one of the great concerns that the Tatmadaw has, right, that there are journalists that are reporting all of this information and you have so much more social media ought there. This is another data point is that there are so many people in Burma on Facebook, on other social media platforms. And they are exchanging information. This is what makes it so hard for the junta to consolidate.

So I think that, you know, we will continue to push. You know, there isn't a free, independent media right now just because of the crackdown, but we are definitely in support. We are definitely in support of other platforms that might be used and so people can get accurate information out there. And we have heard from people on the ground that this is absolutely a source of why they are so—that sometimes it energizes them when they hear about actions that are taken outside. Otherwise, they wouldn't have any information sources right now.

So when they learn about some of the things that other countries are doing or the human rights organizations, what they are doing out there, it gives them hope. It gives them energy to continue to resist the junta.

Mr. HART. Madam Congresswoman, if I may, just to add on that that answer that Kim has provided, I think one of the things that has been very critical—and I have to laud the efforts of our partners immediately following the coup, supporting each other, including independent media, in very pragmatic, practical ways. And so I think that has been an excellent first step.

What we have done about 4 months ago is launch an additional activity to be able to support human rights and looking at supporting independent media and other civil society entities. And I think with that activity, while I cannot say too much, I would say that one of the principles is to ensure that we are doing no harm because those who are engaged in this are very much under threat.

And so we are establishing communication channels. We are making sure that the right people are engaged in those efforts and looking to push forward with this extremely critical aspect of achieving what the people want to see.

Thank you.

Mrs. KIM OF CALIFORNIA. Thank you very much.

Thank you both for joining us today.

And thank you, Chairman. I yield back.

Mr. BERA. Good. Thank you, Representative Kim.

Let me make a closing statement.

First off, to both our witnesses, Mr. Moy, Mr. Hart, thank you for your service and the teams there are around you.

Also I just want to once again thank Ambassador Vajda and our Mission Rangoon team that is operating in difficult circumstances but continues to support the work.

And, you know, I also just want to deliver a message to the people of Burma. You know, the United States is the world's oldest democracy, and one of the values that we uphold is the rights of individual people to choose their path forward. And, you know, as we see this young democracy in Burma and the people standing up for their right to choose their own path forward, you know, I cannot

speak to every in Congress. But I think it is a sentiment, Democrats, Republicans, the Administration, and the values of the people as the United States is that we stand with you, that we stand and want to see the people of Burma in an inclusive way, understanding the diversity and the various ethnic groups, find their path forward.

And we know, as was the birth of our Nation in the United States, it was difficult and at times violent. But the perseverance, the will of the people will prevail. And to the democracies of the world, you know, we will continue to stand with the people. We will continue to work with the leaders in ASEAN, understanding ASEAN's centrality and that Burma is one of the ASEAN partner countries and support those ASEAN efforts to find a diplomatic path forward, if there is one, but also continue to work with the countries in the region to provide their support as they address some of the humanitarian issues of the people of Burma.

So, again, with that, I want to thank the witnesses and the members who participated in this important virtual hearing.

And with that, the hearing is adjourned with the virtual bang of the gavel. Thank you.

[Whereupon, at 11:50 a.m., the subcommittee was adjourned.]

APPENDIX

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

Subcommittee on Asia, the Pacific, Central Asia, and Nonproliferation

Ami Bera (D-CA), Chair

February 10, 2022

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 virtually by the Subcommittee on Asia, the Pacific, Central Asia, and Nonproliferation via Cisco WebEx (and available by live webcast on the Committee website at https://foreignaffairs.house.gov/):

DATE: Thursday, February 17, 2022

TIME: 10:00 a.m., EST

SUBJECT: The Burma Crisis, One Year After the Coup

WITNESS: Mr. Craig Hart
Deputy Assistant Administrator
Bureau for East Asia and the Pacific
U.S. Agency for International Development

Mr. Kin Moy
Principal Deputy Assistant Secretary
Bureau of East Asian and Pacific Affairs
U.S. Department of State

*NOTE: Witnesses may be added.

