

Press Releases: Senior State Department Officials On the Situation in Burma

Special Briefing
Senior State Department Officials
Via Teleconference
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MODERATOR: Good morning. Thank you, sir. Good morning, thanks, everyone, for joining us for today's background call on Secretary Tillerson's announcement related to the situation in Burma. So to discuss the decision that was made yesterday in more detail, we have [Senior State Department Official One], who will be referred to as Senior State Department Official Number One. We also have with us today [Senior State Department Official Two], who will be referred to as Senior State Department Official Two. As a reminder, today's call is on background and will be embargoed until the conclusion of the call.

With that, I'll turn it over to [Senior State Department Official One] for some brief remarks, and then [Senior State Department Official Two] will take some questions as well. Thank you. [Senior State Department Official One], go right ahead.

SENIOR STATE DEPARTMENT OFFICIAL ONE: Okay, great. Good morning, everyone. Thanks for joining us this morning. Happy early Thanksgiving. I wanted to start off here this morning by drawing your attention to the Secretary's statement which was just released this morning regarding his recent trip to Burma and our continued efforts with the international community to address the crisis there in Rakhine State. As you no doubt have already seen, the Secretary notes in his statement his recent visit to Naypyidaw, the capital of Myanmar, on November 15th, where we met separately with both State Counsellor Aung San Suu Kyi and the commander in chief of the armed forces, Senior General Min Aung Hlaing.

The Secretary reaffirmed the United States' strong commitment to Burma's successful democratic transition as the elected government strives to implement reforms there and bring peace and reconciliation to the country, and also to resolve the devastating crisis in Rakhine State. Of course, our first priority is to relieve the intolerable suffering faced by so many, and in response to that situation, the Secretary, while he was in Burma, announced additional humanitarian assistance of 400 – \$47 million for those affected by the crisis, bringing our total to \$87 million spent since August of this year.

Burma's response to the crisis, the Secretary has noted, is vital to determining the success of its transition to a more democratic society, and that the key test of any democracy is how it treats its most vulnerable and marginalized populations, such as the ethnic Rohingya and other minority populations. Burma's government and security forces must respect the human rights of all persons within its borders and hold accountable those who fail to do so.

The Secretary reiterated his condemnation of the security – the attacks on security forces on August 25th by the Arakan Rohingya Salvation Army, or ARSA, but he noted that no provocation can justify the horrendous atrocities that ensued. The abuses by some among the Burmese military, security forces, and local vigilantes caused tremendous suffering and forced hundreds of thousands, as we know, of men, women, and children to flee their homes in Burma to seek refuge in Bangladesh.

After a careful and thorough analysis of the available facts, the Secretary has noted that it is clear that the situation in northern Rakhine State constitutes ethnic cleansing against the Rohingya. He has also noted that those responsible for these atrocities must be held accountable, and that the United States continues to support a credible, independent investigation to further determine all of the facts on the ground to aid the process of accountability. We have supported constructive action on the Rakhine State crisis at the UN Security Council and in the UN General Assembly's Third Committee, and will also pursue accountability through U.S. law, including possible targeted sanctions.

Of course, the Secretary has been clear and consistent in noting our support for the Burmese Government's commitment to create conditions necessary for all the refugees and internally displaced persons to return to their homes safely and voluntarily, and we welcome the recent exchanges between the governments of Burma and Bangladesh on the ability to repatriate these individuals voluntarily.

We note that support by military – Burma's military for the government efforts in this regard is crucial, and that this is a difficult and complex situation that many stakeholders have to work together to address.

And I'll just note further from the Secretary's statement that the efforts by the United States on this crisis have focused first on ending the violence; second on ensuring a path for repatriation for those displaced; third, expanding access for humanitarian assistance and the media in Rakhine State; seeking accountability for reported atrocities; and supporting longer-term solutions for the root causes of tensions and conflict in Rakhine State.

And I'll just note here that this is a very complex and long-running tragedy that's not the first time that we've faced these kinds of crises with the Rohingya in Rakhine State and with other ethnic groups in Rakhine State, although it is certainly the most dramatic and numerous number of refugees that we've seen.

I think, on the repatriation of refugees, we understand that both Burma and

Bangladesh are close to reaching an agreement on a process for voluntary repatriations of displaced persons, and we have been noting positive comments from officials of the civilian government in Burma in this regard recently. We also note that support for these processes by Burma's military will be crucial, and that we're committed to working with Burma and others in the region to help the government and its people work through this crisis.

And now I'd like to turn it over to [Senior State Department Official Two] for his additional comments.

SENIOR STATE DEPARTMENT OFFICIAL TWO: Thank you. I'd like to stress just a few points. First of all, the determination and the description included in the press release was done after very careful and thorough analysis at the request of the Secretary. We believe it's a very accurate description of the situation. It underscores the gravity and the urgency of the situation. We continue to urge all the parties to end the cycle of violence and to restore the rule of law, and we want to emphasize the need for remediation, returns, and accountability. Thank you.

