

117TH CONGRESS
2D SESSION

H. RES. 896

Condemning the Burmese military for perpetrating gross violations of human rights as part of its brutal campaign to suppress the democratic aspirations of the people of Burma, a year after the coup d'état on February 1, 2021.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 1, 2022

Ms. ESHOO (for herself, Mr. LEVIN of Michigan, Mr. CHABOT, Ms. TENNEY, Mr. MEEKS, Mr. BERA, Mr. SUOZZI, Mr. FITZPATRICK, Mr. KHANNA, Mr. LOWENTHAL, Mr. CICILLINE, Mr. CONNOLLY, Mr. RICE of South Carolina, Ms. SCHAKOWSKY, Mrs. NAPOLITANO, Mrs. LAWRENCE, Mr. COHEN, Ms. MENG, Mr. MCGOVERN, Mr. PRICE of North Carolina, Ms. MANNING, Ms. TITUS, Mr. MEIJER, and Mr. JACKSON) submitted the following resolution; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

RESOLUTION

Condemning the Burmese military for perpetrating gross violations of human rights as part of its brutal campaign to suppress the democratic aspirations of the people of Burma, a year after the coup d'état on February 1, 2021.

Whereas after a decade of promising democratic reforms in Burma, the Burmese military (hereinafter referred to as the “Tatmadaw”) launched a coup against the civilian

government on February 1, 2021, preventing a democratically elected Parliament from being seated;

Whereas the Tatmadaw seized control of the Government, declared a national state of emergency, and unlawfully detained many democratically elected officials, including State Councilor Aung San Suu Kyi, President Win Myint, and dozens of Members of Parliament affiliated with the National League for Democracy (NLD);

Whereas Burma's elections in November 2020 resulted in the NLD securing enough seats in Parliament to form the next government, notwithstanding the disenfranchisement of more than 1,500,000 voters, mostly from ethnic minority communities in the Kachin, Karen, Mon, Rakhine, Shan, and Chin states;

Whereas, on February 1, 2021, President Biden issued a statement condemning the coup as a "direct assault on [Burma's] transition to democracy and the rule of law" and called on the international community to come together to press the Tatmadaw to relinquish power;

Whereas the House of Representatives adopted H. Res. 134 on March 19, 2021, condemning the coup and calling for the restoration of civilian government and the release of detained officials;

Whereas the people of Burma, insistent that their country continue along the path toward democracy, courageously organized a civil disobedience movement and took to the streets to demand that the Tatmadaw relinquish power;

Whereas, on April 16, 2021, democratically elected Members of Parliament, who had been denied the opportunity to serve by the Tatmadaw, formed a National Unity Gov-

ernment that asserts it is the legitimate Government of Burma;

Whereas the Tatmadaw has used lethal force, including extrajudicial executions, to violently suppress the pro-democracy movement, killing more than 1,400 unarmed people since the coup began last year;

Whereas the Tatmadaw has relied heavily on mass arrests to stifle dissent and has detained more than 10,700 protesters, activists, and journalists since February 2021;

Whereas the Tatmadaw has used brutal and inhumane methods to intimidate, degrade, and torture detainees;

Whereas Tatmadaw soldiers have perpetrated rape and other forms of sexual violence with impunity;

Whereas the Tatmadaw has employed digital authoritarian tools and tactics to silence opposition, including internet shutdowns, online censorship, and high-tech surveillance;

Whereas the Tatmadaw has eroded the independence of the Burmese judiciary and conducted sham trials to convict political prisoners including State Councilor Aung San Suu Kyi and President Win Myint;

Whereas the Tatmadaw continues to perpetrate a horrific ethnic cleansing campaign against the Rohingya Muslim population in Burma's Rakhine State and has also committed atrocities against other ethnic minority communities in the Kachin, Karen, Mon, Rakhine, Shan, and Chin States, that the United Nations Independent Investigative Mechanism for Myanmar has indicated amount to crimes against humanity;

Whereas the House of Representatives adopted H. Res. 1091 on December 13, 2018, expressing the sense of the House of Representatives that the atrocities committed

against the Rohingya by the Tatmadaw constitute genocide;

Whereas the turmoil caused by the coup and the Tatmadaw's violence and mismanagement of the economy have resulted in a severe humanitarian crisis that, according to a recent United Nations report, is projected to drive nearly half the Burmese population into poverty this year;