By Direction of the Chair

To fill out this form online: Either use the tab key to travel through each field or mouse click each line or within blue box. Type in information.

COMMITTEE ON FOREIGN AFFAIRS

Note: Red boxes with red type will NOT print.

MINUTES OF SUBCOMMITTEE ON *Asia, the Pacific, Central Asia, and Nonproliferation* HEARING

Day Thursday **Date** February 17, 2022 **Room** *Cisco WebEx*

Starting Time 10:06am **Ending Time** 11:50am

Recesses *0* (____to ____) (____to ____) (____to ____) (____to ____) (____to ____) (____to ____)

Presiding Member(s)

Chair Ami Bera

Check all of the following that apply:

Open Session ☑
Executive (closed) Session ☑
Televised ☑
Electronically Recorded (taped) ☑
Stenographic Record ☑

To select a box, mouse click it, or tab to it and use the enter key to select. Another click on the same box will deselect it.

TITLE OF HEARING:

"The Burma Crisis, One Year After the Coup"

SUBCOMMITTEE MEMBERS PRESENT:

Chair Bera, Ranking Member Chabot, Rep. Sherman, Houlahan, A. Levin, Connolly, Spanberger, Manning, Wagner, Perry, Buck, Burchett, Y. Kim

NON-SUBCOMMITTEE MEMBERS PRESENT: *(Mark with an * if they are not members of full committee.)*

HEARING WITNESSES: Same as meeting notice attached? Yes ☐ **No** ☐
(If "no", please list below and include title, agency, department, or organization.)

Yes

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

SFR, Levin
QFR, Spanberger
QFR - Titus
QFR, Wagner

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED 11:50am

Clear Form

Note: If listing additional witnesses not included on hearing notice, be sure to include title, agency, etc.

Subcommittee Staff Associate

WHEN COMPLETED: Please print for subcommittee staff director's signature and make at least one copy of the signed form. A signed copy is to be included with the hearing/markup transcript when ready for printing along with a copy of the final meeting notice (both will go into the appendix). The signed original, with a copy of the final meeting notice attached, goes to full committee. An electronic copy of this PDF file may be saved to your hearing folder, if desired.

HOUSE COMMITTEE ON FOREIGN AFFAIRS

SUBCOMMITTEE ON ASIA, THE PACIFIC, CENTRAL ASIA, AND NONPROLIFERATION

ATTENDANCE

PRESENT	*MEMBER*
X	Ami Bera, CA
X	Brad Sherman, CA
	Dina Titus, NV
X	Andy Levin, MI
X	Chrissy Houlahan, PA
	Andy Kim, NJ
X	Gerald E. Connolly, VA
	Ted Lieu, CA
X	Abigail Spanberger, VA
X	Kathy Manning, NC

PRESENT	*MEMBER*
X	Steve Chabot, OH
X	Scott Perry, PA
X	Ann Wagner, MO
X	Ken Buck, CO
X	Tim Burchett, TN
	Mark Green, TN
	Andy Barr, KY
X	Young Kim, CA

RESPONSES TO QUESTIONS SUBMITTED FOR THE RECORD

QUESTIONS FOR THE RECORD
APCAN Hearing
"The Burma Crisis, One Year After the Coup"
February 17, 2022
Representative Abigail Spanberger (VA-07) to PDAS Kin Moy

Question: Since the Tatmadaw's coup in February 2021, methamphetamine and other drugs produced in Burma's Golden Triangle region have gone into overdrive,[1] resulting in a spike in transnational drug trafficking.[2] **What have been the spillover effects in the region and globally? Specifically, can you quantify the volume of narcotics, including crystal methamphetamine, meth pills, and heroin, that are destined for other countries, among them the US? Can you describe how the State Department and USAID are collaborating with partners to curtail this transnational drug trade and limit revenue flowing back to Burma?**

