

THE BURMA ACT OF 2021

SUGESSTIONS from the Chin Association of Maryland, Inc.

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The Chin Association of Maryland, Inc. (CAM) supports the “**Burma Unified through Rigorous Military Accountability Act of 2021**” or the “**BURMA Act of 2021**”.

We support the BURMA Act of 2021 because it would take steps to help restore the democratically elected government of Burma. It would establish an inclusive political dialogue in Burma, which would be a step toward establishing a federal democratic union.

CAM supports provisions in the Act, as described to us, that would

- impose sanctions against the Burmese military and its partners;
- support reconciliation and provide humanitarian assistance;
- create accountability for committing human rights abuses including genocide; and
- establish the Sanctions and Policy Coordinator for Burma, led by a Deputy Assistant Secretary of State (Note: CAM has been advocating to establish a Special Envoy for Burma, who would have similar responsibilities and duties.)

CAM suggests the following changes that we understand have not been included in the Act. These changes would make the Act more relevant to the current situation on the ground in Burma:

1. Establish A Federal Democratic Union of Burma

It is important that the Act mention “federal democratic union,” not just democracy. The political crisis in the union of Burma is not only about promoting democracy or human rights. For over a half a century, the Burmese military regimes have been persecuting the ethnic nationalities and the religious minorities. Resolving the political crisis in Burma is about respecting minority rights and autonomy. That is what the ethnic armed organizations (EAOs) have been fighting for all these years. A “federal democratic union” would help ensure those rights are safeguarded. NUG’s duties include “establishing a federal democratic union” (see building a federal democratic union” under the Duties of NUG, <https://gov.nugmyanmar.org/about-nug/>). It is important that the bill restores civilian governance and ensures strong oversight over the military, but it should also mention the

importance of establishing a federal democratic union that safeguards full autonomy for the internal administration of states or regions.

2. Abolish the 2008 Constitution

The Act should clearly mention abolishing the 2008 Constitution rather than reforming it (see NUG's duties to abolish the 2008 Constitution). The ethnic political organizations and ethnic armed organizations have the same goal to abolish it.

3. Do Not Advocate for a Nationwide Ceasefire Agreement

The Act should also not advocate for the implementation of the Nationwide Ceasefire Agreement (NCA). It ceased being a just and viable instrument for maintaining peace when the military illegally took power on February 1, 2021. If included in the Act, many ethnic political organizations and ethnic armed organizations will strongly oppose it. The Act should instead advocate an inclusive peace process that would lead to establishing a federal democratic union.

4. Include engagement with Malaysia and India

Both Malaysia and India should be included in the bill because they both have a large stake in the return of refugees. According to UNHCR in Malaysia, there are 154,860 refugees from Burma, of which 102,990 are Rohingyas (<https://www.unhcr.org/en-us/figures-at-a-glance-in-malaysia.html>, CAM's Report, September 2020: <https://chinmd.org/wp-content/uploads/2020/10/Chin-Refugees-Final-Oct-8-2020.pdf>) According to the Mizoram State government, since February 1, an estimated 20,000 Chins have fled to Mizoram seeking refuge. New Delhi has about 3,000 refugees. Besides hosting a large number of refugees Malaysia is an influential political and economic nation in the region. India likewise is very influential, as a Quad member, and the world's largest democracy. Both countries can and should play a big role to put pressure on the military regime in Burma to change its behavior.

5. Provide Karenni State and Mon State with humanitarian assistance

The Act should provide Karenni State (also known as Kayah State) and Mon State with access to humanitarian assistance from UN Agencies and the international community. After the February coup, Karennis have been severely targeted by the military, creating over 82,000 new internally displaced persons. Also, at least eight Catholic churches in Karenni State have been destroyed by the military.

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