MODERATOR: Okay. And with that, I think we're ready to take your questions.

OPERATOR: And ladies and gentlemen, if you'd like to ask a question, press * followed by 1 on your touchtone phone. You'll hear an acknowledgment indicating you have been placed in queue. And you can remove yourself from queue any time by pressing the pound key. Once again, press *1 on your touchtone phone to queue up for a question. One moment, please, for your first question.

And our first question will come from Barbara Usher with BBC.

QUESTION: Thank you. Could you clarify whether there are any obligations, first of all under international law, and secondly under U.S. law, that come from designating this as ethnic cleansing?

SENIOR STATE DEPARTMENT OFFICIAL TWO: Yes. The term "ethnic cleansing" is not defined in the context of either international law or domestic law. However, it is a descriptive term, and it carries with it, again, the sense of urgency. So it does not require any new obligations, but it does emphasize our concern about the situation and the importance of remediation, and to reverse the ethnic cleansing and make sure people can go home voluntarily and live their lives in dignity.

QUESTION: And can I just follow up with that? Are there any actions the government is going to take because of this determination, or is just leaving it under considering possible targeted sanctions? Is that the – is that just in abeyance for now, or will there be some action taken because of the determination?

SENIOR STATE DEPARTMENT OFFICIAL ONE: Yes. I assume you mean "the government" meaning the U.S. Government.

QUESTION: The U.S. Government.

SENIOR STATE DEPARTMENT OFFICIAL ONE: I think one – yeah. One thing that we anticipate is that the sort of determination that this ethnic cleansing has occurred will increase pressure on the parties to try to reach an accommodation about repatriation of people who are displaced, and also pressure on the military in Burma and the civilian government to work quickly to respond to events on the ground.

As far as actions by the U.S. Government, I think the determination, it doesn't in any way take away from our continued efforts to pursue outside objective and sort of rigorous investigation of the facts on the ground to find out what happened and to get more information about what's actually happened on the ground, and also to look at accountability for abuses and atrocities that have been perpetrated on the ground, including looking at the possibility of targeted sanctions for those responsible, if we should be able to reach those conclusions.

So I think all of our efforts that were ongoing before this determination are continuing, but the fact of the determination, as [Senior State Department Official Two] mentioned, has highlighted and reinvigorated the attention and the urgency on the issue.

QUESTION: Okay.

MODERATOR: Thank you. Next question, please.

OPERATOR: Next up we have Josh Lederman. Your line's open; go ahead.

QUESTION: Hey, thanks for doing this. Just a quick housekeeping thing first. One, I request if we can move this call on the record, given that the Secretary's already spoken about this on the record, and especially for our broadcast colleagues.

And then I was wondering if you could say – why are you only considering targeted and not broad-based sanctions? I mean, we had broad sanctions on Myanmar until relatively recently. It would seem that something as atrocious as ethnic cleansing might be the kind of thing that would merit something beyond going after a few individuals. And to that end, are you still actively considering designations for genocide or crimes against humanity? Thanks.

SENIOR STATE DEPARTMENT OFFICIAL ONE: Okay. Yes. Sure. So I think on the issue of sanctions the story of Burma is a long-running and complicated story. And basically, the civilian government has been in power there in this power-sharing arrangement that's uniquely set out in the Burmese constitution for about 18 months. The U.S. Government is very much interested in supporting the civilian government's transition. We believe that the advent of a successful transition to a civilian government will be beneficial to all of the ethnic groups that are involved in long-running conflicts throughout the country, including in Rakhine State, but also in Kachin State and Shan State. There are a lot of displaced persons around Burma. There is the longest-running civil war in modern history going – continuing there, in effect, and the government is engaging in a peace process to try to bring together the various of the 135 different ethnic groups in that country to

try to resolve some of these long-running conflicts that are causing a lot of suffering throughout the country.

I think the issue of the broad-based sanctions which the Secretary spoke to I think quite eloquently in his press conference in Naypyidaw, when we were in Burma, the target – the broad-based economic sanctions, at the time they were levied, were aimed at bringing pressure on the military junta in Burma to bring about this transition of power which has now occurred. And the key to continuing the success of that transition is to allow the economy to develop, to get a peace process going that can put some of these conflicts behind, in the rearview mirror, and to try to allow the country to move forward in a peace – on peaceful development.

So I think the idea of again levying broad-based economic sanctions is not something that we think is going to be very productive either for getting at accountability or for the broader set of purposes that the U.S. is trying to achieve in Myanmar. So on the issues of other legal processes, I'll defer to [Senior State Department Official Two] on those.

