

United States Senate

WASHINGTON, DC 20510

November 14, 2018

Vice President Michael R. Pence
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Vice President Pence,

Although there are many important issues to raise at the upcoming summit meetings in Southeast Asia, we urge you to use the full power of your office to help address the massive humanitarian tragedy in Burma stemming from a systematic campaign of ethnic cleansing committed by the Burmese military against the Rohingya. The Burmese government has not demonstrated sufficient progress to date in addressing the roots of the crisis, reaching those in need, and holding those responsible for crimes to account. You have the ability to help make significant strides as you engage with key allies and partners in the region.

The situation is dire. The United States government, the United Nations, and numerous non-government organizations have painstakingly documented widespread abuses — including killings, mass rapes, and arson — at the hands of Burmese security forces and Rakhine Buddhist groups. These violent offenses led to up to 40,000 deaths and caused 730,000 Rohingya, mostly women and children, to flee to Bangladesh.¹ Yet one year later, the Rohingya are no closer to the just and secure conditions they deserve.

The Burmese government has made no demonstrable progress in supporting the safe and voluntary return of Rohingya back to Rakhine state. It has failed to take demonstrable steps to demilitarize northern Rakhine state, provide humanitarian organizations access to displaced populations, or hold perpetrators of attacks against the Rohingya accountable for their crimes. The government of Bangladesh, despite its generous efforts to support this vulnerable population, faces a serious humanitarian burden as it struggles to address the development needs of its own population. During his October 24 remarks, the chairperson of the United Nation's fact-finding mission said "atrocities continue to take place today" against the Rohingya community that remains in Burma unable to flee the conflict.²

Despite these conditions, the Governments of Bangladesh and Burma have reportedly agreed to start the repatriation of Rohingya refugees back to Rakhine state, potentially as early as this week. Yet a spokesperson for the United Nations High Commission for Refugees has said the agency "does not believe that conditions are currently in place for voluntary, safe, dignified, and

¹ United Nations High Commission for Refugees website: https://data2.unhcr.org/en/situations/myanmar_refugees

² John Sifton, *Myanmar's 'Genocidal Acts' Demand UN Action*, Human Rights Watch (Oct. 26, 2018), <https://www.hrw.org/news/2018/10/26/myanmars-genocidal-acts-demand-un-action>.

sustainable return of Rohingya refugees.”³ The UN Special Rapporteur on Human Rights has said, “The government has failed to provide guarantees they would not suffer the same persecution and horrific violence over again.”⁴ Should authorities in Dhaka and Nay Pyi Taw proceed with this forced repatriation plan as currently announced, we are concerned that further atrocities and humanitarian suffering that would have severe consequences for the rest of Southeast Asia may occur. According to analysts, a prolonged humanitarian crisis would cause a repeat of the 2015 migration crisis, when Rohingya began to leave Rakhine state by boat for other Southeast Asian countries.⁵ As a result, a number of Rohingya who died at sea, were victims of human traffickers, or in some in cases, were buried in mass graves in countries such as Thailand and Malaysia. Just last week dozens of Rohingya boarded boats to try to reach Malaysia.⁶ Furthermore, vulnerable Rohingya communities risk becoming a powerful propaganda tool and recruiting pool for radicalization and terrorist activities in Southeast Asia.⁷

In 2017, you addressed the UN Security Council and stated that, with respect to the situation in Burma, “in Southeast Asia, we see heartbreak and assaults on human rights and innocent civilians that’s ultimately endangering the sovereignty and security of the entire region.”⁸ We thank you for your strong statement, commitment to international religious freedom, and believe that your participation in this year’s East Asia Summit (EAS) is an important opportunity to engage the Association of Southeast Asian Nations (ASEAN) on this issue.

While ASEAN has historically taken a position of non-interference and only takes action through consensus, its member states are aware of the gravity of the crisis in Burma. Indonesia and Malaysia have publicly denounced the ethnic cleansing of the Rohingya. During this year’s United Nations General Assembly, ASEAN foreign ministers reportedly pressed the Burmese government to establish an independent commission of inquiry to ensure accountability for victims. The foreign minister of Singapore (this year’s ASEAN chair) told his country’s parliament about the engagement at the United Nations: “We expressed our grave concern with these alleged acts of violence This is a man-made humanitarian disaster and something which should not be happening in this day and age.”⁹ In August, more than 130 Members of Parliament across Southeast Asia signed a letter calling for an end to human rights violations and for accountability for the crimes perpetrated against the Rohingya.¹⁰

³ <https://www.theguardian.com/world/2018/oct/30/bangladesh-and-myanmar-agree-to-start-rohingya-repatriation-in-mid-november>

⁴ <https://www.voanews.com/a/un-myanmar-expert-urges-bangladesh-to-halt-rohingya-repatriation-plan/4647134.html>

⁵ Angshuman Choudhury, *Why Are Myanmar’s Neighbors Ignoring the Rohingya Crisis?*, The Diplomat (Sept. 25, 2018), <https://thediplomat.com/2018/09/why-are-myanmars-neighbors-ignoring-the-rohingya-crisis/>.

