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Burma: Profile of Asylum Claims and Country Conditions

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Table of Contents

- I. Introduction
- II. Overview and Recent Developments
 - A. Political System
 - B. Military/Police Intelligence
 - C. Insurgency
 - D. Human Rights Situation
- III. Claims Based on Protected Grounds and Relevant Country Conditions
 - A. Claims Based on Nationality
 - 1. Chinese
 - 2. Indian
 - 3. Rohingya
 - 4. Shan, Karen, Kachin, Mon, and Karenni
 - B. Claims Based on Religion
 - 1. Chin and other Christian ethnic groups
 - 2. Muslims
 - C. Claims Based on Political Opinion
 - 1. The Ruling Generals
 - 2. The Opposition: NLD, Students and Others
 - 3. Political Asylum Claims
 - 4. Treatment of Returned Students/Dissidents and Former Political Prisoners
- IV. Other Considerations for Adjudicators
 - A. Economic and Other Non-Protected Grounds for Emigration
 - B. Internal Flight Alternatives and Treatment of Returning Illegal Emigrants
 - C. Documentation
 - D. Burmese Names
 - E. Linguistic Evidence
- V. Appendices
 - A. Chronology of Key Events
 - B. U.S. Sanctions on Burma
 - C. Place Naming Conventions
 - D. Key Abbreviations

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I. INTRODUCTION

Country profiles are produced by the Department of State's Office of Multilateral and Global Affairs for use by the Executive Office of Immigration Review and the Department of Homeland Security in assessing asylum claims. By regulation, the Department of State may provide asylum officers and immigration judges information on country conditions that may be pertinent to the adjudication of asylum claims. The purpose of this and other profiles is to provide factual information relating to such conditions. They do not relate to particular asylum claims, nor are they intended to convey a description of all the circumstances from which legitimate claims may arise; they provide general country information as of the drafting date.

Profiles are prepared by State Department officers with significant expertise in the relevant area and are circulated for comment within the Department, including to Embassies and Consulates overseas and to other agencies if appropriate. Adjudicators may also wish to review the latest versions of the Department of State's annual Country Reports on Human Rights Practices, the annual International Religious Freedom Report as well as the Trafficking in Persons Report. These reports, and other details on conditions in Burma, are available online at www.state.gov.

II. OVERVIEW AND RECENT DEVELOPMENTS

A. Political System

The Union of Burma is an authoritarian state in which the State Peace and Development Council (SPDC) is the paramount source of power. Composed of ranking military officers and headed by Senior General Than Shwe, the SPDC dates from 1997. It is itself the successor organization to the State Law and Order Restoration Council (SLORC), a military junta that took over in 1988. Membership in the SPDC is exclusively military officers, Burman (the country's majority ethnic group) and Buddhist, the religion of almost 90 percent of Burmese. It rules by decree and enforces its decisions through subordinate Peace and Development Councils at the division, state, city, township, ward, and village levels. At every level of government, military officers – overwhelmingly from the army – are in charge. There are effectively no institutional checks on the power exercised by the SPDC. Any challenges to its authority, even rhetorical, are dealt with harshly and with minimal or no due process.

B. Military/Police Intelligence

Since the 1962-1988 Ne Win era and especially after the State Law and Order Restoration Council (SLORC) took power in 1988, the government has

reinforced its rule via a pervasive security apparatus run under the Directorate of Defense Services Intelligence (DDSI). It maintained an extensive intelligence network, using a network of several hundred thousand occasional informers to monitor the whereabouts and travel of many citizens, especially those who are politically active and/or those who belong to ethnic and religious minorities, i.e. not ethnically Burman or Buddhist. Commanded by General, and later Prime Minister, Khin Nyunt from 1988 to 2004, the DDSI functioned in many ways as a "government within a government". Besides surveillance of government employees and private citizens and harassment of political activists, it took the lead in negotiating with insurgents and foreign dignitaries. Since Khin Nyunt's ouster and arrest in October 2004, his intelligence network has been dismantled and successor entities have been somewhat rudderless and less active. Nonetheless, other security services including the police, have stepped into the breach.