SENIOR STATE DEPARTMENT OFFICIAL TWO: Yes, just to answer your second – the second part of your question, unlike the term “ethnic cleansing,” the terms “crimes against humanity” and “genocide” are specific crimes under international law and there is very serious legal consequences, and in the end it's really a court that has to decide that, as we've just seen with the verdict against Mladic in Bosnia. So we would need to do a much more – much deeper analysis, much more extensive legal analysis.

This determination in no way prejudices any further analysis we're doing, and we will continue to evaluate the situation and analyze the situation. But at this time, there's no determination of crimes against humanity or genocide.

MODERATOR: Okay, thank you. Next question, please.

OPERATOR: And next up we have Michelle Kosinski from CNN. Go ahead.

QUESTION: Hi, thank you. I mean, in several times mentioning the word “urgency,” in light of the fact that this has been going on for three months now and hundreds of thousands of people have fled the country, doesn't the situation just highlight that again the world has watched ethnic cleansing take place and there still doesn't seem to be an acceptable way to intervene? And when the Secretary's statement talks about potential sanctions, is that something that's already being looked at? Thanks.

SENIOR STATE DEPARTMENT OFFICIAL ONE: I'll answer the first part of the question. So I think – I mean, one thing that it's important to remember is that this current crisis was touched off by attacks that were perpetrated on August 25th by the Arakan Rohingya Salvation Army against more than 20 military posts inside of Myanmar, and that the reaction to that, to those attacks by that extremist terrorist group was what touched off the exodus of people from Myanmar. So I don't think people have stood by. I think there's been a lot of efforts by many governments and many organizations to try to stem the outflow, to help people who are suffering, to work with the

Government of Myanmar to try to figure out how to respond to this crisis.

The discussions that we had in Burma reinforced the point as well that the attacks by this Arakan Rohingya Salvation Army on August 25th actually occurred on the exact same day that the report and recommendations from the Kofi Annan commission – which was an international advisory body that was brought in by the Burma Government to try to make recommendations about how to resolve – over the longer term – all of the ethnic tensions, in particular also in Rakhine State, and there are a number of ethnic groups there that have been traditionally repressed and treated badly and have grievances. So I think one of the things that we want to focus on is try to relieve the current crisis, but also make sure that we, in doing so, leave the government in a position for it to be able to get back to the recommendations that were in the Kofi Annan report, which the U.S. Government fully supports.

I think in the meantime, the focus – and you mentioned urgency – has to be on getting humanitarian aid and assistance to the people who are suffering in – both within Burma, because there are a number of displaced people there, but also especially those in Bangladesh in these camps; support the Burma and Bangladeshi governments on their negotiations and processes they're developing to get people to be able to go back, make sure that we can make sure they can return in a secure environment; and then pursue the investigation and the accountability tracks that the Secretary has spoken about so often.

I think the question about sanctions – I mean, I mentioned that there's – and the Secretary has also spoken about this, what kinds of sanctions we're looking at. We already have a number of sanctions in place against the Burmese military with regard to visa sanctions coming from the 2008 JADE Act, so we have a number of sanctions in place already. And we have limits on our engagement stemming from those sanctions' limits on our engagement with the Burmese military, but I think we're looking at additional sanctions targeting individuals responsible for specific acts of violence, which would go beyond the current JADE Act sanctions, and we're looking at those currently.

QUESTION: Thank you.

MODERATOR: Thank you. Next question, please.

OPERATOR: Next up we have David Brunnstrom with Reuters. Go ahead, sir.

QUESTION: Yeah. Thank you very much for doing this. I just wondered if I could ask, in the department's view, how much responsibility does the civilian part of the government have for this situation, and do you feel that the leaders of that – of the civilian government, including Aung San Suu Kyi, have done enough and said enough to help resolve the situation? Thank you.

SENIOR STATE DEPARTMENT OFFICIAL ONE: Yeah. Well, I think this question has come up before, and we certainly feel that the civilian government in Burma has responsibility for working to try to resolve this crisis. Certainly, there's been a lot of discussions with the civilian government about this issue. We were recently in Asia with President Trump at the East Asia Summit

and the U.S.-ASEAN Summit, where Aung San Suu Kyi was present, and engaged in conversations with her there as well as did all of the other leaders that were gathered. Most recently there's been a meeting of the foreign ministers of Asia and Europe that was held in Naypyidaw, in Burma, just this week, and again, all of the leaders – foreign ministers of the Asian and European countries were meeting there and had the chance to engage the civilian government – the officials and Aung San Suu Kyi herself – on the crisis.

So I think she's been very much engaged, and her government's been very much engaged in trying to find solutions, working on ways of allowing for humanitarian access without fomenting additional violence and unrest, also working with the Government of Bangladesh to pursue this agreement on repatriation, and I think – I mentioned the unique situation with the power-sharing arrangement there in Burma. I mean, there are a lot of things that the civilian government just frankly doesn't control under the current constitution, and she is going to have to work with the military on those areas such as borders, security, access to certain parts of the country that are in conflict. Those areas are all controlled by the military.