Answer:
PDAS Moy: After the coup d'etat, countries across the region have reported significant increases in drug seizures, many of Burmese-origin. For instance, Laos has reported multiple record-breaking seizures, including its largest-ever seizure of 55 million meth pills and 1.5 metric tons of crystal meth in October 2021. The State Department continues to collaborate closely with the interagency representatives, partners in the region, and international organizations to address drug trafficking and transnational crime in Southeast Asia through a wide range of initiatives. The Department plans to fund new projects this fiscal year to support anti-money laundering and border security programming in the Mekong sub-region to increase the capacity of partner countries to interdict precursor chemicals, drugs, and illicit revenue.

---

[1] https://www.voanews.com/a/east-asia-pacific_chemicals-meth-out-asias-booming-golden-triangle-drug-trade/6206451.html
[2] https://www.ft.com/content/2e9ee221-cba4-483d-8799-c2a356af4cb4

QUESTIONS FOR THE RECORD
APCAN Hearing
"The Burma Crisis, One Year After the Coup"
February 17, 2022
Representative Dina Titus (NV-01) to PDAS Kin Moy

Question: Viability of the National Unity Government: One of the driving forces that led to the initial wave of democracy that previously overthrew the Tatmadaw's regime was the influential power of Aung San Suu Kyi's personality. Unfortunately, following her government's complicacy in the persecution of the Rohingya, as well as her own imprisonment by the Junta, her reputation has been damaged and the forces pushing for democracy within the country are somewhat disjointed. Are there any individuals within the National Unity Government (NUG) who you believe have the ability to truly unite the coalition and what resources are we providing them to push back on the military regime's grip on power?

Answer:
PDAS Moy: We continue to support the people of Burma and engage across the coalition of political, civil society, and ethnic minority leaders at senior levels, including the NUG, Committee Representing the Union Parliament, and National League for Democracy leaders, to support a restoration of a multiparty democracy in Burma. Senior U.S. leaders regularly meet NUG senior leaders working to unite the pro-democracy movement, including Acting President Duwa Lashi La and Foreign Minister Zin Mar Aung. We appreciate the NUG's efforts to include a broad spectrum of religious and ethnic groups, including Rohingya, and note that some ethnic armed organizations have also joined hands with the NUG in the National Unity Consultative Council.

Question: US Government interaction with National Unity Government (NUG) armed forces: With the growing political crisis in Myanmar, the on-ground security situation is rapidly deteriorating. The Myanmar military continues to rampage through civilian towns and villages with no regard for any operational code of conduct in its efforts to weed out resistance fighters and activists. Most recently, it has taken a step further by arming and allowing its civilian supporters to operate with impunity, empowering vigilantism. On the other side of that spectrum, the pro-democracy National Unity Government (NUG)- aligned peoples' defense forces (PDFs) are also carrying out targeted killings, arson, and robberies with little to no command, control, and coordination among themselves or with pseudo government. What actions is the US government taking to greater empower the NUG in creating a more stable form of structure and command for the armed fractions of the pro-democracy forces?

Answer:
PDAS Moy: As President Biden and Secretary Blinken have repeatedly stressed, the United States will continue to promote accountability for all those responsible for the military coup d'état and the horrific violence against the people of Burma. We commend the people of Burma for the courage they have shown in peacefully resisting the coup, and we encourage all members of the pro-democracy movement in Burma to practice a strategy of non-violent resistance. We acknowledge that the pro-democracy movement has vowed to comply with international

conventions in the use of force and to protect civilians. We must be clear, however, that the military regime is responsible for the violence and the multiple crises in the country.

