

# Gaining Ground:

Earth Rights Abuses in Burma Exposed



**EARTHRIGHTS INTERNATIONAL**  
Earth Rights School of Burma  
Class of 2008

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## Preface

People can create a better world if they have the desire, enthusiasm and knowledge to do so. Furthermore, unity of thought and unity of action are needed in the international community to bring about positive changes and sustainable development around the globe. In a long list of important goals, eradication of poverty and protection and promotion of human rights and environmental rights are top priorities.

People power is pivotal and improving the connections among individuals, organizations and governments is essential. Greater knowledge is important at every level and every actor in the international community must strive to create a better world in the future. Of course, this improvement would come from both local and global actions.

In fact, to my knowledge, the students and EarthRights School (ERS) itself are trying their best to cooperate and to coordinate with the international community for the above-mentioned noble tasks. By starting from localized actions, many ethnic youths from various areas of Burma come, study and have been working together at ERS. They exchange their experiences and promote knowledge and expertise not only during their school term but also after they graduate and through practical work that improves society.

In Burma, according to the international community's highly-regarded research and field documents, human rights violations are rampant, poverty is too high, environmental issues are neglected and good governance is non-existent. This may be a normal situation under military dictatorships around the world but it is not a permanent situation and history has proved that if democratic people have enough power, things will change sooner or later.

The ERS and its students now express their experiences and future vision and version in this timely book. I believe that it is insightful, fruitful and an excellent report from Burma to the international community through ERS. I do also hope that their effort will effectively draw the attention of people inside and outside Burma to create a better Burma and world.

Thein Oo  
Secretary  
Members of Parliament Union (Burma)  
Chairman, Burma Lawyers' Council

## Acknowledgements

The students of the EarthRights School of Burma (ERSB) Class of 2008 would like to express our heartfelt thanks to everyone involved in our instruction at the School and those who helped with our field research. We have learned much that we will be able to use in our future involvement in the struggle for peace, justice, and freedom in our homeland, Burma.

We would especially like to thank the ERSB staff who taught us how to conduct our research and were there to guide us on our projects. We would also like to thank all the guest teachers and lecturers who taught us important lessons about various aspects of human rights and the environment.

Thank you to Ka Hsaw Wa, the Executive Director of EarthRights International, and the rest of the ERI staff, both in Thailand and the USA, who supported us in our studies.

Our thanks also go out to the various patrons – including the Ford Foundation, the Frankel Family Foundation, Trócaire, and another organization which wishes to remain anonymous – that graciously funded our School and this research project. Without their assistance we would not have had this experience and the opportunity to improve our skills to better serve our people and improve the situation in Burma.

Everyone who helped with these research projects also deserves our thanks. This is especially so for our personal advisors who guided us throughout the process, and everyone involved in the final editing of this publication. We are so excited that our words and ideas will reach an international audience for the first time in our lives.

Finally, we are very grateful to our interviewees and all those people who provided assistance while we were in the field doing the research: for their time, insights, honesty, and courage.

We hope that all who read this collection of our research and concerns will find that it inspires them to continue, or to join, the fight to protect earth rights, in Burma and throughout the world.

**The EarthRights School of Burma Class of 2008**



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## Map of Burma and Research Areas



## Introduction

This report was written by the EarthRights School of Burma (ERSB) Class of 2008 from information gathered in field research conducted as a part of their studies at the School. The students are eager to expose ongoing human rights abuses and environmental destruction in Burma under the ruling State Peace and Development Council (SPDC).

This collection of reports is the result of the hard work and dedication of fourteen young men and women from diverse ethnic groups and regions in Burma who attended EarthRights International's year-long leadership school for human rights and environmental advocacy. While conducting their research the students took enormous risks, often willingly placing themselves in danger, in order to reveal the truth about Burma and the perspectives of the people directly affected by abuses.

The students were instructed in such subjects as human rights law, environmental monitoring, advocacy, public speaking and nonviolent social change. During their coursework, each student chose a topic to focus on and developed a thesis around it. During the fieldwork portion of their training, students conducted grassroots investigations, gathered primary source information, and worked directly with victims of human rights abuses, while witnessing firsthand the environmental destruction caused by the SPDC and armed groups in Burma and on its borders. (All interviews were conducted in April and May 2008. Some names of people and places have been disguised in order to keep them safe).

The information gathered in the field session was translated, analyzed, and combined with background research to produce this impressive volume of reports. This is only the second such volume produced by ERSB; for most of this year's students this represents the first time they have conducted in-depth research and writing and seen their work in print. It is a significant step on their way to becoming committed human rights and environmental activists.

This collection of reports provides important anecdotal evidence of the continuing abuses and misrule of the SPDC. Its release comes only two months after Cyclone Nargis devastated the major rice-producing region in Burma's Irrawaddy Delta, killing an estimated 138,000 people and seriously affecting the lives of 2.4 million more. The Burmese junta's inept and often cruel management of the crisis sparked outrage throughout the world.

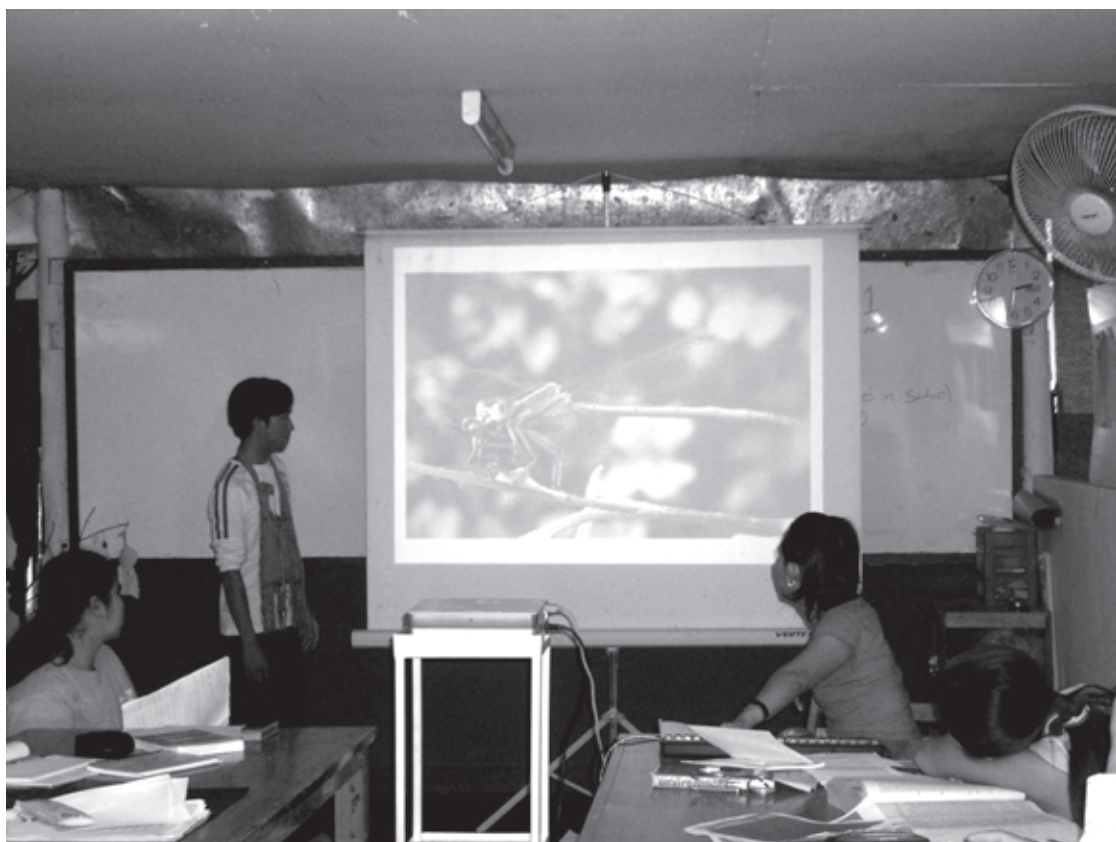
The students' research covers a broad spectrum of topics affecting the peoples of Burma, but for ease of reading we have divided the volume into four general themes.

Section One, **The Environment**, looks at how the SPDC's policies have resulted in environmental degradation and affected the ability of humans to make a living and provide for their families. Of particular note is how the need to survive has resulted in unsustainable resource extraction methods, and the junta's willingness to look the other way so long as it maintains a profit. Section Two, **Forced Labor**, examines through two case studies the continuing impact of this human rights abuse. The studies look at the little-known effects on local communities of the pylons that carry electricity from dams in Karenni State to power Rangoon and Mandalay, and the effects of forced labor that result from state-sanctioned land confiscation. Section Three, **Social Issues**, covers the social problems that have resulted from SPDC policies, and the long-term effects of being forced to live in refugee camps. Domestic violence in the camps, the effects of drug use on children, difficulties in obtaining education, the impact of mining on women, and the refugee resettlement program, are all examined. Section Four, **Food Security**, presents two case studies: one from a conflict area and one from an area long under SPDC control, that show how the actions of the SPDC have produced a situation wherein ordinary people are finding it increasingly difficult to feed their families.

Each of the students put a lot of effort into improving his or her capabilities as community leaders and international advocates. With their new skills they will join the previous graduates of the EarthRights Schools of Burma and of the Mekong to become a significant force for positive change. We will continue to support them through our Alumni Program, and look forward to watching them stand up to the challenge of bringing much-needed peace, justice, and democracy to their troubled nation.

EarthRights International  
July 2008

# The Environment



# The Potential Impact of the Salween Dams on the Livelihoods of Villagers on Chaung Zon Island, Mon State

By Nai Tiaung Pakao

## Introduction

The Salween River originates in the Qinghai-Tibetan Plateau, and flows through China's Yunnan province, and Burma's Shan, Karenni, Karen and Mon States, before flowing into the Andaman Sea. The Salween River is 2,800 kilometers long, and is the longest free-flowing river in Southeast Asia. The people living along the Salween River depend on it for their livelihoods.<sup>1</sup>

Burma's State Peace and Development Council (SPDC) are reliant on foreign cooperation for the construction of five large dams and hydropower plants along the Salween River. Plans for the construction of these dams have been developed over the last decade; however, the SPDC has not given any information about the potential impacts of the dams to the people who live along the Salween River and in the Salween Delta. The regime has signed Memoranda of Understanding (MoUs) with the Energy Generation Authority of Thailand (EGAT) and the Chinese state-owned enterprise Sinohydro Corporation.<sup>2</sup> Among some of the communities most threatened by the Salween Dams are the Mon people in Chaung Zon Township, Mon State.

