Executive Summary

The constitution and other laws and policies restrict religious freedom. The government implemented considerable political reforms, but did not demonstrate a trend toward either improvement or deterioration in respect for and protection of the right to religious freedom. The government maintained restrictions on certain religious activities and limited freedom of religion, although it generally permitted adherents of government-registered religious groups to worship as they chose. While constraints on respect for and protection of the right to religious freedom continued, the community of Christian churches reported a notable easing of restrictions on church building and a positive relationship with the Ministry of Religion, including the ministry's organization of interfaith dialogues. The government also passed a new law to protect freedom of assembly and procession and provided greater access to ethnic minority areas for U.S. officials and organizations.

Religious activities and organizations were subject to restrictions on freedom of expression, association, and assembly. The government continued to monitor the meetings and activities of virtually all organizations, including religious organizations, and required religious groups to seek permission from authorities before holding any large public event.

The government continued to restrict the efforts of some Buddhist clergy to promote human rights and political freedom. While some of the Buddhist monks arrested in the violent crackdown that followed prodemocracy demonstrations in September 2007 were released during the year, many remained in prison serving long sentences. The government also actively promoted Theravada Buddhism over other religions, particularly among ethnic minorities.

The government eased restrictions on the building of churches following the November 2010 elections. The government continued to monitor Muslim activities closely. Restrictions on worship for other non-Buddhist minority groups also continued. Although there were no new reports of forced conversions of non-Buddhists, authorities in some cases influenced the placement of orphans and homeless youth, preferring Buddhist monasteries to Christian orphanages. Adherence or conversion to Buddhism was an unwritten prerequisite for promotion to most senior government and military ranks. Nearly all senior level officers of

the ruling Union Solidarity and Development Party (USDP) and the armed forces are Buddhists.

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice. During the year, social tensions continued between the Buddhist majority and the Christian and Muslim minorities. Widespread prejudice existed against citizens of South Asian origin, many of whom are Muslims. The government continued to refuse to recognize the Muslim Rohingya ethnic minority as citizens and imposed restrictions on their movement and marriage.

The U.S. government advocated religious freedom with all sectors of society, including government officials, religious leaders, private citizens, and scholars, diplomats of other governments, and international business and media representatives. Embassy representatives offered support to local nongovernmental organizations (NGOs) and religious leaders, including through small grants and training programs, and relayed information to otherwise isolated human rights NGOs and religious leaders. Since 1999 the secretary of state has designated Burma as a "Country of Particular Concern" (CPC) under the International Religious Freedom Act for having engaged in or tolerated particularly severe violations of religious freedom. The secretary of state redesignated Burma as a CPC on August 18. The U.S. government has a wide array of sanctions in place against the country for its violations of human rights but is taking steps to ease those sanctions as the government has undertaken significant political and economic reform efforts.

Section I. Religious Demography

Theravada Buddhism is the dominant religion. It coexists with astrology, numerology, fortune telling, and veneration of indigenous pre-Buddhist era deities called "nats." The principal minority religious groups include Christians (primarily Baptists, Roman Catholics, and Anglicans, along with several other small Protestant denominations), Muslims (mostly Sunni), Hindus, and practitioners of traditional Chinese and indigenous religions. According to official statistics, approximately 90 percent of the population practices Buddhism, 4 percent practices Christianity, and 4 percent practices Islam. These statistics almost certainly underestimated the non-Buddhist proportion of the population. There has not been a census since 1983. Independent researchers place the Muslim population as being between 6 and 10 percent. A very small Jewish community in Rangoon has a synagogue but no resident rabbi.