Whereas the deteriorating security situation in Burma following the coup has resulted in the internal displacement of nearly 300,000 people and prompted thousands more to flee the country as refugees;

Whereas the Biden administration has frozen more than \$1,000,000,000 in Burmese Government funds held in the United States and coordinated with the European Union, Canada, and the United Kingdom to impose targeted sanctions against individuals and entities responsible for the coup, including Min Aung Hlaing, the commander in chief of the Tatmadaw;

Whereas numerous civil society and human rights groups have recommended additional sanctions targeting the largest sources of the Tatmadaw's foreign currency revenue such as the state-controlled natural gas, mining, and timber entities, including the highly lucrative Myanmar Oil and Gas Enterprise; and

Whereas the Independent Investigative Mechanism for Myanmar, which was established by the United Nations Human Rights Council to investigate the Tatmadaw's crimes against humanity and compile evidence for future prosecutions, is crucial to ensuring accountability for

atrocities and bringing justice to the people of Burma:
Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) condemns, in the strongest possible terms,
3 the military coup that took place in Burma on Feb-
4 ruary 1, 2021;

5 (2) denounces the Tatmadaw for perpetrating
6 gross violations of human rights as part of its brutal
7 campaign to suppress the democratic aspirations of
8 the people of Burma;

9 (3) stands in solidarity with the courageous
10 people of Burma as they struggle to wrest political
11 power from the hands of their authoritarian mili-
12 tary;

13 (4) calls on the Tatmadaw to—

14 (A) cease all violence against prodemocracy
15 activists and reach a cease-fire with ethnic
16 armed organizations;

17 (B) release all political prisoners;

18 (C) engage in constructive dialogue with all
19 parties to negotiate a pathway toward a govern-
20 ment that reflects the will of the Burmese peo-
21 ple;

22 (D) grant humanitarian actors unhindered
23 access to all relevant areas of Burma to help al-
24 leviate the immense suffering that has resulted

1 from this past year's violence and the COVID–
2 19 pandemic; and

3 (E) respect the human rights and civil lib-
4 erties of all people of Burma, including ethnic
5 minorities who currently face state-sponsored
6 persecution; and

7 (5) calls on the President, and the relevant
8 Federal agencies, to take immediate action to—

9 (A) work with international partners and
10 multilateral institutions, including the United
11 Nations Security Council, to enact new targeted
12 sanctions on individuals and entities affiliated
13 with the Tatmadaw, including an international
14 arms embargo and a prohibition on the sale of
15 aviation fuel to the Burmese military;

16 (B) coordinate with like-minded partners
17 and allies to restrict the Tatmadaw's ability to
18 finance its military operations by imposing new
19 sanctions on Tatmadaw-linked individuals as
20 well as Tatmadaw-controlled entities, including
21 state-owned enterprises;

22 (C) issue public warnings to businesses
23 and individuals outlining the legal liability of
24 doing business with the Tatmadaw, including

1 potential liability associated with the
2 Tatmadaw's crimes against humanity;

3 (D) enhance enforcement of existing sanc-
4 tions prohibiting the importation of precious
5 and semiprecious gemstones, jade, and amber
6 from Burma to the United States;

7 (E) provide robust humanitarian assistance
8 in Burma, Bangladesh, Thailand, and the sur-
9 rounding region and ensure that targeted sanc-
10 tions allow all necessary exemptions to permit
11 the delivery of humanitarian assistance to civil-
12 ians in need;

13 (F) ensure that United States-based social
14 media companies, including Facebook, not allow
15 their platforms to be used as vehicles for
16 disinformation campaigns or advocating vio-
17 lence against the Burmese people;

18 (G) make a genocide determination with
19 regards to the persecution of the Rohingya;

20 (H) direct the United States Permanent
21 Representative to the United Nations to use the
22 voice, vote, and influence of the United States
23 to bring about greater international cooperation
24 to pursue justice and accountability in Burma;
25 and

1 (I) support inclusive international account-
2 ability efforts, including the Independent Inves-
3 tigative Mechanism for Myanmar, with a par-
4 ticular emphasis on Burma's civil society orga-
5 nizations, to investigate and hold perpetrators
6 of atrocities accountable.

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