C. Insurgency

After half a century, the government has essentially won its ethnic wars. Though episodic small-scale operations continue, the remaining insurgent groups – the Karen National Union (KNU), the Chin National Army (CNA), the Arakan Rohingya National Organization (ARNO), the Shan State Army South (SSA-S) and the Karenni National Progressive Party (KNPP) – are no longer capable of holding territory and operating collectively. In all, they could field only a few thousand troops in 2006 as opposed to the late 1980's when their forces numbered some 60,000. Moreover, the CNA and ARNO are barely functioning entities at present.

Despite its upper-hand over the armed insurgents, the ruling SPDC continues to view the Karen, Chin, and other minority groups with suspicion. This reflects, in large part, the early days of Burmese independence when insurgents captured Mandalay, the country's second largest city and were on the verge of entering Rangoon after they captured its airport. Further, the late 2004 downfall of Khin Nyunt, the architect and implementer of the policy wherein insurgent groups were offered the promise of peace, development and a measure of self-rule, is of concern to ethnic minorities. Also reinforcing their suspicions was the determined Burmese offensive against the KNU in 2006, the most significant in a decade.

D. Human Rights Situation

The SPDC's human rights record is widely regarded as abysmal. Citizens have no right to change the government or otherwise challenge the ruling military either politically or judicially. While the main opposition party, the National League for Democracy (NLD) continues to function, all of its offices save for the Rangoon headquarters have been shuttered and its leadership placed under house arrest and/or otherwise intimidated. Rank-and-file politicians and even

low-level political, religious or media activists or volunteers are subject to harassment, ranging from arbitrary detention to beatings. Restrictions on freedom of speech, press, assembly, association and movement have been in place for decades.

While there have been no reports of death sentences carried out since 1982, extra-judicial killings including custodial deaths occur, and the security forces, including police, employ abusive methods including physical and psychological torture both during interrogation and, on occasion, during imprisonment. Prison conditions are harsh and life-threatening, with even the International Committee of the Red Cross (ICRC) denied unaccompanied access to penal facilities. In general, abuses are most egregious in ethnic minority areas – ranging from torture and disappearances to forced labor as porters or landmine clearers for the military.

Other widespread abuses include forcible relocation of communities and confiscation of land and property as well as discrimination and harassment of Muslims and Christians. Forced labor, despite its prohibition under Burmese Law 374, continues to be used in government construction projects, especially in rural or ethnic minority areas.

Overall, Rule of Law in Burma is subject at every level – whether in the investigative process, laying of charges, arrest or detention, trial and imprisonment – to arbitrary decisions by the authorities. Laws and procedures, whether carried forward from the British era or put forward by the military governments themselves, are used or ignored, as suits the government. Lawyers, often members of minorities, such as Indians, have low standing. Plaintiffs against the government are inherently at risk. In October 2005, for example, the regime went so far as to counter-sue and imprison an NLD member for successfully pursuing a forced labor suit against the local authorities.

III. CLAIMS BASED ON PROTECTED GROUNDS AND RELEVANT COUNTRY CONDITIONS

A. Claims Based on Nationality and Race

1. Chinese

The Department has not seen many applications based on persecution because of race or nationality, per se. Most instead come in conjunction with claims of persecution for religion (many of Burma's ethnic groups are predominantly Christian) or political activities. A few ethnic Chinese applicants claim persecution based on nationality, citing typically their Chinese or Chinese-Burmese ancestry. While historically there has been discrimination against ethnic Chinese, chiefly because of their commercial success, the ruling SPDC

has maintained excellent relations with the People's Republic of China (PRC) over the past two decades and official media describe the Chinese as 'close or brotherly kin'. That said, Burma's 1989 citizenship law only permits ethnic Chinese to hold Foreign Resident Cards rather than full citizenship, even for families that have been in Burma for a century or more. Moreover, the increasing Chinese domination of commerce throughout the country, and especially in Mandalay, is resented. In fact, because of this sharply-increased commercial presence, Chinese are now more resented than Indians (see below).