The country is ethnically diverse, with some correlation between ethnicity and religion. Theravada Buddhism is the dominant religion among the majority Burman ethnic group and also among the Shan, Arakanese, and Mon ethnic minorities. Christianity is dominant among the Kachin, Chin, and Naga ethnic groups. Protestant Christian groups reported recent rapid growth among animist communities in Chin State. Christianity also is practiced widely among the Karen and Karenni ethnic groups; although many Karen and Karenni are Buddhist and some Karen are Muslim. Citizens of Indian origin, who are concentrated in major cities and in the south central region, predominantly practice Hinduism or Islam, although some are Christian. Islam is practiced widely in Rakhine State and in Rangoon, Irrawaddy, Magwe, and Mandalay Divisions, where some Burmese, Indians, and ethnic Bengalis practice the religion. Chinese ethnic minorities generally practice traditional Chinese religions. Traditional indigenous beliefs are practiced widely among smaller ethnic groups in the highland regions.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution and other laws and policies restrict religious freedom. The government, formed in March, is headed by President Thein Sein and includes a bicameral parliament; the military-run State Peace and Development Council was dissolved during the year although former and active military officers continued to wield authority at each level of government. In November 2010, the then-military regime held the country's first parliamentary elections since 1990, which were neither free nor fair. The government's main party, the ruling USDP, claimed an overwhelming majority of seats in the national parliament and state/regional assemblies. While the parliament is dominated by ethnic Burman Buddhists, virtually all recognized religions and ethnic groups have at least some representation, collectively holding approximately 16 percent of the seats.

Significant developments during the year included the emergence of a legislature that allowed opposition parties to contribute substantively to debates; democratic reforms such as the government's amendment of party registration laws to allow Aung San Suu Kyi, the leader of the country's largest pro-democracy party, the National League for Democracy, to register the party and prepare it to contest in spring 2012 by-elections; the release of hundreds of political prisoners; the relaxation of a number of censorship controls and the opening of some space in society for the expression of dissent; and an easing of restrictions on some internal

and foreign travel for citizens. Significant human rights problems in the country persisted, however.

Most adherents of government-recognized religious groups generally were allowed to worship as they chose; however, the government imposed restrictions on certain religious activities and frequently limited religious freedom. Antidiscrimination laws do not apply to ethnic groups not formally recognized under the 1982 Citizenship Law, such as the Muslim Rohingyas in northern Rakhine State.

The 2008 constitution went into effect on January 31upon the convening of the first joint session of the national parliament. The constitution grants limited rights to freedom of religion. Article 34 states, "Every citizen is equally entitled to freedom of conscience and the right to freely profess and practice religion subject to public order, morality or health and to the other provisions of this Constitution." Article 354 states that "every citizen shall be at liberty ... if not contrary to the laws, enacted for Union security, prevalence of law and order, community peace and tranquility or public order and morality ... to develop ... [the] religion they profess and customs without prejudice to the relations between one national race and another or among national races and to other faiths."

The law bars officiates (such as priests, monks, and nuns) of religious orders from running for public office, and the constitution bars "members of religious orders" from voting. Article 364 forbids "the abuse of religion for political purposes," and restrictions on political activities and on ethnic groups often impact the freedom of religion.

Although the country has no official state religion, the government continued to show a preference for Theravada Buddhism through official propaganda and state support, including donations to monasteries and pagodas, encouragement of education at Buddhist monastic schools, and support for Buddhist missionary activities. In practice nearly all promotions to senior positions within the military and civil service were reserved for Buddhists. Article 361 of the constitution notes that the government "recognizes the special position of Buddhism as the faith professed by the great majority of the citizens of the Union," and Article 362 adds that it "also recognizes Christianity, Islam, Hinduism and Animism as the religions existing in the Union at the day of the coming into operation of this Constitution."

The government restricted the activities and expression of the Buddhist clergy (Sangha), although some monks have resisted such control. Based on the 1990 Sangha Organization Law, the government has banned any organization of

Buddhist monks other than the nine state-recognized monastic orders. Violations of this ban are punishable by immediate public defrocking and criminal penalties. The nine recognized orders submit to the authority of the State Monk Coordination Committee ("Sangha Maha Nayaka Committee" or SMNC), the members of which are indirectly elected by monks.

The Ministry of Religious Affairs Department for the Perpetuation and Propagation of the Sasana (Buddhist teaching) oversees the government's relations with Buddhist monks and schools. The government continued to fund two state Sangha universities in Rangoon and Mandalay that trained Buddhist monks under the purview of the SMNC. The state-funded International Theravada Buddhist Missionary University in Rangoon, which opened in 1998, has a stated purpose "to share the country's knowledge of Buddhism with the people of the world."

Buddhist doctrine remains part of the state-mandated curriculum in all government-run elementary schools. Students at these schools can opt out of instruction in Buddhism and sometimes do, but all are required to recite a Buddhist prayer daily. Some schools or teachers may allow Muslim students to leave the classroom during this recitation, but there does not appear to be a centrally mandated exemption for non-Buddhist students.