This report examines the potential impacts of the Salween River dams on downstream communities, especially on the agricultural livelihoods of community members living in Chaung Zon Township. The agricultural livelihoods of people on Chaung Zon Island are analyzed. The use of canals to bring water from the Salween River and to protect their farms from the salt water of the Andaman Sea in order to develop agriculture is also discussed. Local communities control the water by building pools for drinking and household use, and depend on these pools for access to fresh water.

Past lessons drawn from the impacts of manmade changes to the Salween River are also looked at. For example, the construction of the Thanlwin Bridge in 2000 seriously altered the ecology of the river and the ability of local communities to

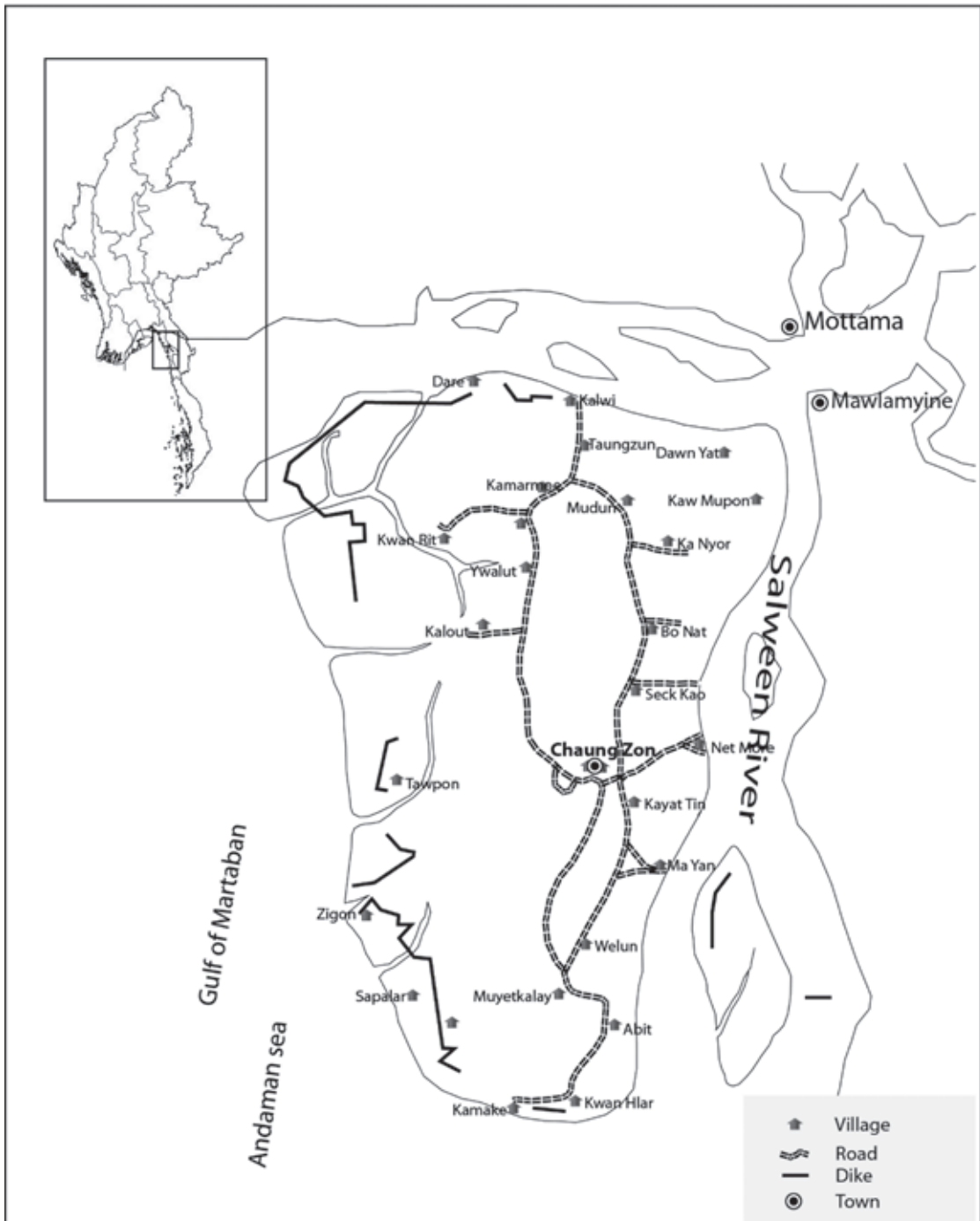
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<sup>1</sup> *In the Balance*, Mon Youth Progressive Organization, May 2007.

<sup>2</sup> For more information, go to [www.salweenwatch.org](http://www.salweenwatch.org)



## Map of Chaung Zon, Mon State



practice agriculture and fishing. It also negatively affected the ease of river transportation because of resultant shifting sandbanks.

This report puts forward the argument that dam construction on the Salween River would have even more dramatic effects than the Thanlwin Bridge on the livelihoods of local people; therefore the plans to construct the dams should be put on hold until more research on their potential effects can be conducted, and until local communities are informed and allowed to participate in decision-making processes.

First-hand research was done for this report through interviews with seventeen people from Chaung Zon, including farmers, fishermen, gardeners, sellers, teachers, youth leaders, and monks. The use of farmland and saltwater fishing was studied in ten villages. Interviews were conducted in both the Mon and Burmese languages.

### **Proposed Dam Sites on the Salween River in Burma**



## Proposed Dam Sites on the Salween River in Burma

#	Name of Dam	Location	Investment Company	Height (meters)	Mega-watts (MW)	Status	Remarks
1	Upper Salween Dam	Shan State	Farsighted Group and China Gold Water Resources Co.		2,400		April 2007, Farsighted Group and China Gold Water Resources Co. signed MoU with SPDC
2	Tasang Dam	Shan State	MDX group Thailand, Gezhouba-China (joined in December)	228 Meters - tallest in South-east Asia	7,110	MDX performing engineering studies since 1998; office established on-site in March, 2007	April 3 2006, MoU signed, will cost at least \$6 billion and flood 870 km <sup>2</sup>
3	Weigyi Dam	Karen State	Japanese Electric Power Development Corporation (initial study)	220 Meters	4,540		Will flood 700-100 km <sup>2</sup> , estimated cost \$3 billion
4	Dagwin Dam	Karen State		--	500-900		Stated cost of \$900 Million
5	Hatgyi Dam	Karen State	Sinohydro (China), EGAT (Thailand)	100 Meters	1,200	Draft EIA <sup>3</sup> issued August 2007, final EIA was due January 2008 (delayed)	1996, Thai govt. signed MoU with SPDC, 2010 finish, EGAT invest 5.5 m <sup>4</sup> , cost \$1 billion

<sup>3</sup> EIA: Environmental Impact Assessment.

<sup>4</sup> *Damming at Gunpoint*, Karen Rivers Watch, 2004, page 11.

## Background

### Background of Chaung Zon

Chaung Zon is the largest of several islands in the delta of the Salween River. Although the official name of the island is now Chaung Zon, most people still call it by its older names of Balue Kyun in Burmese, or Kaw Kamai in Mon. Chaung Zon is located west of Mottama and Mawlamyine towns, at the mouth of the Salween River as it flows into the Gulf of Martaban and the Andaman Sea. Chaung Zon island breaks the flow of water in the Salween River and creates two waterways that both flow into the Andaman Sea. Chaung Zon is also divided by a large mountain which splits the north and south of the island. The mountain, whose name differs among communities, is 1,800 feet high, and occupies 259.1 square miles.<sup>5</sup> There are 71 villages on the whole of Chaung Zon island, with a total population of 196,845, mostly Mon, Karen, and Burmese.<sup>6</sup> Regardless of any differences between these communities, they all depend on the Salween River for their livelihoods.

Most of the residents of Chaung Zon are farmers, fishermen and gardeners (horticulturalists). The main crops produced on Chaung Zon are rice, beans, vegetables, dry fish, fish paste, bananas, coconuts, and other fruit trees. Blackboards from Chaung Zon are also very famous throughout Burma, and it is the only place in the whole country where they are created.

### Background of the Salween Dams

The Salween River travels 2,800 kilometers as it travels from China down to the Andaman Sea. The river has different names as it passes through different areas; in Chinese it is called the Nu Jiang; in Burmese, the Thanlwin; in Mon it is called the Son Long; and many local tribes in Thailand and Burma call the river Nam Kong.<sup>7</sup> The Salween River is one of the world's richest biodiversity hotspots as it runs through the Three Parallel Rivers UNESCO World Heritage Site in Yunnan, China.<sup>8</sup>

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<sup>5</sup> Biography of Mu Du Sa Ya Daw.

<sup>6</sup> Chaung Zon Township population in 2002 according to the SPDC.

<sup>7</sup> *The Salween Under Threat*, Salween Watch, Southeast Asia Rivers Network, and the Center for Social Development Studies, 2004.

<sup>8</sup> For more information go to [http://www.unep-wcmc.org/sites/Three\\_Parallel.html](http://www.unep-wcmc.org/sites/Three_Parallel.html)

Burma's military regime, and the Thai energy companies EGAT and MDX, as well as China's Sinohydro and Gezhouba companies, have all signed agreements for the development of five dams on the Salween River. The five dams are the 7,110 megawatt (MW) Tasang Dam in Shan State, the 2400 MW Upper Thanlwin Dam in Shan State, the 4,540 MW Wei Gyi Dam in Karen State, the 500-900 MW Dagwin Dam in Karen State, and the 1,200 MW Hat Gyi Dam in Karen State.<sup>9</sup>

In southern and central Shan State, over 300,000 people have been relocated since the Tasang dam studies began in 2006.<sup>10</sup> The Salween dams will destroy ecologies and ecosystems, as well as the livelihoods of half a million people in the Mon communities that live in the downstream area.<sup>11</sup>

## **Agriculture**

The livelihood of residents of Chaung Zon island is based on agriculture and fishing. There are two types of agriculture: vegetable cultivation and rice farming. The farmers cultivate rice and beans in flat fields, while gardeners cultivate vegetables on the river banks and on smaller islands.