2. Indian (Subcontinentals)

More subject to persecution or discrimination in decades past have been the Indian or Subcontinental communities. During British rule, Burma, as part of the Indian Dominion, received immigrants from Bengal and other Indian States. By 1939, ethnic Indians were in the majority in Rangoon and racial tension was considerable. During the early years of Burmese independence, the Indian community was pressured to return to India or Pakistan (including Bangladesh). When Ne Win seized power in 1962, Burma pressured out 300,000 Indians and 100,000 Chinese, chiefly by nationalizing their businesses and property. To this day, prejudice against the 3% Indian minority is considerable and intermarriage with Burmans rare. Persons of ethnic Indian ancestry are denied full citizenship and hold Foreign Residence Cards instead. (In today's Burma virtually everything can be had for the right price, thus some ethnic Indians and Chinese have been able to get a National Residence Card, though it may still be marked Visitor.)

3. Rohingya

The Rohingya, numbering approximately 670,000, live in Rakhine State near Bangladesh. They have been present in Burma since at least the mid-nineteenth century and claim presence for hundreds of years. The group was subjected to official harassment campaigns in 1962, 1978 and 1991, generating significant refugee flows into Bangladesh. Of 250,000 Rohingya refugees who fled Burma in 1991/1992, some 29,000 remain in refugee camps in Bangladesh; roughly 12,000-20,000 live in Malaysia. While Rohingya share a common (or similar) language, culture, and religion (Islam) with Bangladeshis, they view their homeland as Burma. However, both U Nu's democratic government in the 1950s and successor military governments have denied them citizenship as a group that arrived only after the British occupation. At present, Rohingya refugee populations are considered stateless by the UN, with only a few returnees receiving permanent registration cards, the so-called White Card. Rohingya are not entitled to hold Citizenship Security Cards which confer Burmese citizenship. The UNHCR is currently working to provide government-issued Temporary Registration Cards for 150,000 Rohingya who currently have no official identification documents.

Rohingya asylum petitions have been infrequent, in part because of the group's sheer isolation. Currently, the harsh treatment and lack of economic opportunity facing Rohingya go far beyond the routine oppression experienced by other Burmese ethnic minorities. For example, they are subject to prison terms for the most minor of infractions and live in what has been described by diplomats as a virtual military cordon. Travel outside of their villages is rarely permitted; marriages are subject to official restrictions, and Rohingya children are effectively denied entry into the school system.

There are also 200,000 members of the Rohingya community in Saudi Arabia who traveled there decades ago on Bangladesh, Pakistan, or Indian passports. These documents have long since expired and none of the countries involved will grant new travel documents. While maintaining but limited contact with their Burmese-based brethren, there have been reports that some of these Rohingya have in the past funded the Rohingya Solidarity Organization's (RSO) insurgency activities. There have also been allegations of association with militant Muslim extremists.

4. Karen, Kachin, Karenni, Shan and Mon ethnic groups.

The principal ethnic groups involved in Burma's long-running insurgencies have been the Karen, Kachin, Karenni, Shan and Mon – who together make up nearly a quarter of Burma's population. In particular, those living in villages proximate to fighting or to insurgent-controlled areas have long been subject to diverse forms of oppression including forced labor for the Burmese army (see below). While Shan and other ethnics living in Rangoon, Taunggyi, and other larger cities are reportedly less subject to being singled out for arbitrary punishments by local officials, those involved in political activities appear to face an ever-lower bar for regime tolerance than Burmans. Further, those who are Christians – as are most Karen and Kachin – are also subject to harassment on this count (see below).

B. Claims Based on Religion

Approximately 89 percent of Burma's 55 million people are Buddhist; six percent are Christian; and four percent are Muslim. (Muslim groups claim twenty percent while the government places the figure at two percent). Fundamental to Burmese national identity, Buddhism has been a major force for national integration since the destruction of the monarchy 120 years ago. Buddhist values permeate many aspects of Burmese life to the point that non-Buddhist, ethnic Burmans, are often viewed as "not really Burmese". That said, Burma has no official state religion and does have public holidays on Christian, Hindu, and Islamic holy days. Moreover, until recently, the top ranks of the Burmese government included a good number of graduates from missionary schools (that ultimately were closed by Ne Win in the 1960s).

Because of their central role in shaping Burmese national identity, Buddhist symbolism and devotion have been manipulated by kings and politicians for centuries. Religion was a focal point for mobilizing resistance to British rule and played a key role in the Burmese independence movement. Both during U Nu's democratic rule and under Ne Win, the Government pushed to make Theravada Buddhism the state religion.