⁶ https://in.reuters.com/article/myanmar-rohingya/dozens-of-rohingya-leave-camps-by-boat-reviving-memories-of-2015-tragedy-idINKCN1ND1MR?utm_medium=Social&utm_source=Twitter

⁷ International Crisis Group, Report No. 292/Asia, *Myanmar’s Rohingya Crisis Enters a Dangerous New Phase* (Dec. 7, 2017), <https://www.crisisgroup.org/asia/south-east-asia/myanmar/292-myanmars-rohingya-crisis-enters-dangerous-new-phase>.

⁸ <https://www.whitehouse.gov/briefings-statements/remarks-vice-president-un-security-council/>

⁹ *Myanmar’s neighbours urge accountability for Rohingya violence*, Al Jazeera (Oct. 2, 2018), <https://www.aljazeera.com/news/2018/10/myanmar-neighbours-urge-accountability-rohingya-violence-181002100115182.html>.

¹⁰ <https://aseanmp.org/2018/08/24/mp-statement-rohingya-crisis/>


Your trip presents a clear opportunity to promote the values and ideals in which Americans strongly believe. Silence and inaction in the face of atrocities is not acceptable. As Holocaust survivor Ellie Wiesel reminds us, “neutrality helps the oppressor, never the victim.” The United States is not responsible for the atrocities in Burma, but we will be judged by how we respond. As such, we urge you to encourage ASEAN member states to play a more constructive role in addressing the plight of the Rohingya by pushing for:

- commitments from the Burmese government for safe and voluntary returns of Rohingya in collaboration with the UN Refugee Agency (UNHCR) and in consultation with the Rohingya communities, and to stop any premature repatriation before the conditions are in place;
- unfettered access for international humanitarians, human rights investigators, and press into northern Rakhine state;
- implementation of recommendations laid out by the Kofi Annan Commission¹¹ to end systematic state discrimination against the Rohingya and promote reconciliation between Buddhist and Muslim communities in Rakhine State; and
- commitments from the Burmese government to allow for an independent international commission of inquiry, with support from the ASEAN Intergovernmental Panel of Human Rights, and the commencement of proceedings this year

By conveying these key messages, your diplomatic engagements at EAS can yield concrete progress, and position both the United States and ASEAN as leaders in resolving the humanitarian crisis in Rakhine— and as a constructive partner for both Bangladesh and Burma in the years ahead.

Thank you for your attention to this matter. We stand ready to work with you in addressing this critical foreign policy challenge.

Sincerely,



Edward J. Markey
United States Senate



Chris Van Hollen
United States Senate



Richard J. Durbin
United States Senate



Tammy Baldwin
United States Senate

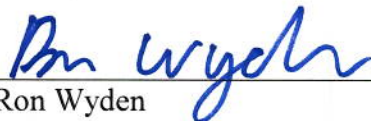
¹¹ Advisory Commission on the Rakhine State, Final Report, *Towards a Peaceful, Fair and Prosperous Future for the People of Rakhine* (Aug. 2017), http://www.rakhinecommission.org/app/uploads/2017/08/FinalReport_Eng.pdf.



Jeanne Shaheen
United States Senate



Benjamin L. Cardin
United States Senate



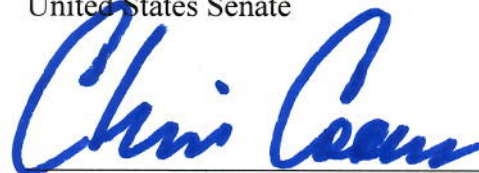
Ron Wyden
United States Senate



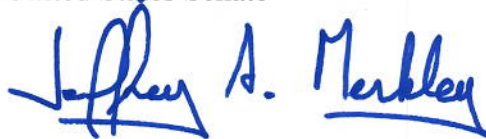
Susan M. Collins
United States Senate



Tammy Duckworth
United States Senate



Christopher A. Coons
United States Senate



Jeffrey A. Merkley
United States Senate



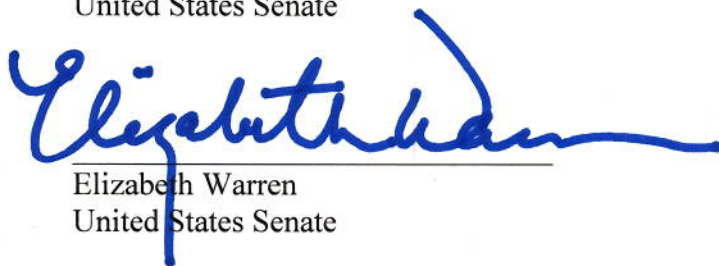
Cory A. Booker
United States Senate



Kirsten Gillibrand
United States Senate



Amy Klobuchar
United States Senate



Elizabeth Warren
United States Senate



Sherrod Brown
United States Senate

cc: The Honorable Mike Pompeo