### **Rice Farming & Beans**

After the (April) Water Festival, farmers have to prepare to cultivate their rice. First, they bring bio-fertilizer and build huts near the fields. Second, they bring their farm tools and their families to live near the fields and start their farm work. Usually, they begin planting their rice in May and in November they gather the harvest. The farming schedule depends on the weather, so if the rains come early the farmers have to start growing their rice early, and if the rains come late they have to start growing late.

Once the rice harvest is finished, the farmers start growing beans. The beans can be harvested after three months. One acre of rice field can produce between 70 and 90 baskets (1,470–1,890 kilograms) of rice and five to seven baskets of beans. The rice, beans, and vegetables from the fields are sold within the village and to other villages. Some of it is transported to Mawlamyine for sale. Farmers also have to pay a tax to the government in the form of two baskets of rice for each acre.

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<sup>9</sup> 'Proposed Salween Dams in Burma and China', Salween Watch newsletter, August 2007.

<sup>10</sup> *Warning Signs*, Shan Sapawa Environmental Organization, 2006.

<sup>11</sup> *In the Balance*, Mon Youth Progressive Organization, 2007.

The farmers mainly use bullocks to cultivate their fields. Cow manure was used as bio-fertilizer in the traditional farming method before bullocks were replaced with tractors. Most of the farmers and gardeners do not own a large amount of land, with each family having around ten to fifteen acres. If a farmer owns more land than this, then they cannot use the bullocks for farming, but have to use a tractor instead.

***"I own about seventeen acres of land. I can't do it by using bullocks because it takes too much time and I have only two employees. I tried to do it by tractor, but it was not useful for me at all. The petrol price was rising every day and I had to buy chemical fertilizer, so I couldn't save money anymore. I had to sell my two pairs of bullocks to get the money to buy the tractor."***<sup>12</sup>

– 39 year-old farmer.

When the farmers replaced their bullocks with tractors, they started to use chemical fertilizers. They thought the tractors would be easy to use and that they could work quickly. They could rent them very easily and they did not have to take care of the tractors. Given these factors, the farmers sold their bullocks. If they have bullocks, they have to spend time to look after them, give them food, etc. Most of the bio-fertilizer, however, comes from bullock manure, so if they have bullocks they also have a free supply of bio-fertilizer.

***"In the past we never used chemical fertilizer because it is expensive and not useful for a long time. We used bio-fertilizers like animal waste and refuse. But now, we've started using tractors and most of the people have sold their bullocks and there are no more bullocks in our village, so we can't get the cow manure. We started to use chemical fertilizers. It is not only expensive, but also the price of the petrol for using the tractors is rising day by day. I never had a problem like that when we used bullocks."***<sup>13</sup>

– 48 year-old farmer.

***"I use chemical fertilizers because I don't have any cows and cow manure. It has affected the soil for a long time. If we use chemical fertilizers we have to use it every year. The best fertilizer for our fields is the cow manure, animal waste, and refuse from the field. They do not have a negative affect on the farm land. The bio-fertilizer I use is cow manure."***<sup>14</sup>

– 39 year-old farmer.

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<sup>12</sup> Interview 12.

<sup>13</sup> Interview 12.

<sup>14</sup> Interview 15.



The authorities made central dikes for the farmers so that they can protect their crops from salt water from the sea and river. The farmers have to pay the local authorities for the cost of making the dikes. They have to pay 50,000 kyat per acre one time when the dikes are made. If a farm is outside of the dike there is no need to pay for making the dike.

***"I had to pay authorities 350,000 kyat for my farmland. I own 12 acres of land, three acres outside of the dike and 2 acres crossed by the dike. I lost two acres of my farmland but the authorities didn't give me any compensation."***<sup>15</sup>

– 39 year-old farmer.

If the rainy season finishes early, then salt water from the Andaman Sea can rush onto the land, so farmers must rush to collect the rice before it is destroyed. In order to protect their land, the farmers build dikes to keep the salt water away, but if the dike is not strong enough when the salt water comes up it will be broken. At that time the salt water goes into the rice fields and will kill the rice in the entire field.

***"If our dike is not strong enough it could break and the salt will destroy our rice field. During that year we couldn't grow beans because the land is salty and nothing can be grown. We have to wait until the next year's rainy season. When the land gets less salty we can grow rice again."***<sup>16</sup>

## **Vegetable Gardens**

Vegetables can be cultivated in both the rainy and dry seasons, especially roselle, long beans, tomatoes, chilies, okra, sweet potatoes, cucumbers, eggplants, and cabbages. These vegetable gardens are located on the Salween riverbank and on small islands. In the rainy season the vegetables cultivated are chilies, eggplants, cucumbers, roselle, and other vegetables. In the rainy season farmers do not need to bring water from the river because the rain is enough water for cultivation.

In the dry season water from the Salween is used for the cultivation of vegetables, mostly chilies, eggplants, cauliflowers, cabbages, long beans, tomatoes, and coriander. Some people keep the water in pools with canals from the Salween River. This water is collected as the river's water level rises and automatically flows into

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<sup>15</sup> Interview 15.

<sup>16</sup> Interview 10.

pools through canals at a lower level. When the pool is full, the farmers close off the canal and can store the water for use in cultivation. The gardeners never grow only one kind of vegetable in their garden, in order to protect against falling vegetable prices.

***“We never focus on only one kind of seed because we are worried that the price might rise in the market. If we are growing many kinds of vegetables, one of them might get a good price.”<sup>17</sup>***

– Gardener.

The supply of water and the construction of dikes are very important, because if the saltwater comes before harvesting, the vegetables will be destroyed. If they cannot protect the land from saltwater, they cannot grow vegetables on that land.<sup>18</sup> In the dry season, the saltwater in the river is high because there is less fresh water from upstream. The farmers are mostly afraid of the dry season tide because it has a high salinity.

If dams are built on the Salween River, the amount of freshwater will decrease and the saltwater will come in and take more space and area from the freshwater. When the tide rises, the amount of saltwater in the river also rises; if the level of salt water rises it can flood into the fields through the freshwater storage canals. So the farmer and the gardener then cannot use the water to cultivate rice and vegetables.

The people living on Chaung Zon island do not know about the Salween dams being built upstream on the Salween River, nor the effects that these dams can have on their livelihoods. The government of Burma has not provided information to the local people who live downstream and in the delta of the Salween River about the potential impact of dams.

***“We hear a little about the construction of dams on the Salween from the radio but we don’t know when they will be finished, how they will affect us, or how we could lose our property and our livelihoods.”<sup>19</sup>***

– Farmer.

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<sup>17</sup> Interview 14.

<sup>18</sup> *In the Balance*, Mon Youth Progressive Organization.

<sup>19</sup> Interview 19.

## Fishing

Sapalar and Zoegon are big sea fishing villages located in the southern part of Chaung Zon. The people's livelihoods in these villages depend on fishing, and there are many fishing boats. They catch fish mostly using an 'England Net'<sup>20</sup>, which is claimed to be the best kind of net. They produce many kinds of dried fish, dried prawns and fish paste.

The fishing season in the Andaman Sea begins in October and lasts until April or May when the rainy season begins. The fishing boats go to sea once a week and smaller boats go out to bring back all of the fish they catch during the week. When the fish arrive in the fish-drying area they chose the fish and add salt, then place the fish in the sun. The dried fish are then sold in their village, and to other villages in Chaung Zon, and in the town of Mawlamyine.

***"In one year I have to invest about fifteen million kyat to pay for workers, fishing nets, and the fishing boat."***<sup>21</sup>

– Fishing boat owner.

People from other villages come to sell general groceries that they carry by bicycle or on their heads. When they go back home they take back the dried fish and fish paste.



*Boats can not go fishing because the price of petrol is rising and there are few fish. (Photo by NTP).*

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<sup>20</sup> A Kind of fishing net, on which the mouth is wide and the end is very narrow.

<sup>21</sup> Interview 5.



*Fish drying field. (Photo by NTP).*

***"Grocery sellers from other villages come to sell in our village. Whatever they bring, all the groceries are gone. When they go back they buy dried fish, fish paste and dried prawns. Now the fishermen do not buy groceries from the sellers anymore. They can't fish a lot. They have to give dried fish to their debtors to pay back loans."***<sup>22</sup>

– A village elder.

Since 2004, the fisherman cannot catch many fish anymore; fish have become fewer and fewer each year. One cause is over-fishing in the area because of 'Jam' nets, which catch all sizes of fish from small to large, and even aquatic plants. Some species of fish will likely become extinct in the area. The government gives permission to companies to catch fish using 'Jam' nets in the south of Mon State.

***"A few years ago our village had many people and a bustling economy. The fishermen had a good income. There were a lot of fishing boats. But now they can't catch any more fish and the petrol price is rising day by day. The 'Jam' nets will make the fish become extinct."***<sup>23</sup>

– Village elder.



*Fishing family life. (Photo by NTP).*

<sup>22</sup> Interview 6.

<sup>23</sup> Interview 7.

The people who work in fishing come from other villages in Chaung Zon or from other townships. In the dry season the fishermen work on fishing and in the rainy season they work on farming. Jam nets have destroyed the fishing economy and jobs. Now the farming economy and livelihoods are being threatened by large dam construction on the Salween River. These Salween Dams potentially effect communities which do not know anything about the dam plans or the negative impacts of dam construction. The communities do not think dams can be built on the Salween River. If the dam construction is finished, the people who live in Chaung Zon Township will be starved by the salt water that will destroy their farmland.

***"I don't worry about losing the fishing job because I have another job; I can provide for my family by farming rice and beans. If I lose that I don't know what will happen to me. I don't think something can destroy our farm land."***<sup>24</sup>

– Fisherman.

## Thanlwin Bridge

At 3.5 kilometers long, the Thanlwin Bridge between Mawlamyine and Mottama in Mon State is the longest and largest bridge in Burma. The bridge was built by the SPDC's Ministry of Transportation between March 2000 and February 2005. The bridge is 54 feet wide and is supported by 28 pillars, with two road traffic ways, a railway and two sidewalks.<sup>25</sup>

After the bridge was built the flow of the water changed, causing downstream

erosion on the Salween riverbank. To the east and north of Chaung Zon many flat farming fields have been lost to erosion because of new waterways made when the tides rise and fall.