Today, the SPDC actively promotes Buddhism over other religions, particularly among members of minority ethnic groups. (Initially, the SLORC's key economic and planning portfolio was given to a Christian general, but he has since been sidelined and cannot leave the country.) Christian and Islamic groups continue to find it difficult, if not impossible, to repair existing places of worship or build new churches or mosques in most regions. Currently, non-Buddhists are effectively excluded from becoming senior civil servants or military officers -- the Defense Services Academy, for example, does not accept non-Buddhists. At the same time, government inducements to convert to Buddhism are numerous, and in some areas border on compulsion.

SPDC religious pressuring is somewhat localized. In general, the regime is particularly active in harassing Christians (or Muslims) in rural areas of traditional insurgent activity and even goes so far as to require Kachin, for example, to describe themselves as Buddhists on official papers -- despite the fact that most are Christian. Typically, the regime is more worried about people in rural areas converting to other religions. That said, the regime views Mandalay as the historic bastion of Buddhist culture and exerts pressure to keep its Buddhist dominance. Here as elsewhere, it exploits complex land laws to keep Christians and Muslims from repairing churches or mosques or constructing new places of worship.

1. Chin (also known as Zomi)

Until the early 1990s Chin State had traditionally been a solidly pro-government area, supplying troops to the Burmese army but otherwise left alone by Ne Win and the SLORC. At one point, several Chin were senior members of the Burmese military. Since then, relations with Rangoon have deteriorated sharply. This reflects both Rangoon's increased pressures for conversion to Buddhism as well as the episodic activism of the Chin National Front (CNF) and its tiny armed wing, the Chin National Army (CNA). This has led to an increased presence of troops, and an attendant rise in forced labor, confiscation of food and goods, travel restrictions, and Chin fleeing Burma. At present, besides the Chin in the United States, there are Chin refugees in India as well as Malaysia.

Though practices vary widely, Burmese troops in rural areas -- Chin State is linked to the rest of Burma only by three rough dirt roads -- often live off the

local population. More broadly, in Chin State, Burmans, whether army officers or their friends/relatives, monopolize the region's minimal economic resources. Few Chin -- like other ethnic groups such as the Kachin, Karen, Karenni and Mon -- hold government jobs, even at the township level.

Currently, after years of pressuring the Christian Chin to convert to Buddhism, the authorities appear to have backed off somewhat, tacitly allowing these Chin to express and practice their faith so long it is done modestly and within the state's borders. Christian imagery and quotations decorate homes and vehicles and choruses of "alleluia" can be heard nightly coming from choir practice in many towns.

Over the past decade, Chin have, along with political dissidents, made up the majority of asylum applications from Burma. Besides the conditions described above, this circumstance also reflects the fact that many Chin were converted to Christianity by American Baptist missionaries and that strong Chin exile and expatriate communities exist in Michigan and the Washington D.C.-area. Today, many people in Chin State, even those in remote villages are conversant with U.S. visa and asylee processes. The U.S. Embassy in Rangoon reports a very high fraud rate in Chin asylee follow-to-join visa applications.

2. Muslims

While less subject to direct persecution than their Rohingya co-religionists, Burma's other Muslims have suffered from political and economic discrimination, religious oppression, and social prejudice for decades. The social prejudice, in particular, is rooted in attitudes formed during British rule when Muslims, like other Indians, got preferential access to positions within the colonial administration. This is particularly true for the so-called Indian Muslim community, descendants of those who arrived during the British occupation who generally retain Muslim dress, Indian customs, and, at home, Indian languages. So-called Burmese Muslims, who arrived during the centuries of Muslim domination of the Indian Ocean sea routes, long ago adopted Burmese customs and language, and are generally well-integrated into mainstream Burmese society.

Since the 1960s, no Muslims have held ministerial rank within the government; nor have there been any Muslim flag or general officers in the military. Muslims are actively discouraged from joining either the civil service or military ranks. Muslims view the government as anything but a neutral party in resolving the tensions between them and Burmese society writ large as waves of anti-Muslim violence swept Rangoon and several other Burmese cities in 1996, 1997, 2001, 2003 and 2006.

In terms of worship, the regime tends not to interfere with well-established congregations, but actively discourages efforts to spread Islam. It has effectively banned construction of new mosques anywhere in Burma and tears down ad hoc mosques that new Muslim communities have put up. The authorities have also banned the import of almost all Islamic literature since the 1960s.