So it's not a situation that is completely under her authority, but certainly, we are counting on her to show leadership and also to work through the civilian government with the military to address the crisis. And I think she has been speaking out. Certainly, the whole effort behind the Kofi Annan commission came from the civilian government and was pushed by them, although it wasn't universally popular inside the country. So I think she has been doing as much as she could to try to, before the crisis, address sort of longer-term problems in Burma through the peace process and the Annan recommendations, but also since the crisis to do what she can to promote a resolution.

I think we need to continue to support her in that and keep pushing the civilian government in Burma and the military, frankly, to do more.

MODERATOR: Okay, [Senior State Department Official One], thank you. Next question, please.

QUESTION: Next up we have Nike Ching with Voice of America. Go ahead.

QUESTION: Thank you very much and happy Thanksgiving to all of you. My question is regarding the repatriation. So in your statement and as the official just said that Secretary Tillerson welcomed the recent of exchange between the Government of Burma and Bangladesh on repatriation, my question is: What is the target number that Myanmar will take back – will take the Rohingya refugees back per day? How does the United States weigh in on the repatriation? The reason I ask is there are more than 600,000 refugees and it may take years if it's only hundred per day who are sent back to Myanmar. And was that being discussed with Aung San Suu Kyi while the Secretary was there? Thank you very much.

SENIOR STATE DEPARTMENT OFFICIAL ONE: Yeah, thank you. Well, I think you touch on an important point, which is that this is not something that's probably going to be able to even logistically happen overnight. I'd also

point out that this is something that's been taking place – the movement of refugee flows from Rakhine to Bangladesh and back has been taking place over decades. So the Bangladesh and Burmese governments actually had in place an agreement from 1992 on a similar issue of repatriations of Rohingya displaced persons back to Myanmar. So it's not a new issue for them. I think what they are looking at, and they are working on a process, for is to start the repatriations with those who have fled from Burma most recently; and they're making progress on coming up with a new agreement that they can – under which they could start this process.

But I think it's – even if they come up with an agreement on how to start this process and come up with a fairly reasonable standard that people would have to meet in order to show that they were resident in Burma and thus could return there, the more sort of urgent and important thing is: Will they feel safe enough to return to the places that they vacated? When we were in Burma, the civilian government talked about efforts underway to rebuild some of the villages that were destroyed in the areas where the displaced persons were living, but I think beyond the issue of rebuilding villages is going to be the issue of security: Are they going to feel secure enough to return? And that's something that – we focused on the issue of voluntary returns. We don't want people to be forced to return to a situation in which they feel uncomfortable because that won't be sustainable.

So I think there are a lot of issues that are going to come up in this issue of repatriations, but I think we want to encourage both of the governments to have goodwill and establish more trust so that we could get the process started and have it be a sustainable process. As you said, even if we get there, it could take quite a while.

MODERATOR: Okay, thank you. And final question, please.

OPERATOR: Our final question comes from Katrina Manson with *The Financial Times*. Go ahead.

QUESTION: Thanks very much and good morning. I wanted just to clarify something, building on some of the earlier questions. I see Mr. Tillerson's comments attributing some of the abuses to some among the Burmese military and security forces. Is that the same as Mr. Tillerson accusing the Myanmar military or state of engaging in ethnic cleansing? And what warrant or evidence exists that this is state-directed?

SENIOR STATE DEPARTMENT OFFICIAL ONE: I mean, I think the Secretary in his comments has mentioned the military, security forces, and other vigilante groups; and as we've mentioned, there are a number of potential sources of conflict in Rakhine State. But certainly the military has been listed as among those being directly involved in a lot of the abuses. So on the specifics of your question, I think I'll turn it over to [Senior State Department Official Two] on that determination.

SENIOR STATE DEPARTMENT OFFICIAL TWO: Yes. Part of the determination on ethnic cleansing implies a certain intent and planning, so not just isolated incidents. So I think the determination does indicate that we feel it was,

again, organized, planned, systematic. It does not point the finger at any specific group, but there's a limited number of groups that can be involved in that planning and organization. It definitely does point to that planning and organization.

MODERATOR: Okay. Thank you, everyone. Thanks so much for joining us, and [Senior State Department Official One] and [Senior State Department Official Two] in particular. The embargo to this call has now been lifted, and hope you all have a wonderful Thanksgiving. Thank you so much, all you reporters, for your time today, and if anyone has follow-up questions, please feel free to email us or give us a call. [Senior State Department Official One], [Senior State Department Official Two], thank you for your time, and we'll talk with you all soon.

SENIOR STATE DEPARTMENT OFFICIAL ONE: Thank you.

MODERATOR: Okay. Thank you.

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