Salween riverbank erosion, after the building of Thanlwin Bridge. (Photo- NTP).

<sup>24</sup> Interview 4.

<sup>25</sup> [http://en.wikipedia.org/wiki/Mawlamyaing\\_Bridge](http://en.wikipedia.org/wiki/Mawlamyaing_Bridge); News and Views of Myanmar from the Ministry of foreign affairs, [http://www.mofa.gov.mm/news/feb5\\_sat05\\_2.html](http://www.mofa.gov.mm/news/feb5_sat05_2.html)



***“Sometimes the erosion is very fast and sometimes very slow. Some farmers in our village lost their fields due to erosion.”<sup>26</sup>***

– 49 year-old farmer.

The SPDC claims that the Thanlwin Bridge was built to ease transportation and communication across the Salween River, but the farmers and the ferry drivers who live downstream are not allowed to cross under it by boat.

The main mode of transportation between Chaung Zon, Mawlamyine, and other townships is by water. The people from Chaung Zon have to travel by boat and ship. Nowadays, in the dry season, as less water flows down the river, a new more permanent sandbank appears in the middle of the river between Mawlamyine and Chaung Zon each year around April. While sandbanks are common at the mouth of the Salween, they are frequently smaller and move with the changing water currents. Since the Thanlwin Bridge was built, the water currents have changed and this new stationary sandbank has occurred. The ferry transportation that residents of Chaung Zon depend upon cannot cross the sandbank and has to follow the new waterways, which takes more time and uses more petrol.

***“Between Chaung Zon and Mawlamyine the ferry way is blocked by the sandbank, so we have to follow another waterway and it takes more time. Before, going from Mawlamyine to Chaung Zon took one hour, but now it takes an hour and forty-five minutes.”<sup>27</sup>***

– Ferry driver from Mawlamyine to Chaung Zon.

Given that the Thanlwin Bridge has already had such strong effects on the Salween’s flow and the livelihoods of local communities, we can see how disastrous the effects of building such large dams on the Salween River would be. Dams built upstream would strongly affect the downstream waterways, change the seasonal timing of flows, and cause short-term fluctuations in flows and changes of extreme highs and lows in the river flows.<sup>28</sup> With the possibility of these effects, it is obvious that the people who live on Chaung Zon are extremely threatened by the Salween dams.

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<sup>26</sup> Interview 12.

<sup>27</sup> Weekly Eleven News Journal.

<sup>28</sup> *In the Balance*, Mon Youth Progressive Organization, May 2008, page 19.



## Conclusion

The World Commission on Dams (WCD) was founded in May 1996 by the World Bank and the Conservation Union IUCN. They proposed a new framework for development based on respect for human rights. They also agreed to review the development of water and energy resources to create guidelines and standards for the planning, design, monitoring, and decommissioning of dams. WCD has recommended that before making a decision to build a dam it is important to assess the real needs: the needs for water, food, and energy should be clearly understood. Furthermore, WCD recommended reviewing and selecting from a number of alternatives. They state that all options should be considered, and first priority should go toward improving the efficiency of existing systems. Those people who would be affected should be involved in decision-making processes and should be among the first to benefit from projects. No dams should be constructed without the acceptance of affected people. Indigenous and tribal people should be given special consideration so that local participation in the decision-making process is not happening without them in the project.<sup>29</sup>

Chang Zon's community livelihoods are dependent on their occupations: rice farming, vegetable gardening, and fishing, inherited from their ancestors. Community members have the experience to know how to protect the natural environment. However, when the environment is changed by man, as is the case with damming on the Salween River, the water levels and flow changes negatively impact the community's livelihoods.

The military regime in Burma is cooperating with foreign investors to build five dams on the Salween River and has not informed the local community about the plans. The regime and Thai and Chinese investors did not follow international standards of dam building in these projects. The regime also did not follow its own law: 'No person shall carry out any act or channel-shifting with the aim to ruin the water resources and rivers and creeks.'<sup>30</sup>

In the future, if dams are constructed on the Salween River, rice and vegetable fields and the fertile land will be damaged by salt water. Salt content will become higher than it is today in the Salween River and the farmers and villagers will not be able to use it for agriculture and household uses. The waterway changes may result in erosion of the riverbank and creation of a new more permanent sandbank

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<sup>29</sup> For more information see [www.dams.org](http://www.dams.org)

<sup>30</sup> SPDC Conservation of Water Resources and Rivers law, Chapter V (8)(a), October 2006.

that makes transportation more difficult. The people who depend on rice farming, vegetable gardening, and fishing for their incomes will have to find new jobs and could not support their families as usual. They will lose their connection to their family because new jobs are far from their families. The number of migrant workers will increase in neighboring countries like Thailand and Malaysia.

These projects have not benefited the local people because the regime has sold all of the electricity that is being produced to Burma's neighboring countries, Thailand and China. The regime is able to get money from selling the electricity to support its military, and therefore to kill ethnic people and commit continuing human right abuses: to keep their grip on power ever longer.

## **Recommendations**

### **To foreign investors in the Salween Dam projects:**

- Postpone the projects and make a sincere, appropriate needs assessment of local downstream communities and environmental and social impact assessments.
- Balance the interests of local downstream communities with the value of making investments in countries where communities have no protection from their own government.
- Follow the international standards of dam building.
- Stop investment until Burma gets democracy.

### **To the international community and NGOs:**

- Keep supporting moves for peace, equality, and democracy in Burma.
- Give voice and agitate for change in Burma so that a real elected government can be restored and all resources protected under the people and the rule of law.
- Pressure the SPDC to respect national and international customary laws.
- Urge government agencies and companies to halt the proposed dams.

### **To the SPDC:**

- Make deep, careful consideration of the dam projects.
- Consider the social and environment impacts for those living downstream.
- Stop human rights abuses in ethnic areas.
- Recognize local people's participation in decision-making on any development project.

### **To the local community:**

Fight for your rights.

Mobilize your support base on the Salween Dams issue.

# Mountains Become Valleys & Valleys Become Mountains in Phakant Township, Kachin State, Burma

by John

## Introduction

In 1994 the Kachin Independence Army (KIA) - now the Kachin Independence Organization (KIO) - and the State Law and Order Restoration Council (SLORC) - now the State Peace and Development Council (SPDC) - negotiated a ceasefire agreement.<sup>31</sup> The Burmese Government opened Kachin State to migrant people and large mining companies from China. The results of this ceasefire and the ensuing mining activities has been the violation of human rights and the destruction of the environment in the Phakant areas, with effects on the entire Kachin State. This report focuses on a river valley jade mining area in Phakant Township.

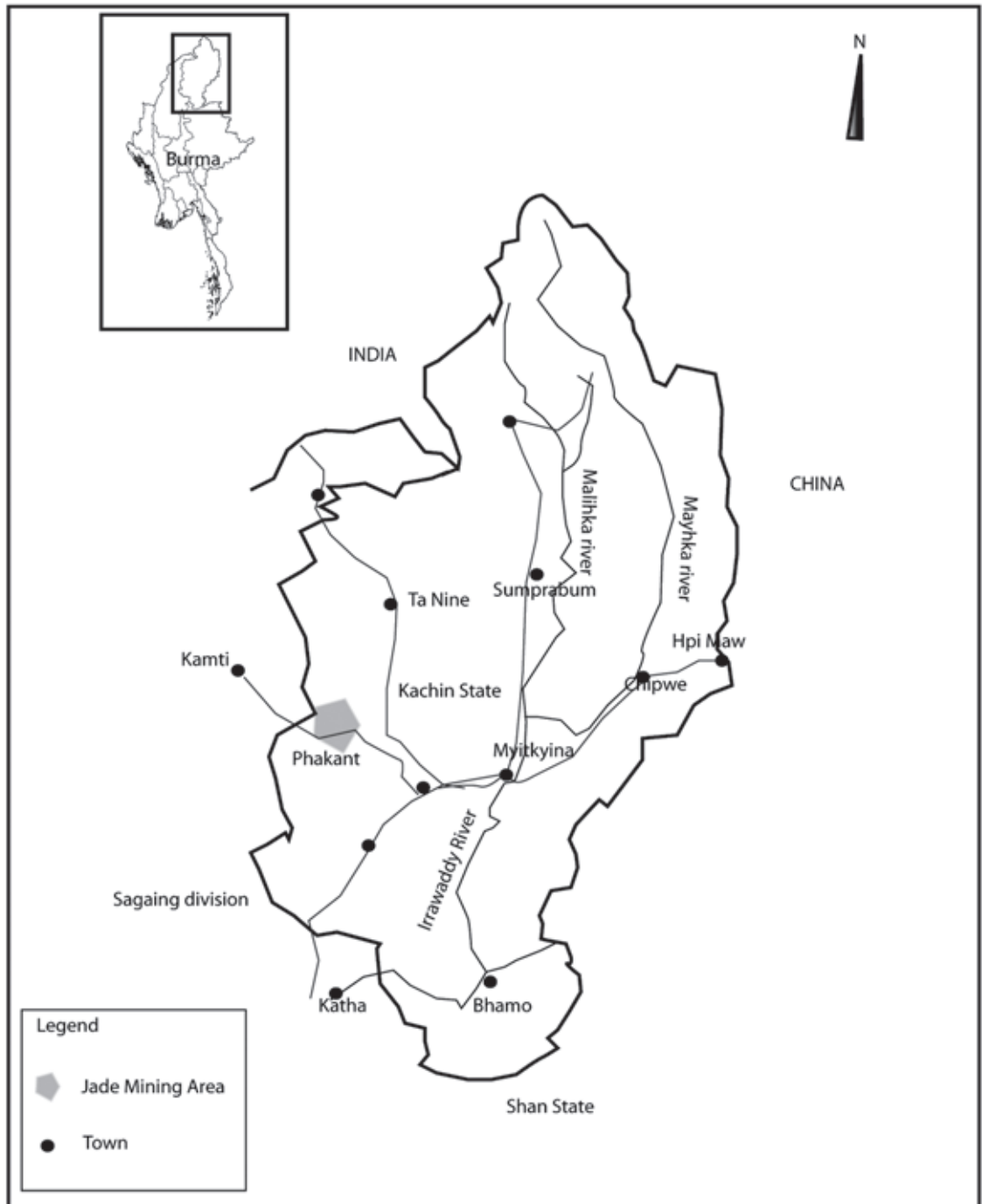


*Phakant Township in Kachin State, Burma: The research area for this report.*

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<sup>31</sup> World Rainforest Movement, <http://www.wrm.org.uy/bulletin/94/Burma.htm>

## Kachin State Map & Phakant Jade Mining Area



The valley has changed dramatically in the last ten years. Transportation is more difficult and infrastructure is under strain. The way of life of the people has been altered entirely. The wonderful way of living in harmony with the river is gone. The people of the valley have lost their lands, fields, houses, and livelihoods. They face an immediate lack of water. This has all been caused directly by the operations of the jade mining corporations permitted by the SPDC and ceasefire groups.