C. Claims Based on Political Opinion

1. The Ruling Generals.

Ever since 1962, Burma has seen a repressive political environment, a minimal tolerance for dissent, and emigration of many politically aware and active citizens. The 1962-1988 rule of General Ne Win was particularly harsh for ethnic minority groups, such as the Shan, Karin and Kachin, and for those seeking to oppose his Burmese socialist way. Massive student protests at Rangoon University in June 1988 led to a bloody crackdown soon after and the replacement of Ne Win by a non-socialist military junta led by General Saw Maung. Composed largely of Army generals, it was known as the State Law and Order Restoration Council or, more commonly, SLORC.

Though it came to power largely by happenstance, the junta has proved durable both in terms of its membership and mind-set. Over the past 18 years, apart from the ouster of powerful intelligence chief and Prime Minister Khin Nyunt in 2004, leadership changes have been incremental and, as often as not, prompted by age considerations. Saw Maung retired for health reasons in 1992, but his successor General Than Shwe has continued his hard-edged ruling style and policies. In 1997, the SLORC disbanded and reconstituted itself as the State Peace and Development Council, again with no significant change in ruling style or membership. Throughout, tolerance for dissent has rarely been more than minimal, with opposition leader Aung San Suu Kyi precluded from direct politicking most of the time and under house arrest 11 of the past 17 years.

Regime miscalculations led it to allow relatively free parliamentary elections in 1990. With Aung San Suu Kyi under house arrest since 1989, the ruling generals were shocked when the opposition National League for Democracy (NLD) and other pro-democracy parties won 475 out of 485 parliamentary seats. Ignoring the results, the SLORC has used a variety of tactics to sideline the NLD ever since, including the formation of grassroots organizations designed to replace conventional political parties. Since 1993, the regime has off and on held National Conventions allegedly to discuss and draft a Constitution leading to fresh elections. The latest convention opened in October of 2006.

2. The Opposition -- NLD, Students, and others

Besides Aung San Suu Kyi's NLD party, a welter of groups and individuals – including student and religious organizations, ethnic minority alliances, and NGOs – have worked against the Junta. Among the more prominent groups are the Shan Nationalities League for Democracy (SNLD), led by (imprisoned) Hkun Htun Oo; the exile-based National Coalition Government of the Union of Burma (NCGUB), led by Dr. Sein Win, a relative of Aung San Suu Kyi; the All Burma Students Democratic Front; and the 88 Generation Students. Also active, especially on the Internet, is the U.S.-based Free Burma Coalition.

As many as 20,000 students fled to Thailand in the aftermath of the 1988 crackdown while groups of ethnic minorities (including insurgents as well as ordinary folk) have periodically flowed across the Thai border. There are currently more than 150,000 such refugees in Thai border camps as well as 29,000 Rohingya in camps in Bangladesh. In addition, upwards of 50,000 Chin and Kachin have taken refuge in India, living chiefly in Mizoram where the UNHCR is not allowed access to them. Some 1,800 Burmese urban refugees live in New Delhi under UNHCR mandate. In Malaysia, more than 10,000 Chin and at least 12,000 Rohingya live in jungle settlements.

In addition to those who have fled to neighboring countries, the SPDC has detained tens of thousands over the years and currently holds over 1000 political prisoners. While most are serving lengthy political terms, the regime may also detain dissidents or political activists for several days as a warning before releasing them. If they resume political activity, re-arrest takes place. With members of the opposition firmly committed to change, multiple detentions are quite common.

3. Political Asylum Claims

Many asylum claims relate to the political activity of dissidents. These, in turn, are almost always linked in some way to the 1988 uprising, when the regime's suppression of pro-democracy demonstrations led to an exodus from Burma of much of its university-educated elite, and events in 1990, when the SLORC cracked down on the NLD and allied parties rather than allow them to form a parliamentary government. In this connection, applicants sometimes claim work or family relationships with NLD leaders such as Aung San Suu Kyi, Tin Oo, Kyi Maung, and Chit Khaing, as well as other prominent ethnic leaders, such as Hkun Htun Oo, who may be imprisoned in Burma or have fled the country.