The government took steps to relax some media controls but all religious publications remained subject to censorship and review by the Ministry of Religious Affairs. It is illegal to import translations of the Bible and Qur'an in indigenous languages.

Religious organizations are not required to register with the government, but if a religious organization wants to engage in certain activities (religious education, charitable work, etc.), it needs to obtain government permission.

The government discouraged proselytizing by non-Buddhist clergy, often through the use of censorship. These restrictions mostly affected some Christian denominations and Islam. The government generally has not allowed permanent foreign religious groups to operate in the country since the mid-1960s, when it expelled nearly all foreign missionaries and nationalized almost all private schools and hospitals. The government was not known to have paid any compensation in connection with these extensive confiscations.

Citizens and permanent residents are required to carry government-issued National Registration Cards (NRCs), also known as Citizenship Scrutiny Cards, which

permit holders to access services and prove citizenship. These identification cards often indicate religious affiliation and ethnicity. There appeared to be no consistent criteria governing whether a person's religion was indicated on the card. Citizens also are required to indicate their religion on certain official application forms for documents such as passports, although passports themselves do not indicate the bearer's religion. Members of many ethnic and religious minorities, particularly Muslims, faced problems obtaining NRCs.

The government observes the following religious holidays as national holidays: the Full Moon Day of Tabaung, the four-day Thingyan (Water Festival), Buddhist New Year's Day, the Full Moon Day of Kason, the Full Moon Day of Waso, the Full Moon Day of Thadinkyut, the Full Moon Day of Tazaungmone, and Christmas. Government newspapers generally announce the dates for Diwali and Bakri Eid, and both banks and government offices close on those dates.

Government Practices

There were reports of abuses of religious freedom, including the continued detention and incarceration of Buddhist monks throughout the country, the arrest of Muslims in the broader Rangoon area for unauthorized teaching as well as praying in living quarters, and the interrogation and harassment of Baptists in Kachin State.

The government continued its efforts to exert control over the Buddhist clergy (Sangha). It tried Sangha members for "activities inconsistent with and detrimental to Buddhism" and imposed on the Sangha a code of conduct enforced by criminal penalties. The government continued the detention, imprisonment, and interrogation of politically active Buddhist monks. In prison, some monks were defrocked and treated as laypersons. In general they were not allowed to shave their heads and were not given food compatible with the monastic code, which dictates that monks should not eat after noon. They often were beaten and forced to do hard labor.

According to the Thailand-based Assistance Association of Political Prisoners in Burma (AAPP), at the end of the year an estimated 130 monks remained in prison, many of them arrested after the September 2007 peaceful prodemocracy demonstrations. During the year, some of the monks, as well as other political prisoners, remained in remote jails away from their family members, limiting their access to basic necessities and medicines that visiting relatives generally provided.

Although authorities appear to have moved away from a campaign of forced conversion, there continued to be evidence that other means were being used to entice non-Buddhists to convert to Buddhism. Chin Christians reported that local authorities operated a high school that only Buddhist students could attend and promised government jobs to the graduates. Christians had to convert to Buddhism to attend the school. An exiled Chin human rights group claimed local government officials placed the children of Chin Christians in Buddhist monasteries, where they were given religious instruction and converted to Buddhism without their parents' knowledge or consent. Reports suggested that the government also sought to induce members of the Naga ethnic group in Sagaing Division to convert to Buddhism through similar means. During the year there were no reports of forced religious conversions.

The government selectively enforced legal restrictions on religious freedom. Religious organizations were subject to restrictions on freedom of expression and association. The government's pervasive internal security apparatus imposed implicit restrictions on collective and individual worship through infiltrating and monitoring meetings and activities of virtually all organizations.

In practice, authorities restricted the quantity of imported Bibles and Qur'ans, although individuals continued to bring them into the country in small quantities for personal use. There were no reports that authorities confiscated Bibles or Qur'ans at border entry points.

Government censors continued to enforce restrictions on local publication of the Bible, Qur'an, and other Christian and Islamic texts. The most onerous restriction was a list of more than 100 prohibited words censors would not allow in Christian or Islamic literature, forbidden as "indigenous terms" or derived from the Pali language long used in Buddhist literature. Some Christian and Islamic groups in the country have used these words since the colonial period. In addition censors sometimes objected to passages of the Bible's Old Testament and the Qur'an that they interpreted as endorsing violence against nonbelievers.