The SPDC and the ceasefire groups must take responsibility for the human rights and natural environment of the local people in this valley. The authorities, however, are not accepting their obligations. When large-scale companies and the government are involved in the extraction of mineral resources in Kachin State, Burma, small local communities lose their heritage, livelihoods, and natural resources.

Kachin State is situated in the northernmost part of Burma and is one of the most mountainous states. The valley in this report is in the Phakant Township and it was a big valley ten years ago. Burma is ruled by a military dictatorship. After the ceasefire agreement between SLORC and the KIA, the government allowed migration from China and gave permission to huge Chinese companies to dig large scale jade mines in Phakant Township. There are an unknown number of companies from China in the Township. Most work in cooperation with the Burmese government and there is no accountability.

***"The company has been working on the mine site with tractors, bulldozers, heavy vehicles and heavy machinery. There are about 1,000 machines in each company and they are digging extremely hard so the environment has been disturbed and the surface of the earth has been badly damaged."***<sup>32</sup>

The valley is being destroyed by huge companies and is becoming mountainous because of tailings from the mine sites of the companies. The river has disappeared. The people of the valley are facing water problems because of the river being buried by the companies. The people of the valley have been displaced by the companies. They have lost their own properties such as lands, houses, fields, and livelihoods. They have had to endure human rights abuses by the companies and they are living in hopelessness.

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<sup>32</sup> [http://bnionline.net/index.php?option=com\\_content&task=view&id=4280&Itemid=1](http://bnionline.net/index.php?option=com_content&task=view&id=4280&Itemid=1) News NMG, 7 May 2007.



This report will proceed as follows: Part 1 describes the background of the valley and Kachin State. Part 2 gives a background of the SPDC and Ceasefire Groups' companies. Part 3 highlights the environmental impacts of mining, and Part 4 details the resulting economic and social problems. These are just lists; in reality if the Burmese government does not start to care for the environment and the people in this area, the whole village will be gone and the people will face an even worse crisis than the current situation.

## Methodology

This report is based on field research that took place in Seng Tawng (Seik Mu) Town, Myitkyina Town, and two villages. Seventeen people were interviewed for this report. They include old people, 'Yemasay' workers, a person whose boss is from the Phakant Township, and a person from Myitkyina who worked for many years in these jade mining areas. Some information is from secondary research, and some knowledge from my own experience is included and forms a basis of comparison to the current situation.

## Background of Kachin State & Villages

Kachin State is the northernmost State of Burma and is a mountainous region. It is bordered by China to the north and east; Shan State to the south; and Sagaing Division and India to the west. The area of Kachin State is 34,379 square miles; the capital is Myitkyina. The population is estimated at 1-1.5 million, the majority of people being Kachin, though the state is also home to other ethnic groups such as the Burman and Shan. Official statistics state that the distribution by religion is 57.8% Buddhist and 36.4% Christian.<sup>33</sup>

'Kachin State contains one of the mainland Southeast Asia's last remaining large areas of intact natural forests, and is one of the eight *hottest hotspots of biodiversity in the World*.'<sup>34</sup> The state is rich in natural resources including timber, minerals, and gems and the people's livelihoods depend on the land, the forest, and the rivers. Traditionally Kachin society was based on shifting hill agriculture, but now their products, including rice, sugarcane, corn, and beans, are limited by the government and the main products have become jade, gold, timber, and other minerals found in Kachin State.

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<sup>33</sup> [http://en.wikipedia.org/wiki/Kachin\\_State](http://en.wikipedia.org/wiki/Kachin_State)

<sup>34</sup> <http://www.wrm.org.uy/bulletin/94/Burma.htm> (World Rainforest Movement).



In this field research area, there was a valley along the river before, but it is not there now. There are hundreds of households and more than five hundred people. There are two villages, one at the top of the valley and one further down, about 1.5 kilometers away.

I have previously been to the jade mining areas in Phakant Township in 1994 with my eldest brother. I worked in the jade mines of Phakant Township myself from 1997 to 1999. At that time, there were a small number of companies and these were small or government-run. Everybody had a chance to mine anywhere they wanted if they could organize and afford it. The people were Kachin or from some ethnic groups such as Shan or Burman. The people did not have the expertise or technology for large-scale open pit mining. They used traditional instruments and extracted jade just from the upper layer of the mountains. Even though it was a hard life, and not popular with the villagers, it did not destroy the environment like the current methods do.

## Background of Government, Ceasefire Groups, & their Companies

Burma is ruled by a Military regime, the SPDC. Kachin State has seen an increase in control by the SPDC military since the KIA (now KIO) signed a ceasefire agreement with them in their incarnation as the SLORC in 1994.<sup>35</sup> Before the ceasefire, Phakant Township was under the authority of the armed group KIA/

KIO. After the ceasefire, the SPDC had more control over jade mining areas than the KIO.



*Extreme jade extraction by Aung Shwe Kabar company  
(Photo by John)*

The Burmese Government opened up the area to huge companies from China and gave permission to them to excavate open pit mines with sophisticated machines. After 1994 the Chinese companies were prevalent in Phakant jade mining areas. The SPDC has sought to intensify its exploitation of Kachin State's vast

<sup>35</sup> [http://burmalibrary.org/docs4/Kachin\\_docs.pdf](http://burmalibrary.org/docs4/Kachin_docs.pdf)

mineral reserves including jade, gold, platinum, and coal.<sup>36</sup> 'Phakant is the largest jade mining area in the country, is dotted with hundreds of companies. All these companies are extraction jade with the mine employing between 50 to 150 workers each company.'<sup>37</sup>

'It is estimated that for a company it takes about four to six months to dig an area the size of the Mandalay Hill.'<sup>38</sup> The Mandalay Hill is 240 meters (790 feet) high.<sup>39</sup> Phakant has been occupied by the Teza Htoo Company in the name of *Akjou-tu*, or equal interest (with the SPDC) since 2006.<sup>40</sup> Teza Htoo Company is the government's company and is overrunning jade mining around Phakant. Other companies work in *Akjou-tu* with the government and sometimes with the ceasefire groups' companies. If a company does not join with the government, it will face business problems, including site closure.

## Environmental Damage from Open Pit Jade Mining

### Mountains Become Valleys & Valleys Become Mountains

My focus area was a valley about ten years ago. The valley is now a mountain. The current mountains are actually not real; they are comprised of the tailings from the local jade mines. The valley is about 2 kilometers long and there are more than ten huge companies operating there right now. At first, companies mined along both sides of the mountains in the valley. The companies' tailings from the mine site are carried by truck and thrown into the valley from the top of the mountains.



*Mountains become valleys because of the SPDC's perversion and tycoons' greed. (Photo by John).*

<sup>36</sup> *Ibid.*

<sup>37</sup> [http://bnionline.net/index.php?option=com\\_content&task=view&id=4280&Itemid=1](http://bnionline.net/index.php?option=com_content&task=view&id=4280&Itemid=1)

<sup>38</sup> [http://bnionline.net/index.php?option=com\\_content&task=view&id=4280&Itemid=1](http://bnionline.net/index.php?option=com_content&task=view&id=4280&Itemid=1)

<sup>39</sup> [http://en.wikipedia.org/wiki/Mandalay\\_Hill](http://en.wikipedia.org/wiki/Mandalay_Hill)

<sup>40</sup> [http://www.kachinnews.com/index.php?option=com\\_content&view=article&id=86:junta\\_threatens\\_jade\\_companies\\_over\\_referendum&catid=1:latest\\_news&Itemid=50](http://www.kachinnews.com/index.php?option=com_content&view=article&id=86:junta_threatens_jade_companies_over_referendum&catid=1:latest_news&Itemid=50)

The valley has become filled with tailings; heaps appear that become as big as mountains. In addition, the mining causes huge dents to occur in the mountains and then the mountains become valleys. The companies have inverted the valleys and mountains to get jade. There are amazingly destructive changes happening to the environment due to large-scale open pit jade mining by the Burmese government. The SPDC is responsible for granting permission to huge companies to mine and therefore they are responsible for resulting damage.

## **Jade Mining Makes Rivers Disappear**

The river flowed along the valley and the river flow was very fast though not very deep. As mentioned above, more than ten big companies were throwing their tailings into the valley every day and night creating a large heap of tailings along the river, so there was no way for the river to flow. The river flow was changing to flow to the dent that was left after areas were mined. In addition, the companies were excavating areas more and more widely and they mined entire mountains on both sides of the valley.

Given these practices, the river was absolutely by filled up with tailings from the open pit jade mining of huge companies and disappeared. The government's caution sign board for villagers says, 'Don't throw trash into the nearby river, if you do so you must pay a 5000 kyat fine'. Their caution sounds nice, though in reality they are perpetrating incredible damage to the environment. The government just wants to look like they care; however, their actions reveal their hypocrisy and true lack of concern for the environment.



(Photo by John).

Two rivers have been blocked by sophisticated machines used by the mining companies. In rainy season the rivers flood every year; many houses are lost and lots of local people face disaster. These rivers are the life of the villagers. They are being vanished by company activities and the villagers face scarcity of water. Mining sites in Kachin State run by hundreds of companies that all cooperate in *Akjou-tu* (equal interest) with the SPDC have caused incredible destruction to the environment in Phakant Township and beyond.