4. Treatment of Returned Students/Dissidents and Former Political Prisoners

To the best of our knowledge, students and other political dissidents, including former armed insurgents, have encountered few difficulties upon return to Burma or release from jail as long as they maintain a low

profile. They can, however, expect that Burmese authorities will subject them to the same arbitrary treatment given other citizens. Historically, returnees have spent a few weeks or a few months in detention in a military intelligence facility immediately upon return. Thereafter, they -- like released political prisoners -- will likely be under active watch by the authorities for at least several months. Returned dissidents and former political prisoners almost invariably find themselves denied entry into Burma's vast civil service and facing constrained job opportunities. Admission to a university is, however, possible. Dissidents who re-enter the active opposition court, at a minimum, active government harassment which can lead to another detention.

IV. OTHER CONSIDERATIONS FOR ADJUDICATORS

A. Economic and Other Non-Protected Grounds for Emigration

Burma has been called the world's richest basket case -- blessed with a rich and diverse resource base and cursed by profound economic mismanagement for half a century. Its assets range from prime agricultural land (before World War II Burma exported half of the world's rice), gems, fishing, timber, copper, and natural gas. Today, industry experts posit that Burma could get \$10 billion annually from its gas exports alone.

Burma's economic missteps date chiefly from the Ne Win socialist era when the government three times demonetized the currency and closed itself off to outside trade and investment. As for the military regime, its misplaced priorities include devoting 40 percent of the national budget to military matters and one percent to education and even less to health, thus leaving Burmese ill-prepared to function in a globalizing economy. Also unhelpful have been the SPDC's efforts at rural development, which include arbitrary planting instructions regardless of the climate and terrain. The current nationwide campaign to plant physic nuts for conversion into bio-fuel exemplifies the SPDC approach. The U.S. Embassy receives frequent reports of crops destroyed because they were planted contrary to the military commander's instructions.

Today, throughout the areas represented in asylum cases, from the ethnic minority regions to the educated classes of the city, there is a profound lack of economic opportunity and government services, a moribund banking system, and rampant corruption. In 2006, inflation ran about 30-40 percent and the Burmese currency, the kyat, fell roughly 25 percent against foreign currencies, to a record low of 1430 to the dollar. Foreign investment has dwindled to almost nothing outside the oil and gas sector due to rampant corruption. Regime insiders dominate construction and other sectors while the average Burmese have a sense of malaise about the future and a belief that the government cannot help them. Not surprisingly, a disproportionately large

number of Burmese work overseas, including as merchant seamen and as the common labor underclass of Thailand.

Though Burmese women enjoy a higher status in society than in many other developing countries, there have been persuasive reports of rape and forced prostitution, often leading to AIDS. There exist many documented cases of trafficking to Thailand, chiefly of ethnic minority teenagers, for commercial sexual exploitation.

B. Internal Flight Alternatives and Treatment of Returning Illegal Emigrants

Most asylum applicants take the position, implicitly or explicitly, that they would be unable to avoid mistreatment by moving elsewhere within Burma -- which currently has, according to the UN, over a half million internally displaced persons. The Burmese themselves often describe their country as a giant village where everyone knows each other and would quickly learn about the arrival of any returnees and then, given the vast network of government informers, pass word of these newcomers to the authorities. Moreover, homeowners are required to register any overnight guests and post photos of authorized residents. At that point, however, absent a national reputation for political activism, the newcomers' problems reportedly often end with a small payment to the local police. Such payoffs enable better-off Shan and others to migrate, for example, to Mandalay and quickly purchase a house or establish a business -- provided the new arrival stays out of politics. As for the rural ethnic areas, internal flight options there are sharply constricted -- in part because the military has mined many areas to discourage the return of residents previously driven out.

While historically there have been some controls on internal travel, these are often lax in application except for the Rohingya of Rakhine Province who have long been barred from travel to neighboring villages or towns, much less Rangoon. Though the national ID card is required to buy a train or plane ticket, Burmans (and for that matter recent migrants from China) can readily buy a fraudulent document or borrow one from a friend, with the requisite altering. All of this is somewhat easier given the absence of family names in Burma (see below). In any case, in large swaths of rural, ethnic-minority areas, many citizens do not get their National ID card as required at age 12 and never have access to the minimal health, education, and other government services theoretically available to the registered populace.