Officials have occasionally allowed local printing or photocopying of limited quantities of religious materials, including the Qur'an (with the notation that they are for private use only), in indigenous languages without approval by government censors.

In addition to religious publications, the government on occasion subjected sermons, ceremonies, and festivals to censorship and other controls, and at times

interfered with religious gatherings. There were reports that Islamic lectures required prior written permission from ward, township, police, district, and division level authorities. Law enforcement reportedly questioned participants on the nature of the lecture both before and after the lecture.

Some Christian theological seminaries and Bible schools continued to operate, along with several Islamic madrassahs. However, a representative of the Islamic community reported the closure of Islamic madrassahs operating as ad-hoc mosques in Thaketa township. Some Christian schools did not register with the Myanmar Council of Churches (MCC), a group representing 14 Christian denominations, but were able to conduct affairs without government interference. The government allowed some members of foreign religious groups to enter the country to provide humanitarian assistance, as it did after Cyclone Nargis in May 2008.

Authorities continued to restrict gatherings to celebrate traditional Christian and Islamic holidays. In Chin State, authorities reportedly eased some restrictions but continued to require churches to submit requests for religious celebrations at least one month in advance. Authorities generally approved the requests. In satellite towns surrounding Rangoon, Muslims were allowed to gather for worship and religious training only during major Muslim holidays. During the year, some district and township administration officials in Arakan state banned mosques' use of loudspeakers for the Azan (call to prayer).

The government continued to discriminate against minority religious groups, restricting educational activities, proselytizing, and restoration or construction of churches and mosques.

In most regions, Christian and Islamic groups that sought to build small places of worship on side streets or other inconspicuous locations were able to do so only with informal approval from local authorities. When local authorities or conditions changed, some approvals were rescinded and, in some cases, authorities demolished existing religious buildings. Construction on the Sufi Shahul Hamid Nagori Flag Post and Mosque in Insein was stopped and the structures were subsequently torn down after authorities claimed that the construction exceeded the scope of the permits; the city government then filed criminal suits against the trustees of the mosque. Formal requests often encountered long delays, generally were denied, and even when approved could subsequently be reversed by a more senior authority.

It remained extremely difficult for Muslims to acquire permission to build new or repair existing mosques, although internal maintenance was allowed in some cases. In Arakan State, government officials reportedly denied permits for the renovation of mosques with one exception: a large mosque in Maung Daw Township near the border with Bangladesh. Historic mosques in Mawlamyine, Mon State and Sittwe, Rakhine State, as well as other areas, continued to deteriorate because authorities did not allow routine maintenance. A number of restrictions were in place on the construction or renovation of mosques and religious schools in northern Rakhine State. According to a representative of an Islamic association, local authorities in Bago confiscated an ancient Muslim cemetery. The military government completely banned all religious services at the cemetery in 2005 and destroyed other parts of the cemetery between 2002 and 2010.

The roof repair of a Rangoon mosque became the center of controversy after the Yangon City Development Committee forced the mosque to suspend work. Rangoon Mayor and USDP candidate Aung Thein Linn allegedly approved the renovation project after the Muslim community agreed to support him in the elections. However, authorities revoked the permit after the Buddhist community allegedly sent a letter of protest to the Union Election Commission in Naypyitaw. At year's end, the mosque was still without a roof.

Christian groups reported greater ease in obtaining permission to buy land or build new churches during the year. In some cases authorities continued to deny permission to build, asserting that applicants had violated various aspects of Burma's complex land laws. In some areas permission to repair existing places of worship was easier to acquire.

The government openly supported Buddhist seminaries and permitted them to construct large campuses. Buddhist groups generally did not experience difficulty in obtaining permission to build new pagodas, monasteries, or community religious halls.

Government authorities continued to prohibit Christian clergy from proselytizing in some areas. Christian groups reported that authorities sometimes refused residency permits for Christian ministers attempting to move to new townships. They indicated this was not a widespread practice, but depended on the individual community and local authority. Nonetheless, Christian groups reported that church membership increased, even in predominantly Buddhist regions.