# Economic & Social Problems Caused by Jade Mining

## Land Confiscation

*"The village is made smaller year by year by the companies."<sup>41</sup>*

Ten years ago, the valley contained a long and large village. There were three parts; the bottom, middle and upper villages, and together they were more than one kilometer long. However, nowadays all people from the valley have to live in a small area that is only about 200 meters long. The people of the villages had to organize themselves into this small area by order of the companies. The companies' purpose is to get more area to mine.

Despite the right to own property under international human rights law, such as Article 17 of the Universal Declaration of Human Rights (UDHR) and Article 17 of the International Covenant on Civil and Political Rights (ICCPR), there is no actual right to own property in this valley in Burma.



*The village is reduced to just 200 meters long. (Photo by John).*

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<sup>41</sup> Interview 1.

Displaced families get little or no compensation from the companies. If the company co-operates with the Burmese government the displaced families do not get any compensation from the company. If the company does not co-operate with the government, then the company gives a little compensation to the displaced families. The Burmese government assigns a person to deal with compensation between the companies and villagers.

***"I heard that the company already gave compensation to the authority person for my land and house, but I did not get any compensation, the authority person told me that the company did not give any compensation."***<sup>42</sup>

The villagers are suffering a crisis because of the Burmese government. Some families were forced to move near the cemetery; some others were forced to go to the dent area in the mountain that was caused by jade mining. The villagers do not want to live near the cemetery nor do they want to stay in the dent area. They do not have a chance to complain to the companies, including to any authorities or to any government offices.

***"If we want to move to a reasonably good place, we have to pay money to the company: at least 100,000 kyat."***<sup>43</sup>

Though the people have lost their property, they have not received any compensation. In addition, they have to move from their land to other, messy places, and they have to pay the companies to stay there. The people from this valley are in an increasingly worse situation because of SPDC control.

***"The small village only exists at all now because hundreds of companies are competing for the land, so the government has difficulty in deciding which company should get permits."***<sup>44</sup>

## **Water Scarcity**

As mentioned above, the river is gone. Villagers are facing a lot of problems, especially in trying to get water to survive. When the river existed, the villagers did not face any water problems and it was an adequate situation. Now they have difficulty trying to get water.

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<sup>42</sup> Interview 2.

<sup>43</sup> Interview 3.

<sup>44</sup> Interview 15.

The two villages are about 1.5 kilometers apart. The top village faces scarcity of water; however, there are still some springs near the village, so it is not in as precarious a situation as the lower village. Villagers have to connect small pipes to these springs to get water. There are many problems; the pipes are only finger-width so they are often blocked by waste coming from the springs. Big pipes cannot be used because the springs are not big enough; with big pipes the water does not flow. Villagers are facing not having enough water to meet their needs. Sometimes they cannot get enough water to cook food for their families. In the dry season the water is even scarcer and there is no naturally-occurring water to drink for survival.



*In summer, water is worth more than Jade. (Photo by John).*

If villagers want to dig a well in their residence, they have to spend lots of money because the water only exists under the hardest layer of the ground. The villagers do not have money to dig the well and if they have adequate money to get the well, they are not sure how long they can stay in their current places. It is very difficult to just get a small amount of water and they are facing an even worse situation during the summer.

***"At that time the water is worth more than jade and villagers, including children, are facing the problem of thirst."*<sup>45</sup>**

Villagers must buy bottled water. On other hand, there are no problems for the companies: they dig large wells in their resident compounds.

***"Some companies allow the villagers to take water from their well, but some do not allow it."*<sup>46</sup>**

***"In summer, even though their wells are also dry, they can bring water in big tanks from the Town."*<sup>47</sup>**

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<sup>45</sup> Interview 4 and 5.

<sup>46</sup> Interview 4 and 5.

<sup>47</sup> Interview 4 and 5.



## Lack of Education for Village Children

Article 26 of the Universal Declaration on Human Rights and Article 13 of the International Covenant on Economic, Social and Cultural Rights mention free education. The Convention on the Rights of the Child, Article 28, also mentions free education, and the government of Burma has signed the latter. But despite



*The valley's children are playing on the trash. (Photo by John)*

there being hundreds of children in this area, there is no free education. There are so many children that, although they do not get free education, they also do not have enough places to play. There is a nursery school and a primary school. The nursery school is a subsidiary of the Christian Church and the primary school is self-supporting. There is no middle school.

The Burmese government and mining companies do not care about education for the children. Those who have finished primary school have to go to the middle school in another village at the bottom of the valley, about three miles away. All middle school students go to the school on foot every weekday. It is very hard for the children but they do not have a chance to get education any other way. In addition, their parents have to worry about their children's school travel and they have to spend lots of money for their children's education. Most of the children do not get a chance to go to the middle school even if they have finished primary school.

Providing education is most difficult for parents whose children have finished middle school. These parents want to send their children to the high school but they have to spend lots of money and they do not have adequate money for their children's education. There is only one high school in the Phakant Town area. Some parents had to sell their own land to the companies in support of their children's education.

*"My daughter is very clever, she got an academic prize every year when she was in primary and middle school, so I really want to send her to high school, but I do not have enough money for her, so I am very upset."*<sup>48</sup>

## **Loss of Livelihoods**

For the last ten years the valley's villagers have had lands, houses, fields, and livelihoods that have depended on the river. The people dug jade by themselves with the traditional tools, such as the crowbar, iron post, iron hook, and spade. When they got some jade they could sell it at the jade market in Phakant Town. At that time their life was peaceful and they did not have any problems with water, livelihood, or education for the children. Their activities did not overly affect the environment and the environment was still sound. This was something that I witnessed, because I stayed for about three years in the valley at that time.

Now the villagers from the valley are having to work very hard and are becoming poorer day by day. They do not have properties or fields or their own jobs. Nobody has the chance to dig jade themselves. The Government and the companies control all of the valley and its land and resources. Even though government and company control is causing much strain for the villagers, they do not have a chance to show their real feelings. The villagers have to swallow their expressions even with how much they are feeling.

## **'Yemasay' Workers**

Nowadays, one of the only livelihoods for the villagers is finding jade among the tailings. They name the worker that is looking for jade among the tailings a 'Yemasay'. Tailings come from jade extraction from the companies' large-scale open pit mines. This job does not come with guarantees; a worker can not be sure to get jade during a day, a week, a month, or even a year.

The job is very dangerous and most Yemasay workers find jade with a torch light at night between 10pm and 4am. They do this because the companies throw the tailings from the mountains to the valley and work more at night than in the day time. The Yemasay workers have to climb near the top of the tailings and they have to find jade quickly among the tailings when the trucks are throwing their tailings to the bottom.

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<sup>48</sup> Interview 5.



'Yemasay'. (Photo by John).

The life of the *Yemasay* worker is hard. They are like blind people. They do not know when they will see and get jade, but they have to try to find it every day and every night for their survival, for their children and for their parents. Even when they find jade sometimes, it is if not good quality, the jade is not valuable. There are many kinds of jade, some valuable and some worthless. Sometimes villagers labor to find jade but it is worthless to them, a waste of time and energy. Because the tailings come from the waste of the mines, the company workers have already found jade specifically in the tailings from it when they extracted it. It is not easy to get precious

jade for the *Yemasay* workers. The workers continue to do this work, however, because there is no other job available to them.

There are two kinds of *Yemasay* workers: those who signed with the company and those who did not. Those who sign make an agreement with the company that if the *Yemasay* workers get some jade they have to show it to the company, and the company will decide the worth of this jade and pay money to the worker. There is a person who has authority from the company to make assessments. If the workers get jade they have to show it to that authority person. This person makes an agreement between the companies and workers on payments.

***"The companies do not pay what the jade is actually worth. The workers know about that but are not in a position to complain. In addition, there are two levels of extortion: the first that the company does not give good value for the jade, and secondly that the authority person did not hand money over to us at all."***<sup>49</sup>

Most of the workers do not sign with the companies but some do. They do this because if they get jade and then show it to the company, they will get money quickly even though the money is not much. The workers need money for their survival, for their children's education, and for their elderly parents. Some of the *Yemasay* workers still have to work with the companies for their essential things such as food, even though the companies are exploiting them as much as they can.

***"If the workers not get any jade, the companies do not support anything. In addition if the workers get injuries from accidents, they do not care anything."***<sup>50</sup>

<sup>49</sup> Interview 6 and 7.

<sup>50</sup> Interviews 6 to 10, *Yemasay* workers.



*Yemasay workers find jade in the tailings of mountains in dangerous condition. (Photo by John).*

***"The company also told us when we signed with them that we should not inform the company if the worker has an accident from finding jade without dying."<sup>51</sup>***

There are many *Yemasay* workers who did not sign with the companies. They also have to work hard and if they get some jade, they have to carry it secretly. Even though the companies do not prevent people from finding jade, when they get some jade it is not safe, they have to avoid the company people.

***"If the company people hear that the workers had found jade of good quality, the company would find them and take it from the worker for nothing. So we have to do secretly even this job is not sure job for us."<sup>52</sup>***

The workers are facing livelihood problems. They have to find jade by themselves and have to find it among the tailings. Tailings are just waste from mining, so the people should own the jade when they get it from tailings. The people do not have such opportunities and are becoming poorer.

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<sup>51</sup> Interviews 3, 9 and 14, *Yemasay* workers.

<sup>52</sup> Interviews 11 and 12, *Yemasay* workers.



## 'Jokkee'

If a *Yemasay* worker finds jade and it is heavy, another *Yemasay* worker can help him to move the jade. They have a rule that the worker who gets there first must give half of its value among the helpers. So they call workers 'Jokkee', except the worker who first found the jade.

***"One of my friends got jade from tailings. It was heavy, more than 1000 kilos, so about one hundred Yemasay workers including me were Jokkee for him and we signed on a paper so each worker was easy to find and pay after the jade had sold. We carried it with difficulty because of the weight and we had to carry it silently until we reached the residence of the first worker, a distance of about 500 meters from the tailings. We reached it at midnight. We proceeded secretly but, I do not know how, somehow the company knew about us. The company's people found us and took that jade with intimidation from the worker who found it first. Of course the company paid nothing for what they took. I also got sick until now by carrying that jade, but I did not get anything. It happened about two months ago."***<sup>53</sup>

The companies operate without any care for villagers. They do not need to worry about anything because they are operating with the powerful SPDC behind them and the SPDC shares the interest in and benefit of the large-scale open pit jade mining.