Burmese who believe they are wanted by the authorities have several options -- none of which, however, include working in the vast government/state-enterprise sector. One, for Buddhists, is to take up residence in a monastery -- where one can stay for years. Another, favored by minor activists who do not wish to go far from their homeland, is to drift across the loosely-controlled Thai border. Estimates vary, but Thailand alone has an estimated one to two

million Burmese at any given time. The vast majority appear to be economic migrants who return home on occasion, but their ranks also include political and other dissidents lying low until their cases are no longer of active interest to the authorities or until a local army commander with whom they have clashed gets transferred.

All in all, it would be considerably more difficult for a person who is "wanted" on major charges by the authorities to hide indefinitely – in part, because unlike a minor offender, he or she would find it very expensive either to pay off local police or to purchase a fraudulent passport via a broker. This said, the regime generally puts its priorities elsewhere than in tracking internal migration or in going after returning illegal emigrants – so long as the individuals do not resume political activity. Indeed, over the past two decades, the regime's practice of relocating wholesale large communities in Rangoon and elsewhere has been characterized by indifference as to where those displaced ultimately wind up.

C. Documentation

Documentation from Burma poses many problems including difficulties with Burmese names (see following appendix). Outside the major cities, and especially in remote, ethnic-minority regions, birth certificates and other basic documentation are rarely acquired. In some instances, as with the Rohingya in Northern Rakhine State, babies do not receive birth certificates and thus cannot enroll in public school.

Even such documentation as is available is subject to widespread fabrication and fraud – in part because of low official salaries and rampant corruption. Moreover, fraudulent information may be found on legitimately issued forms, highlighting the ease with which both information and identities can be bought. Further, fraudulent documents can derive both from non-governmental sources, such as church-issued marriage certificates, or from official documents such as the Family Registration Form that lists all people in a residence and spells out their relationships to the head of household. (This document serves as proof that a couple is actually living together and is identified on the document as husband and wife). A recent snapshot investigation of Chin asylee follow-to-join cases found that only one of four marriage claims was legitimate. The existence of such fraud, including that involving both official and non-governmental documents, has been established by direct investigation, including both document and neighborhood checks, by U.S. consular officers in Burma.

A further problem with documentation is that historically much of Burma has been effectively off limits to foreigners, especially diplomats, or to local employees of the U.S. Embassy. This includes, in particular, the so-called high-security regions such as Rakhine and Chin states as well as parts of Shan,

Mon, Karen, Karenni and Kachin states. Though restrictions have lessened somewhat with the abatement of most insurgencies, the U.S. and other foreign missions lack an extensive data base or many chances to draw on first-hand observations.

D. Burmese Names

In Burma, family relationships – whether from one generation to the next or with married couples – are very rarely indicated in their names. Burmans and most other Burma-based ethnic groups do not have family names, and women never change their name after marriage. On occasion, and with relative bureaucratic ease, individuals can adopt a new legal name. Minimally, full names can be just a single syllable, as with former Prime Minister Nu or former UN General Secretary Thant (Known as U Nu and U Thant, with the U simply being the Burmese equivalent of Mr.) In recent years, names have lengthened to as many as four syllables, particularly for women.

Burmese names very rarely convey any information about the person's origin, social class, or marital status. Moreover, names do not routinely reveal one's gender. Instead, Burmese names are chosen typically to reflect the day of the week or, in some cases, the date on which a child is born. For example, children born on Monday are typically given names beginning with K (i.e. Kyaw, Khin, Kyin etc.); any child whose name begins with Aung, as in independent Burma's founding father, Aung San, would be Sunday's child. His daughter, Suu Kyi, added her father's name to become Aung San Suu Kyi.

Burmese commonly change their names for a variety of reasons, including in an effort to improve their luck. For their part, Christians and elite frequently adopt English first names.

Besides U and Daw, which literally mean uncle and aunt but equate to Mr. and Mrs., written and spoken Burmese uses a variety of honorifics to precede one's actual name. Ko and Maung refer to elder and younger brother respectively. Ma means sister. Bo is general and Bogyoke is the top general.

