

**AMENDMENT TO RULES COMM. PRINT 119-8**  
**OFFERED BY MR. MEEKS OF NEW YORK**

At the end of subtitle B of title XIII, insert the following:

1   **SEC. 13 \_\_\_\_ . BURMA GENOCIDE ACCOUNTABILITY AND PRO-**  
2                                   **TECTION.**

3           (a) STATEMENT OF POLICY.—It is the policy of the  
4   United States:

5                   (1) to uphold Article I of the Convention on the  
6   Prevention and Punishment of the Crime of Geno-  
7   cide, to which the United States is a party, to pre-  
8   vent the crime of genocide and punish its perpetra-  
9   tors;

10                  (2) to prevent and end atrocities committed  
11   against Rohingya by addressing the root causes of  
12   the genocide and crimes against humanity com-  
13   mitted against them, holding the perpetrators of  
14   these crimes accountable, supporting solutions to re-  
15   spect the human rights and uphold the dignity of  
16   Rohingya, and to ensure Rohingya involvement and  
17   representation in decision making and implementa-  
18   tion processes to address these needs;

1           (3) to support the empowerment of Rohingya  
2       civilian leadership in diaspora communities, refugee  
3       camps in Bangladesh, and inside Burma through  
4       consultation and collaboration with Rohingya com-  
5       munity representatives;

6           (4) to provide holistic support to the Rohingya  
7       community to overcome decades of systematic perse-  
8       cution and discrimination and to best support the  
9       desires of all communities in Burma to achieve last-  
10      ing peace and an inclusive, Federal democracy in-  
11      cluding through credible transitional justice proc-  
12      esses;

13          (5) to collaborate with other countries to pursue  
14      and implement coordinated, comprehensive, and sus-  
15      tained measures for upholding the dignity and pro-  
16      tecting the human rights of Rohingya;

17          (6) to engage in a coordinated manner with the  
18      United Nations High Commissioner for Refugees  
19      other relevant United Nations agencies, govern-  
20      ments, and intergovernmental entities to establish  
21      protocols and respond to protection concerns and to  
22      prevent and protect Rohingya from further atroc-  
23      ities; and

1           (7) to isolate the Burma military junta dip-  
2           lomatically and economically until such time that  
3           there is a return to civilian rule in Burma.

4           (b) UNITED STATES SPECIAL REPRESENTATIVE AND  
5           POLICY COORDINATOR FOR BURMA.—

6           (1) IN GENERAL.—In the absence of a United  
7           States Ambassador to Burma, the Secretary of State  
8           is authorized to appoint a career Foreign Service Of-  
9           ficer of Senior Foreign Service rank as Special Rep-  
10          resentative and Policy Coordinator for Burma.

11          (2) DUTIES.—The Special Representative  
12          shall—

13                (A) promote a comprehensive international  
14                effort, including multilateral sanctions, direct  
15                dialogue with all parties, including democracy  
16                advocates, and support for nongovernmental or-  
17                ganizations operating in Burma and neigh-  
18                boring countries, designed to restore civilian  
19                democratic governance to Burma and address  
20                the urgent humanitarian needs in the region;

21                (B) consult broadly, including with the  
22                Governments of Thailand, Bangladesh, India,  
23                the Republic of Korea, Japan, the member  
24                states of ASEAN, the European Union, and

1 other nations to coordinate policies toward  
2 Burma;

3 (C) assist efforts by the United Nations  
4 Special Envoy to secure the release of all polit-  
5 ical prisoners in Burma and to promote dia-  
6 logue among all parties, including leaders of  
7 Burma's democracy movement;

8 (D) consult with Congress on policies rel-  
9 evant to Burma and the future and welfare of  
10 all the Burmese people, including refugees;

11 (E) coordinate multilateral sanctions ef-  
12 forts against Burma among United States allies  
13 and partners; and

14 (F) support protection, humanitarian as-  
15 sistance, and accountability efforts for  
16 Rohingya and other Burmese ethnic minorities  
17 in Burma and the surrounding region.

18 (3) SUNSET.—This subsection shall terminate  
19 on the date that is 5 years after the date of the en-  
20 actment of this Act.

21 (c) SUPPORT FOR PROTECTION EFFORTS AND DURA-  
22 BLE SOLUTIONS WITH RESPECT TO ROHINGYA.—

23 (1) IN GENERAL.—The Secretary, in consulta-  
24 tion with the Special Representative (if so des-  
25 ignated under subsection (b)(1)), should support ef-

1        forts to protect Rohingya and prevent further atroc-  
2        ities against Rohingya and other Burmese ethnic mi-  
3        norities.

