

United States Senate

WASHINGTON, DC 20510

May 4, 2012

The Honorable Hillary Clinton
Secretary of State
U.S. Department of State
2201 C Street, NW
Washington, DC 20520

Dear Secretary Clinton:

We write you to express our strong belief that it is imperative for the United States to act in a clear, proactive manner to facilitate reforms in Burma through the lifting of economic sanctions. This recommendation is based on years of interaction with the countries of East Asia, including visits to the region and to Burma and meetings with its top leadership, as well as the testimony received at the East Asian and Pacific Affairs Subcommittee hearing of April 26, 2012, regarding “U.S. Policy on Burma.”

We are mindful that the European Union (EU) announced on April 23, 2012, that it is suspending all sanctions against Burma, except for an arms embargo. Other countries that share our political philosophy, including Japan, have enacted similar measures. The countries of the Association of Southeast Asian Nations (ASEAN) have embraced recent political reforms in the country and are unanimously in favor of immediate changes in economic policies. In short, the United States alone is left holding the most restrictive sanctions on Burma, banning visas, imports, exports, financial services, foreign assistance, and assistance by international financial institutions.

In response to questions raised at the hearing last week, Office of Foreign Assets Control Director Adam Szubin testified that the main categories of sanctions imposed by statute or executive order can be lifted by the President via licenses, rescission of executive orders, or issuance of waivers on national security. Further, he noted that executive decisions to remove sanctions can still target and blacklist the assets or activities of specific “bad actors” from the previous military junta so that they will not benefit from economic relations with the United States. These decisions do not require legislation; importantly, they can also be reversed, should the situation in Burma deteriorate.

We understand that as part of its review of sanctions policy, the Administration is considering lifting sanctions sector by sector, with the possibility that sanctions may be retained on individual industries such as petroleum. We believe that this would be a strategic mistake. The United States should not be picking winners and losers in our economic engagement abroad, but rather should be encouraging the business community

as a whole to take on the risk of investing in human development in Burma. Their involvement can foster an open, transparent business environment that supports the rule of law and a level playing field for foreign investment.

Progress in Burma toward the goals we all share—greater freedom and prosperity for the people of Burma—is ultimately tied to the sanctions that are in place. Unlike some other countries in the region, most notably China and Vietnam, Burma's new leadership has moved forward with political change ahead of economic change. It is important to note that Daw Aung San Suu Kyi herself, speaking as an elected representative of the government of Burma, publicly announced her support for the EU's decision to suspend sanctions in response to democratic reforms in the country. The process of reform in Burma is still far from complete, but the positive steps that have been taken should be met with a positive response from our own government

It is also important to note that the lifting of sanctions on Burma does not equal the establishment of full trading relations. The U.S. trade embargo with China was lifted 41 years ago, but permanent normal trade relations were granted only 12 years ago and continue despite ongoing concerns about the detention of political prisoners, repression of religious activity and lack of representative government. Burma has a long way to go, but its leaders—notably President Thein Sein and Aung San Suu Kyi—should be acknowledged for their concrete efforts to take the country in a different direction.

At this critical moment, it is imperative that our policy toward Burma be forward thinking, providing incentives for further reforms and building the capacity of reformers in the government to push for additional change. We urge the Administration to take action under its own authority, and seize this opportunity to support the Burmese people in their efforts to form an open, democratic government that respects and protects the rights of all.

Sincerely,



Jim Webb
United States Senator



James M. Inhofe
United States Senator