E. Linguistic Evidence

Since 1962, Burma has favored a national language policy promoting Burmese and making it the language of instruction for all but specialized schools. Nonetheless, the country remains a patchwork of languages, dialects, and writing systems, accounting for much of the linguistic confusion arising in asylum claims. Depending on their age, applicants may have either excellent English from school or none whatsoever. (Ne Win effectively dropped English from the curriculum, but in the early 1990s it was somewhat revived). Applicants living in ethnic minority areas will vary widely in their

language skills, with some having full literacy in Burmese or (more rarely) in English while others, despite years of compulsory Burmese schooling have a shaky command of the official tongue. Applicants who were educated in areas controlled by the KNU usually know the literate form of Karen (Sa Kaw) as well as some Burmese and English. As for ethnic Chinese, they typically speak their family's ancestral language, in addition to Burmese.

Urban Muslims often speak Hindi, Bengali, or another Indian language at home but are generally fluent in Burmese as well as the market language of their city (Shan in Taunggyi or Kachin in Myitkyina, for example). In Rakhine State, there are Rohingya Muslims who have studied in "Arabic-medium" schools but who do not speak Arabic. They may have attended Madrasas where the Koran is taught by rote methods in Arabic by instructors who themselves can read but not speak Arabic.

APPENDICES

A. Chronology of Significant Events

1948: Burma becomes independent and subsequently declines (uniquely) to join the British Commonwealth.

1962: Burma's only democratic period of rule ends with seizure of power by (General) Ne Win who then launches his "Burmese Road to Socialism".

1988: Pro-democracy demonstrations end in bloody crackdown and full military rule by the State Law and Order Restoration Council (SLORC).

1990: Aung San Suu Kyi's National League for Democracy (NLD) sweeps parliamentary elections but military refuses to honor results.

1991: Aung San Suu Kyi, under house arrest, wins Nobel Peace Prize.

1995: SLORC captures Manerplaw ending major armed resistance by Karen; Aung San Suu Kyi released.

1997: U.S. sanctions prohibit investment in Burma for human rights violations.

2000: The State Peace and Development Council (the junta's new name for SLORC) begins talks with opposition and release many political prisoners.

2003: SPDC operatives attack Aung San Suu Kyi's entourage at Depayin in Sagaing Divison, re-arrest her, and further restrict her political party, the NLD; the U.S. bans imports from Burma, among other measures; Muslim-Buddhist riots.

2004: Prime Minister and intelligence czar Khin Nyunt is removed and placed under house arrest by even-harder-line generals.

B. U.S. Sanctions on Burma

The United States has imposed a series of sanctions on Burma, including a cut off of most forms of assistance in 1989 and the prohibition of new investment by U.S. persons or entities in 1997. Since 1999, the Secretary of State has designated Burma a "Country of Particular Concern" under the International Religious Freedom Act for its violations of religious freedom. Additionally, since 2003, the Burma Freedom and Democracy Act (BFDA) has banned all imports from Burma, cut off the export of financial services to Burma, frozen the assets of select Burmese financial institutions, and extended visa restrictions on ranking Burmese officials and their family. The United States maintains diplomatic relations with Burma, but formally downgraded its level of representation to Permanent Charge rather than Ambassador in the mid-1990s.

C. Place Naming Conventions

Soon after taking power in 1988, the SLORC ordered a number of name changes, discarding for the most part colonial-era names. Place names that may cause confusion are listed below in their old and new English language forms.

Old	New
Burma	Myanmar
Rangoon	Yangon
Pagan	Bagan
Akyab	Sittwe
Bassein	Patheingyi
Moulmein	Mawlamyine
Pegu	Bago
Prome	Pyaw or Pyi
Irrawaddy (River)	Ayeyarwady
Salween (River)	Thanlwin

Sittang (River) Sitthoung

D. Key Abbreviations

ABSDF – All Burma Students Democratic Front

BFDA – Burma Freedom and Democracy Act

CNA – Chin National Army

CNF – Chin National Front

CNLD – Chin National League for Democracy

DDSI – Directorate of Defense Services Intelligence

KIO – Kachin Independence Organization

KNLA – Karen National Liberation Army

KNU – Karen National Union

NCGUB – National Coalition Government of the Union of Burma

NLD -- National League for Democracy

RSO – Rohingya Solidarity Organization

SNLD – Shan Nationalities League for Democracy

SLORC -- State Law and Order Restoration Council

SPDC – State Peace and Development Council