Question: ASEAN Engagement on Myanmar: Following the coup, the majority of the international community responded with appropriate concern for the rule of law in Myanmar. After a year, we have been unable to find an effective response to the Tatmadaw's continued stranglehold on power in the country. ASEAN has put out a five point strategy to restore the democratically-elected government, but this has been largely ignored by the military regime who also seems unworried by ASEAN's actions to freeze out the coup leadership from participating in regional dialogues. Cambodian Prime Minister Hun Sen controversially visited Myanmar earlier this year. With Cambodia set to assume the presidency of ASEAN in 2022, how is the United States working to push ASEAN and the international community to take greater steps not to accept the Junta's rule and continue to push to reestablish democratic norms in the country?

Answer:
PDAS Moy: We have urged countries, especially those in the region, to refrain from lending credibility to the regime. With Burma's failure to show progress in implementing the Five-Point Consensus, ASEAN made a historic decision, which Cambodia has maintained, to invite only non-political Burmese representatives to participate in ASEAN Summits. We engage with allies and partners on Burma, and our diplomacy has led to seven unanimous UN Security Council press statements, two G7 statements, two Human Rights Council resolutions, and one UN General Assembly resolution. In addition, the UK, Canada, and EU have announced targeted sanctions in line with our own, and we are actively working to coordinate future actions.

QUESTIONS FOR THE RECORD
APCAN Hearing
"The Burma Crisis, One Year After the Coup"
February 17, 2022
Representative Ann Wagner (R-MO) to PDAS Kin Moy

Question: Deputy Assistant Secretary Moy, what is the status of coordination with Thailand on vaccine delivery? What are the key impediments to preventing COVID vaccination delivery to the Thai-Burma border, and how can the State Department overcome these impediments?

Answer:
PDAS Moy: We continue to work with Thailand to seek additional ways to provide assistance to the people of Burma in the Thailand-Burma border region. We are holding technical discussions with our Thai counterparts on how we can support COVID-19 vaccinations and provide other health and humanitarian assistance both to Burmese refugees in Thailand, as well as to vulnerable populations in Burma. In addition to U.S. government assistance, we have repeatedly requested that Thailand allow international humanitarian organizations access to displaced Burmese in the border region so they can help Thai authorities deliver critical humanitarian assistance.

Question: As the founding co-chair of the ASEAN Caucus, I strongly believe that the Association of Southeast Asian Nations can and should play a constructive role in ending the junta's rule and setting Burma back on the path to democracy. Yet the organization is subject to consensus requirements that often prevent it from taking decisive action. At times, it has also risked legitimizing the Tatmadaw's rule as in the interest of facilitating engagement. Deputy Assistant Secretary Moy, how do you assess ASEAN's response to the coup? How is the United States working with the organization to improve and strengthen the ASEAN-led process?

Answer:
PDAS Moy: We welcomed ASEAN's quick action to develop the Five-Point Consensus shortly after the coup d'état and, we urge ASEAN to continue to hold the regime accountable to the Five-Point Consensus. With Burma's failure to show progress in implementing the Five-Point Consensus, we appreciate ASEAN's principled stand to invite only non-political Burmese representatives to participate in ASEAN Summits. We value ASEAN centrality and look forward to President Biden hosting ASEAN leaders in Washington, where we will raise concerns about Burma. Currently, senior State Department officials are in contact with ASEAN counterparts to promote a peaceful resolution to the crisis and support the people of Burma.

Question: Deputy Assistant Secretary Moy, what are China's intentions in Burma and how is the United States ensuring that the PRC is not exploiting this crisis to solidify its dominance in Burma?

Answer:
PDAS Moy: We have urged the PRC to encourage the Burmese military leadership to reverse its actions and refrain from violence. Since last February, when Secretary Blinken met with PRC

officials in Alaska, we have continued to urge Beijing to press the regime to cease the violence and promote dialogue including all stakeholders. We have made clear that no country will benefit from this coup d'état. Political and economic instability in Burma is not in the interest of China, the region, or the world. We reached consensus with China on several UN Security Council statements denouncing violence and calling for an end to and accountability for the violence.

○