4            (2) PROTECTION EFFORTS.—In carrying out  
5        paragraph (1), the Secretary should seek to engage  
6        in crisis response efforts and efforts to maximize the  
7        safety, security, and well-being of Rohingya in  
8        Burma and throughout South Asia and Southeast  
9        Asia, by—

10            (A) supporting Rohingya refugees access to  
11            international protection as well as international  
12            asylum and refugee mechanisms, and pre-  
13            venting indefinite detention and  
14            nonrefoulement;

15            (B) facilitating greater access for Rohingya  
16            facing ongoing abuse, including human traf-  
17            ficking and gender-based violence, to appro-  
18            priate legal support services;

19            (C) supporting a monitoring mechanism,  
20            rapid response team, legal assistance, and com-  
21            munication mechanisms to overcome military-  
22            imposed internet and telecommunication restric-  
23            tions for Rohingya living in Burma;

24            (D) working with other governments in the  
25            region to strengthen regional mechanisms and

1 overall coordination on lifesaving search and  
2 rescue, safe disembarkation, effective receiving  
3 and comprehensive assistance for Rohingya ref-  
4 ugees;

5 (E) supporting host communities to facili-  
6 tate a safer, more supportive, and welcoming  
7 environment for Rohingya refugees through the  
8 provision of technical assistance and coopera-  
9 tion with local organizations and governments;  
10 and

11 (F) engaging the Government of Ban-  
12 gladesh and the international community to es-  
13 tablish the necessary mechanisms for Rohingya  
14 refugees to file protection claims, and seek ac-  
15 countability by—

16 (i) improving Rohingya refugees abil-  
17 ity to access justice within Bangladesh  
18 through legal aid, simplifying the process  
19 for filing cases, facilitating the access of  
20 lawyers involved in international legal pro-  
21 ceedings involving Rohingya, and enabling  
22 Rohingya to travel abroad to participate in  
23 legal proceedings in other courts;

1 (ii) supporting enhanced coordination  
2 among Bangladesh security forces on in-  
3 vestigations and accountability;

4 (iii) supporting training for Ban-  
5 gladesh's Armed Police Battalion and any  
6 other units providing security for Rohingya  
7 refugee camps on humanitarian protection  
8 principles and community safety; and

9 (iv) encouraging the Government of  
10 Bangladesh and other host governments to  
11 allow safe houses for Rohingya human  
12 rights activists, as well as defectors, insider  
13 witnesses to atrocities against Rohingya  
14 and other refugees facing imminent  
15 threats.

16 (3) PROMOTING DURABLE SOLUTIONS.—In car-  
17 rying out paragraph (1), the Secretary should seek  
18 to promote durable solutions with respect to  
19 Rohingya by—

20 (A) supporting the inclusion of Rohingya  
21 across various sectors in Burma;

22 (B) facilitating training and capacity build-  
23 ing on atrocity prevention for the National  
24 Unity Government, the National Unity Consult-  
25 ative Council, the Committee Representing

1 Pyidaungsu Hluttaw, ethnic armed organiza-  
2 tions, and other political stakeholders;

3 (C) in consultation with Rohingya commu-  
4 nity representatives, including women and civil  
5 society leaders, collaborating with and sup-  
6 porting key non-military stakeholders to take  
7 preparatory steps for—

8 (i) ensuring the safe and voluntary re-  
9 turn of Rohingya, which should include  
10 those individuals displaced in the 1990s or  
11 born as internally displaced persons or ref-  
12 ugees to their places of origin in Burma;

13 (ii) restoring and protecting  
14 Rohingyas rights and providing them full  
15 and equal citizenship;

16 (iii) recognizing Rohingya as an offi-  
17 cial ethnic group in Burma, and securing  
18 equal social and political power sharing  
19 under a Federal democratic Constitution;

20 (iv) promoting convenings and en-  
21 gagement among Rohingya, non state ac-  
22 tors, civil society groups, and other key  
23 stakeholders in Rakhine state to promote  
24 trust building and reconciliation;



1 (v) including Rohingya across admin-  
2 istration and governance mechanisms of  
3 Burma, including Rakhine state; and

4 (vi) developing a comprehensive tran-  
5 sitional justice strategy;

6 (D) working with United States allies and  
7 partners to broaden resettlement programs and  
8 supporting the voluntary resettlement of the  
9 most vulnerable individuals within Rohingya  
10 populations, as well as defectors, deserters, and  
11 insider witnesses participating in justice proc-  
12 esses; and

13 (E) supporting repatriation of Rohingya  
14 refugees only when conditions are conducive for  
15 a safe, voluntary, and sustainable return with  
16 full rights restored.