Muslims across the country, as well as ethnic Chinese and Indians, often were required to obtain permission from township authorities to leave their home towns. Authorities often denied Rohingya and other Muslims living in Rakhine State permission to travel for any purpose; however, permission was sometimes obtained through bribery. Muslims in other regions were granted more freedom to travel, but still faced restrictions. For example, Rohingyas living in Rangoon needed permission from immigration authorities to travel into and out of Rakhine State.

Muslims in Rakhine State, particularly those of the Rohingya minority group, continued to experience the severest forms of legal, economic, educational, and social discrimination. There were reports that Buddhist physicians would not provide Muslims the endorsement required by the Ministry of Health that permits Muslims to travel outside Rakhine State to seek advanced medical treatment.

The government denied citizenship status to Rohingyas, claiming that their ancestors did not reside in the country at the start of British colonial rule, as the 1982 citizenship law required. The Rohingyas asserted that their presence in the area predates the British arrival by several centuries. In November 2008 the UN Committee on the Elimination of Discrimination Against Women urged the government to review its citizenship law. In February 2010 the UN Special Rapporteur on the situation of human rights in Myanmar visited the country and noted discrimination against Muslims. Many of the approximately 28,500 Rohingya Muslims registered in two refugee camps in Bangladesh and the estimated 200,000 Rohingya Muslims living outside those camps, also in Bangladesh, refused to return to the country because they feared human rights abuses, including religious persecution.

Essentially treated as illegal foreigners, Rohingyas were not issued Foreigner Registration Cards (FRCs). Since they also were not generally eligible for NRCs, Rohingyas have been commonly referred to as "stateless." In the run-up to national elections in November 2010, the government issued Temporary Registration Cards (TRCs) to residents in northern Rakhine State; the majority of them are Rohingyas. The issuance of TRCs was primarily done, it appears, to allow Rohingyas participation in the elections. The United Nations High Commissioner for Refugees (UNHCR) worked with approximately 750,000 residents of Rakhine State who did not hold citizenship in the country. At the end of the reporting period, the UNHCR (quoting government estimates) indicated that 85 percent of eligible residents (637,500 stateless persons) over the age of 10 possessed TRCs. The UNHCR noted that according to information from individuals in northern Rakhine State, many individuals issued TRCs were actually

only given a TRC number and no document. The UNHCR also assisted Rohingyas with education, health, infrastructure, water and sanitation, and agriculture.

Without citizenship status Rohingyas did not have access to secondary education in state-run schools. Those Muslim students from Rakhine State who completed high school were not permitted to travel outside the state to attend college or university. Authorities continued to bar Muslim university students who did not possess NRCs from graduating. These students were permitted to attend classes and sit for examinations, but they could not receive diplomas unless they claimed a "foreign" ethnic minority affiliation. Rohingyas also were unable to obtain employment in any civil service positions. Rohingya couples needed also to obtain government permission to marry and faced restrictions on the number of children they could have. Muslim newcomers were not allowed to buy property or reside in Thandwe, Rakhine State, and authorities prevented Muslims from living in the state's Gwa or Taungup areas.

The government allowed members of all religious groups to establish and maintain links with coreligionists in other countries and to travel abroad for religious purposes. These links were subject to restrictive passport and visa issuance practices, foreign exchange controls, and government monitoring, which extended to all international activities by all citizens regardless of religion. The government sometimes expedited its burdensome passport issuance procedures during the year for Muslims making the Hajj or for Buddhists going on pilgrimage to Bodhgaya, India. Although approximately 500 Muslims from Burma participated in the Hajj during the year, there were allegations of corruption in the Ministry of Religious Affairs' expedited process. An estimated 2,000 Buddhists from the country made pilgrimages to Bodhgaya.

The SMNC and Ministry of Religion also subjected the Sangha to special restrictions on freedom of expression and association. Members of the Sangha were not allowed to preach sermons pertaining to politics. Religious lectures that reflected political views often drew criticism or censure from the SMNC and Ministry of Religion. In February the SMNC banned Ashin Pyinna Thiha, aka Shwe Nya Wah Sayadaw, the Abbot of Sardu Pariyatti Monastery, from giving sermons for a year because the SMNC had deemed his previous sermons too political. In December, after he met with U.S. Secretary of State Clinton, the abbot received a letter from the State Sangha calling for his dismissal from Sardu Pariyatti Monastery. The letter cited the abbot's September speech at the headquarters of the pro-democratic opposition party the National League for Democracy as the reason for his dismissal. The government prohibited all clergy

from being members of any political party and electoral law bars them from participating in political activity and voting in the elections.