## Conclusion

The people of the valley lived on their ancestral land and depended on the environment. The SPDC authorities are destroying the earth and extracting the natural resources from the jade mine sites for their own benefit and luxury. They do not remedy environmental problems and they do not heal the earth after the destruction they cause. The impacts on the environment have been extremely negative and there is an incredible mess between the local people and the earth. People are in a worse crisis because the environment has been destroyed. The SPDC acts how they want and they do not care about the effects of the destroyed earth on the local communities. They should take responsibility for the people and the earth.

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<sup>53</sup> Interview 13, *Yemasay* worker.

The SPDC has co-operated mostly with companies from China. Today companies that do not cooperate with the SPDC are disappearing. The government's mottos have a nice, warm sound, such as the "*Tatmadaw* (military) is the parent of the public" and, "towards new development in the country using natural resources." In reality, they are not honoring their mottos.

The Burmese government extracts and deals out jade to other countries from Kachin State and they are unaccountable for both the amount of jade and the methods by which they get it. But we must demand to know how many people in local communities are benefiting and how much development has there been in the country? The answer is that no local people are benefiting, and the country is increasingly becoming a poorer country; Burma is counted as one of the poorest countries in the world.

Where is the gain from unknown quantities of jade and who gets this benefit? The only outcomes that local communities face are various kinds of problems: famine, thirst, and homelessness brought about by the greed of tycoons and the SPDC. Meanwhile, there are so many Chinese people getting rich from jade from Phakant. The jade comes from Kachin State but there is no jade market in the whole of Burma. A rich person from Phakant Town said:

***"The markets dealing in jade are in China: Hong Kong, Beijing, Taiwan, Kunming."*<sup>54</sup>**

While local Kachin property owners become poorer, migrant Chinese businessmen are becoming richer. This is a result of decisions by and between the SPDC and ceasefire groups. Property owners who lived in jade mining areas have lost their heritage, livelihoods, lands, houses, water, and education. They have to live densely in small areas and suffer greatly.

The Burmese government ignores all problems they have caused, and extort mining site communities again and again until all is hopeless for them. Children from the mining sites are facing a lack of education and find life more and more difficult because of their lack of knowledge. People from the mining sites are in a growing crisis because they do not have jobs to earn money for survival. They are facing a scarcity of water caused by the destruction of the environment by the companies' jade mining with sophisticated technology. There are many places around the Phakant Township like that, not only in my focus area.

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<sup>54</sup> Interviews 16 and 17.



The valley villages will soon be gone because even if the companies and SPDC do not take it away first, residents will have to move anyway due to water problems. Villagers have reached a state of hopelessness for their futures, caused by the SPDC's perverse actions and inhumanity towards its own people.

## **Recommendations**

### **To the State Peace and Development Council (SPDC):**

- Stop the mining enterprises.
- Evict the huge companies that came from China.
- To respect and to use human rights in practice.
- To respect International Environmental Law.
- To take action with Environment Impact Assessments (EIA).
- To remake suitable livelihoods for the mining site's people.
- To take responsibility for the people's poverty.
- To provide free education.
- To behave in accordance with the SPDC's own mottos.
- To inform the public about decisions between the SPDC and ceasefire groups on matters of public interest.
- To give freedom of expression to the public, listening to and respecting their voices.

### **To huge companies that cooperate with the SPDC:**

- Stop the mining projects.
- Do not mine with sophisticated, high-impact machines.
- Do not exploit the people who live in mining sites.
- To take action with Environment Impact Assessments (EIA).
- To heal the earth and to remedy the environment in mining sites.
- To do resettlement programs for the people who are displaced from their own lands.
- To inform and allow participation of mining site communities in EIAs.

### **To ceasefire organizations:**

- To preserve their own land and natural resources.
- To take responsibility for the ethnic people's development.
- To inform your nation about what is going on in the organization.
- To give freedom of expression to your nation, listening to and respecting its voices.
- To create progressive education for children and youth.
- To make unity among all ceasefire groups without conflict.

- To lead us towards developing new life with your truthful decisions.
- To lead us in equality and have fairness towards everyone.

**To NGOs, including environmental and human rights organizations:**

- To inform the international community about the problems.
- To raise awareness in local communities about environmental issues and human rights.

**To the international community:**

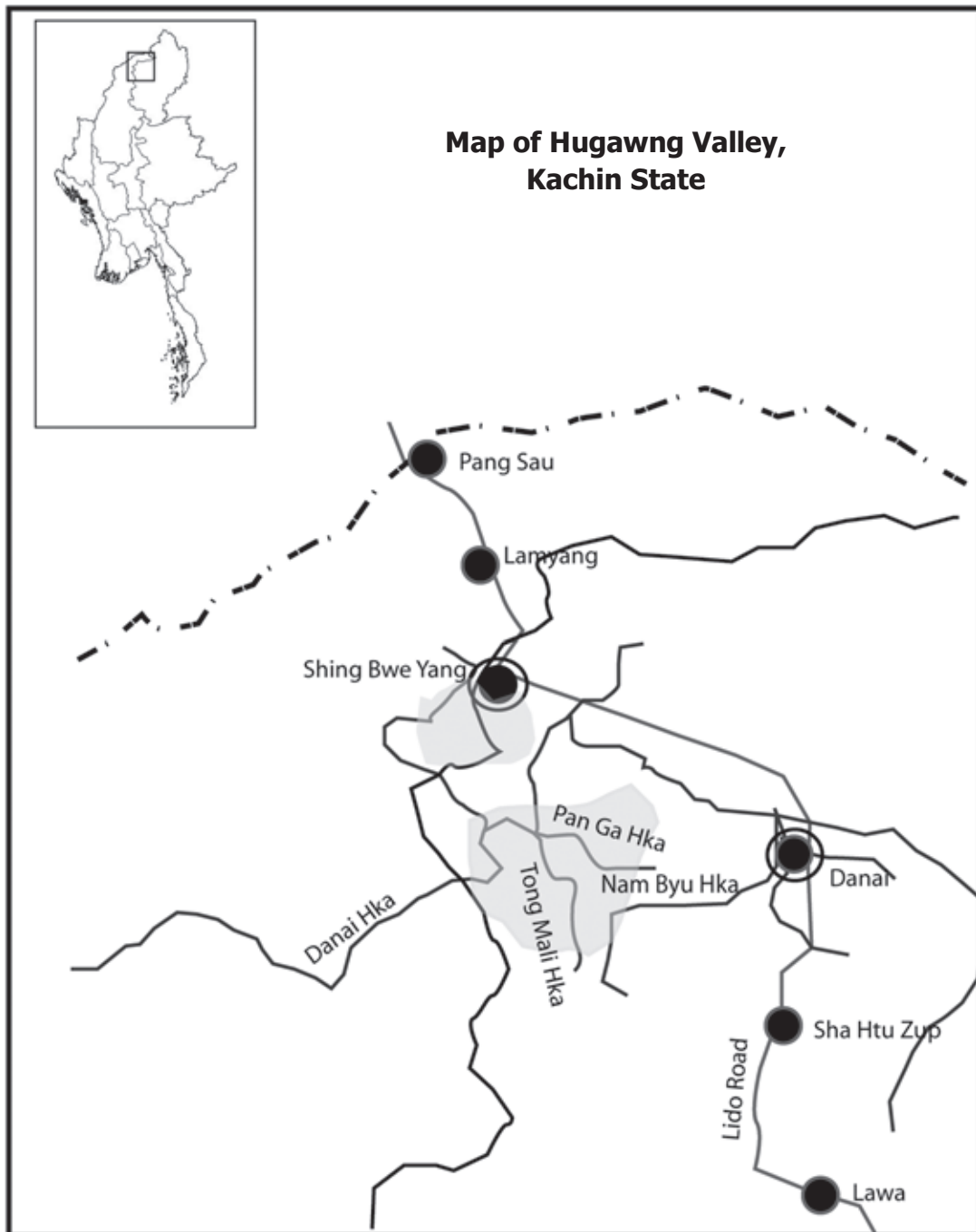
- To know about the situation of jade mining in Kachin State.
- To search for ways in which local communities can find solutions.

**To local communities from mining sites:**

- To have unity with each other as a whole.
- To focus on the children's education.
- To preserve natural resources and the environment as much as you can.
- To search for a better way for the next generation.

# The Impact of Gold Mining on the Environment & Local Livelihoods in Shing Bwe Yang Township, Hugawng Valley, Kachin State, Burma

By Myu Shadang



## Introduction

The State Peace and Development Council (SPDC) recognize that Hugawng valley is a resource-rich area in Kachin State, in the northern part of Burma. That is why they give permission to mining companies to extract the resources. Gold mining, however, is violating local livelihoods and the environment. The SPDC is exchanging money for the local environment, for nature and life in the Hugawng Valley forest in Kachin State. This money is used to buy military weapons.

“Burma has signed international environmental agreements and conventions such as the UN framework convention on climate change. That UN framework convention is to reduce greenhouse gases in an international and legally binding agreement.”<sup>55</sup> Nevertheless, the SPDC is ignoring international conventions and not implementing them. It explains that this is good as it will cause economic growth. In fact, growth is paid for with local people’s blood.

In Kachin State, many places have similar situations. This report will focus on the Tong Mali and Shing Bwe Yang gold mining sites in the Hugawng Valley in northern Burma. This report will expose environmental problems and land confiscation at the sites and highlight local livelihood problems in Shing Bwe Yang Township. It puts forward the argument that the gold mining sites are ruining not only the local environment but also local livelihoods.

The report proceeds as follows: Part 1 describes the background of the mining sites in Hugawng Valley. Part 2 examines the environmental impacts of the Tong Mali mining site. Mining here causes deforestation, the loss of pastures for animals, and water pollution. Part 3 of the report exposes the confiscation of property in Shing Bwe Yang Township by military authorities and private companies. Land confiscation is driving many kinds of social problems including opium and heroin use. Gold mining is causing local livelihood problems and is creating internally displaced people. Finally, the report concludes with recommendations.