17 (d) HUMANITARIAN ASSISTANCE AND SUPPORT FOR  
18 ROHINGYA REFUGEES AND INTERNALLY DISPLACED  
19 PERSONS.—

20 (1) IN GENERAL.—The Secretary of State, in  
21 consultation with the Special Representative (if so  
22 designated under subsection (b)(1)) and other rel-  
23 evant United States Government agencies, should  
24 continue to provide assistance to Rohingya refugees,

1 internally displaced persons, and host communities  
2 receiving such refugees and persons.

3 (2) ACTIVITIES SUPPORTED.—Assistance pro-  
4 vided under paragraph (1) includes the following:

5 (A) Protection programming, including  
6 interventions focused on Rohingya civil society  
7 leaders, human rights activists, and others  
8 threatened by armed groups.

9 (B) Support for Rohingya civil society and  
10 community-based organizations, including diplo-  
11 matic engagement to encourage the Government  
12 of Bangladesh to allow the operation of  
13 Rohingya-led civil society and community-based  
14 organizations in the refugee camps in Ban-  
15 gladesh.

16 (C) Programs to prevent and respond to  
17 gender-based violence, trafficking, forced mar-  
18 riage, as well as specialized training programs  
19 for vulnerable groups.

20 (D) Support for education, including high-  
21 er education, for Rohingya refugees in Ban-  
22 gladesh.

23 (E) Support for displaced Rohingya to ac-  
24 cess livelihoods through vocational training and  
25 volunteer programs organized by international

1 organizations and nongovernmental organiza-  
2 tions.

3 (F) Support for meeting basic needs, in-  
4 cluding food, nutrition, health care, protection,  
5 shelter, water, sanitation, and hygiene support.

6 (G) Support to Rohingya in Burma, ref-  
7 ugee camps in Bangladesh, and the diaspora to  
8 preserve Rohingya culture, history, and mem-  
9 ory.

10 (e) PROMOTING ACCOUNTABILITY FOR GENOCIDE  
11 AND CRIMES AGAINST HUMANITY COMMITTED AGAINST  
12 ROHINGYA IN BURMA.—

13 (1) IN GENERAL.—The Secretary of State, in  
14 consultation with the Special Representative (if so  
15 designated under subsection (b)(1)) and other rel-  
16 evant United States Government agencies, should  
17 take the actions described in paragraph (2) to pro-  
18 mote accountability for genocide and crimes against  
19 humanity committed against Rohingya in Burma.

20 (2) ACTIONS DESCRIBED.—The actions de-  
21 scribed in this paragraph are the following:

22 (A) Support comprehensive justice and ac-  
23 countability for genocide and crimes against hu-  
24 manity committed against Rohingya, including

1 through consultation with and participation by  
2 the Rohingya community.

3 (B) Support for the efforts of entities, in-  
4 cluding the Independent Investigative Mecha-  
5 nism for Myanmar, in their work to safely col-  
6 lect and preserve evidence of genocide and  
7 crimes against humanity committed against  
8 Rohingya, including through open-source re-  
9 search and by cultivating insider, defector, de-  
10 serter, and survivor witnesses, and to develop  
11 the chain of evidence, for potential use in pros-  
12 ecutions in domestic, hybrid, and international  
13 courts.

14 (C) Provide assistance, particularly finan-  
15 cial and technical assistance, to efforts led by  
16 Rohingya to monitor and document evidence to  
17 lead, assist, or inform other investigative mech-  
18 anisms and justice processes.

19 (D) Encourage the development of an  
20 intergovernmental fund to support reparative  
21 justice for Rohingya victims and survivors and  
22 identify sources of funding from foreign govern-  
23 ments and within the United States Govern-  
24 ment that have already been appropriated.

1           (E) Engage with Burma's civilian leader-  
2 ship and any subsequent democratic leadership  
3 in Burma to officially acknowledge genocide  
4 and crimes against humanity committed by  
5 members of the Burma military, restore  
6 Rohingya's citizenship and equal rights in  
7 Burma, and ensure compensation by the Gov-  
8 ernment of Burma and restitution for their  
9 land and property, and by providing support,  
10 including technical and financial assistance, for  
11 efforts to memorialize genocide and crimes  
12 against humanity in Burma, particularly those  
13 efforts led by the affected communities.