During the year, authorities allowed Naw Ohn Hla, the leader of a group of Buddhist laypersons known as the Tuesday Prayer Group, greater latitude to conduct prayer meetings, although they prevented her group from participating in a September street march protesting construction of the Myitsone Dam.

State-controlled media frequently depicted government officials and family members paying homage to Buddhist monks; offering donations at pagodas; officiating at ceremonies to open, improve, restore, or maintain pagodas; and organizing ostensibly voluntary "people's donations" of money, food, and uncompensated labor to build or refurbish Buddhist shrines nationwide. The government published books on Buddhist religious instruction.

The government discouraged Muslims from enlisting in the military and Christian or Muslim military officers who aspired to promotion beyond the rank of major were encouraged by their superiors to convert to Buddhism. Some Muslims who wished to join the military reportedly had to list "Buddhist" as their religion on their applications, although they were not required to convert.

Improvements and Positive Developments in Respect for Religious Freedom

The government passed the Peaceful Assembly and Procession Bill on December 2, the first law in several decades to allow peaceful assembly. In a sign of greater openness, government officials, foreign diplomats, and former ambassadors joined the Jewish community's December celebration of Hanukkah, held for the first time outside the synagogue. The MCC reported that the Ministry of Religious Affairs eased restrictions on the building of churches, noting for example that in Taungoo, displaced people built a church in a safe area outside the conflict zone. The MCC also noted that the ministry held interfaith dialogues throughout the country. The government released a number of political prisoners in October, including 29 monks, according to one local group that tracks political prisoners.

Section III. Status of Societal Respect for Religious Freedom

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Because ethnicity and religion are often inextricably linked, it is difficult to categorize many incidents specifically as ethnic or religious intolerance. Preferential treatment for Buddhists and widespread prejudice against

ethnic South Asians, particularly ethnic Rohingya Muslims, were key sources of social tensions between the Buddhist majority and Christian and Muslim minorities. There were reports of a deadly attack on a Rohingya residence on December 26 by Rakhine extremists in Buthidaung Township in Rakhine State and an ensuing riot. There were no reports of anti-Semitic acts.

Section IV. U.S. Government Policy

The U.S. government continued to promote religious freedom in its contacts with all sectors of society and dramatically increased its engagement with the government as part of its overall policy to promote human rights and democratization. In response to political reforms, the president sent the secretary of state to visit the country--the first such visit in over 56 years. There were numerous visits by senior U.S. officials who raised, inter alia, ongoing U.S. concerns about religious freedom. Embassy officials were granted permission to travel to ethnic states to discuss human rights and religious freedom. Embassy officials discussed the importance of increasing religious freedom with government officials, private citizens, scholars, representatives of other governments, and international business and media representatives. Embassy representatives met with leaders of Buddhist, Christian, Jewish, and Muslim religious groups, including ethnic minority religious leaders, members of the faculties of schools of theology, and other religiously affiliated organizations and NGOs.

The embassy regularly distributed U.S. government and NGO statements and reports on violations of religious freedom in the country. In addition, the embassy partnered with some faith-based organizations on educational programs.

Since 1999, Burma has been designated as a Country of Particular Concern (CPC) under the International Religious Freedom Act. The secretary of state redesignated the country as a CPC on August 18 for having engaged in or tolerated particularly severe violations of religious freedom. In connection with this designation, the secretary extended the existing arms embargo referenced in 22 CFR 126.1 (a), pursuant to section 402(c) (5) of the Act. Following nascent reforms by a nominally civilian-led government that assumed power in March, the U.S. government enhanced its principled engagement with the government, as exemplified by Secretary Clinton's historic visit to the country late in the year. To support and encourage the reform process, the U.S. government responded progressively through an action-for-action approach to the government's progress on core concerns by easing a number of sanctions. The U.S. government,

however, maintains an array of restrictions on the country for its continuing violations of human rights including religious freedom.