14           (F) Provide support for institutional re-  
15 form and other guarantees of nonrecurrence by  
16 civilian leadership in Burma, including the se-  
17 curity sector, legislature, and education system,  
18 and the inclusion and equal participation of  
19 Rohingya in all areas of administration and  
20 governance, under an eventual Federal demo-  
21 cratic system.

22           (G) Use convening authority to directly  
23 bring together various ethnic groups and other  
24 related stakeholders in Burma to promote  
25 truth, justice, nonrecurrence, and reconciliation,

1 to support facilitation of related efforts by civil-  
2 ian leadership in Burma, and to provide both  
3 technical and financial support to entities, espe-  
4 cially the civil society of Burma, to implement  
5 work aimed at strengthening rule of law and  
6 initiatives aimed at atrocity prevention.

7 (f) REPORT.—

8 (1) IN GENERAL.—Not later than 180 days  
9 after the date of the enactment of this Act, and an-  
10 nually thereafter for 5 years, the Secretary of State,  
11 in consultation with the Special Representative (if so  
12 designated under subsection (b)(1)), shall submit to  
13 the appropriate congressional committees a report  
14 that includes—

15 (A) a description of and an assessment of  
16 the effectiveness of the efforts of the United  
17 States Government, during the year prior to the  
18 submission of such report, to—

19 (i) identify and respond to atrocity  
20 risk factors that concern Rohingya;

21 (ii) deter future atrocities against  
22 Rohingya and other Burmese ethnic mi-  
23 norities;

24 (iii) respond to the need for humani-  
25 tarian assistance for and protection of

1                   Rohingya and other Burmese ethnic mi-  
2                   norities;

3                   (iv) document the nature of and re-  
4                   sponsibility for atrocity crimes committed  
5                   against Rohingya and other Burmese eth-  
6                   nic minorities; and

7                   (v) promote justice and accountability  
8                   for atrocity crimes committed against  
9                   Rohingya and other Burmese ethnic mi-  
10                  norities;

11                 (B) a detailed description of the actions  
12                 taken pursuant to subsections (c), (d), and (e);

13                 (C) an assessment of the effect of the ac-  
14                 tions described in subparagraph (B) on the ad-  
15                 vancement of the policies described in sub-  
16                 section (a);

17                 (D) a list of activities and programs initi-  
18                 ated pursuant to this section;

19                 (E) the number of Rohingya refugees re-  
20                 settled in the United States in the year pre-  
21                 ceding the submission of such report, seg-  
22                 mented by the country from which such refu-  
23                 gees were resettled;

24                 (F) the number of Rohingya refugees re-  
25                 settled in countries other than the United

1 States in the year preceding the submission of  
2 such report;

3 (G) a description of any new challenges  
4 facing Rohingya in Burma or in refugee camps  
5 in the year preceding the submission of such re-  
6 port, including an assessment of early warning  
7 indicators and risk factors for atrocities; and

8 (H) a list of recommendations to facilitate  
9 the implementation of this section and advance  
10 the policies described in subsection (a), which  
11 may include recommended—

12 (i) legislative action;

13 (ii) administrative action; and

14 (iii) provision of additional resources.

15 (2) REPORT FORM.—

16 (A) CLASSIFICATION.—The report required  
17 under paragraph (1) shall be submitted in un-  
18 classified form and may contain a classified  
19 annex.

20 (B) PUBLIC AVAILABILITY OF INFORMA-  
21 TION.—Not later than 45 days after the date  
22 on which the appropriate congressional commit-  
23 tees received such report, the unclassified por-  
24 tion of such report shall be made publicly avail-  
25 able on the website of the Department of State.



1 (g) DEFINITIONS.—In this section:

2 (1) APPROPRIATE CONGRESSIONAL COMMIT-  
3 TEES.—The term “appropriate congressional com-  
4 mittees” means—

5 (A) the Committee on Foreign Affairs of  
6 the House of Representatives; and

7 (B) the Committee on Foreign Relations of  
8 the Senate.

9 (2) GENOCIDE.—The term “genocide” means  
10 any offense described in section 1091(a) of title 18,  
11 United States Code.

12 (3) SPECIAL REPRESENTATIVE.—The term  
13 “Special Representative” means the United States  
14 Special Representative and Policy Coordinator for  
15 Burma designated by the President pursuant to sub-  
16 section (b)(1).

17 (4) BURMA MILITARY JUNTA.—The term  
18 “Burma military junta” means the State Adminis-  
19 trative Council of Burma or any successor to such  
20 entity.