*Gold mining area*

<sup>55</sup> [http://unfccc.int/essential\\_background/items/2877.php](http://unfccc.int/essential_background/items/2877.php)

## Methodology

This report aims to inform local and international communities about the harmful impacts of gold mining. Local residents, nurses, headmen, mining workers, merchants, and company workers were interviewed for this report. Applicable books and the Internet were also used to inform this report.

## A Background of the Hugawng Valley

The Hugawng Valley is in western Kachin State and Sagaing Division. It shares a border with India. It is surrounded by the Naga Mountains which form the border of Kachin State.

Since 1962 a military regime has controlled the whole of Burma. 'But Hugawng Valley's thick forest was largely untouched by Burma's military regime. In 1994, Burma's military regime and the Kachin Independence Organization (KIO) signed a ceasefire. Local residents had high hopes that peace would foster economic development and improved living conditions. The remote and environmentally rich Hugawng Valley in Burma's northern Kachin State has been internationally recognized as one of the world's hotspots of biodiversity. The US-based World Tiger Conservation organization and Burma's military junta have cooperated to create a tiger reserve in Hugawng Valley.'<sup>56</sup>



Conservation sign beside the Lido highway. (Photo by Myu Shadang).

The Hugawng Valley is rich in natural resources such as gold, platinum, rubies, and timber. The valley is famous for its rare species. It has one famous road called the 'Lido Highway'. It crosses from India to China. The highway was used by allied forces in World War II. The SPDC established a mining area after the ceasefire.

<sup>56</sup> [http://www.burmalibrary.org/show.php?cat\\_1332](http://www.burmalibrary.org/show.php?cat_1332)

***“We can see in Hugawng Valley two parts divided by the Lido road, to each side of the road. The left part is a mining area and the right part is a conservation area. That is why on the left side you will see a lot of gold mining. There are many villages along the Lido road”<sup>57</sup>***

– Local merchant.



Sea Sun Star office at Tong Mali mine.  
(Photo by Myu Shadang).

Most villagers have been farming, hunting and fishing since the time of their ancestors in the Hugawng Valley. But for the past ten years there has been a lot of digging and mining though the Danai River and the left side of the Lido Highway. Two famous mining sites there are the Tong Mali mining site and the Shing Bwe Yang mining site. Both are very huge pit mines.

Sea Sun Star Company holds permission to sell land for mining. This company is cooperating with the SPDC and the Kachin Independence Organization (KIO) ceasefire group. The result is that the companies can mine pretty much wherever they want. Most mining workers are Shan, Burmese, Arakanese, and Chinese; and there are a few Kachin and Tang Shang Naga people as well.

The Sea Sun Star Company pays taxation to both authorities. The Tong Mali mining site is in the KIO controlled area. All mine owners have to pay between 16.392 grams and 32.784 grams of gold per month. The Sea Sun Star Company pays taxation to both the Burmese military regime and the Kachin Independence Organization (KIO).



Tax gold from Tong Mali miner to Sea Sun Star.  
(Photo by Myu Shadang).

***“Owners must pay 32.784 grams of gold to the Sea Sun Star Company per month per machine. Understream miners must pay 9.52 grams per month. Mining owners face crises, as taxation is high and living costs are also high; and they are extorted by authorities.”<sup>58</sup>***

<sup>57</sup> Interview 6.

<sup>58</sup> Interview 7.

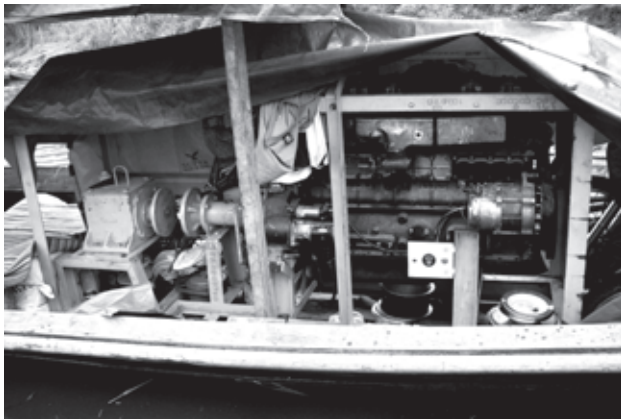


# Environmental Problems at Tong Mali Mining Site

## Deforestation

Tong Mali mining area was a thick forested area, containing many kinds of species. Yet the authorities allowed the digging of mines there. Therefore, many people and companies came.

***"That mining causes deforestation and destroys land."***<sup>59</sup> – Local villager



Miners use big machine to dig for gold.  
(Photo by Myu Shadang).

A lot of mining companies and private mine owners have been digging with big machines for many years. The mining systems are open pit mines. When they dig mines they use a lot of land areas and cause great erosion in one day.

***"We dig around 20 ft per day with one machine. Some mining uses two machines."***<sup>60</sup>

– Miner

The valley area used to be a forest with great biodiversity and many types of trees. People and nature were intimately connected with each other and people depend on nature directly and indirectly for wood, water and air. Forests sustain the atmosphere; forests provide a climate in which we can live. The ozone layer and the atmosphere protect us from damaging ultraviolet radiation; trees absorb some the air pollutants.<sup>61</sup>

However, when mines are dug many species of tree and animal are killed. Extinction contributes to the greenhouse effect and global warming.<sup>62</sup> Global warming is not only the responsibility of one state; the Burmese military junta has a responsibility to the world.

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<sup>59</sup> Interview 2.

<sup>60</sup> Interview 7.

<sup>61</sup> *Environmental Science: Earth as a Living Planet*, 4<sup>th</sup> Edition (2005) Daniel B. Botkin and Edward A. Keller, Wiley, page 9.

<sup>62</sup> <http://library.thinkquest.org/26634/text/forest/impact.htm>

Burma has an environmental policy and environmental domestic law but the SPDC has not implemented it and has ignored it upon the arrival of environmental problems. Moreover, the SPDC is destroying public properties such as rivers, streams, and ponds, violating its own law. Domestic law says that, 'If someone injures public property such as rivers, streams and ponds, they violate laws'.<sup>63</sup>



*Deforestation in the area.  
(Photo by Myu Shadang).*

The SPDC and some Chinese companies are also planning on logging in the Hugawng Valley; this will encourage further deforestation. First, they will repair the Lido road to pass easily through the Hugawng Valley to China.

***"Last month some rich Chinese came and looked in that forest with a map and some tools. And before that, some KIO officers and Ministry of Forestry officers came in here with a boat and looked around ... Some witnesses said they saw Chinese workers waiting in Danai city to work on the Lido road."***<sup>64</sup>



*Fishing by dynamite blasting.  
(Photo by Myu Shadang).*

## **Loss of Pasture & Endangered Species**

Wild animals depend on the forest. Some endangered species were living in the area, such as rhinos, elephants, and deer. Many other kinds of natural life depended on the forest. Deforestation can cause extinction, as there is no shelter for animals. Nevertheless local hunters are hunting more to supplement their incomes. There are more consumers and demand is growing fast. Before mining began, local hunters were hunting with cultural discipline. Their culture has banned hunting during some months since the time of their ancestors. Today the hunters are not following their culture; they are hunting more and more as the market demands it and species are disappearing.

<sup>63</sup> Union of Myanmar Ya zatat kyi, Environmental Law(Publication April 1963),Chapter14,Article 277.

<sup>64</sup> Interview 6.

Before mining sites were developed in the Hugawng Valley, fishermen fished by their cultural traditions. However, people have become very greedy. They have begun fishing in less sustainable ways, and fish are becoming extinct. The Jade Land Company worked with the Department of Fisheries to establish a fish conservation monitoring group. Now they restrict fishing times and require permissions to be obtained.

***“Actually, the Department of Fisheries should support its expenses but everything is supported by the company. There is a lot of mining in the whole Danai River. That is why fish are becoming reduced, due to contaminated water. Selfish people want money, that is why they try to get many fish with ways including dynamite blasts, using chemicals and over-fishing and so on.”<sup>65</sup>***

– Representative of monitoring group.

In 2007 the monitoring group banned fishing from March to July. The group uses enforcement to punish people who violate the ban, so the situation is improving.

***“Locals now have better chances to find fish in there.”<sup>66</sup>***

The World Tiger Conservation group is working with authorities, who have recognized a tiger reserve. The public can see the sign boards and posters for the reserve everywhere in Hugawng Valley, but no one is sure exactly what is happening or what the result has been. The public cannot see any impact. For these reasons some of the species are becoming endangered.

## Water Pollution

There are hundreds of mines, each causing erosion into the streams. Mining companies routinely throw their tailings into the streams. They also use a lot of mercury and some cyanide acid to separate the gold and platinum, which is also then thrown into the rivers. This is why the stream is contaminated.



Miners use mercury to pan gold.  
(Photo by Myu Shadang).

***“A lot of mining is causing contamination. Therefore, many kinds of fishes can be reduced or extinct.”<sup>67</sup>***

– Representative of monitoring group.

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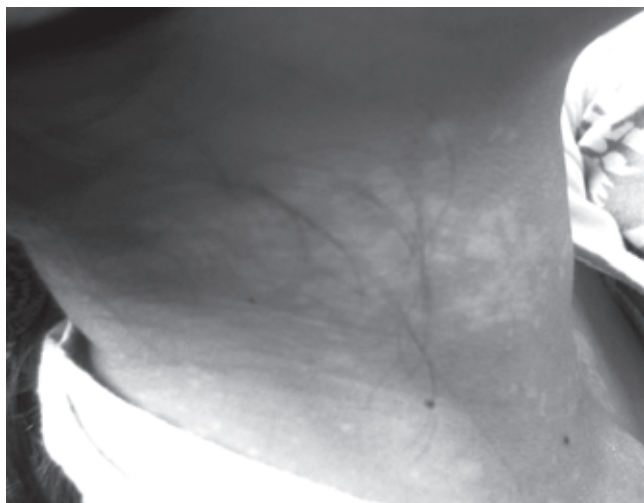
<sup>65</sup> Interview 1.

<sup>66</sup> Interview 1.

<sup>67</sup> Interview 2.

## Health Problems

Mining workers, merchants, and all Tong Mali mining area dwellers, use the Tong Mali stream to wash and to swim. They live and drink water by the side of contaminated streams. For this reason, many people are becoming ill and are coming down with skin diseases.



Cook living with Herpes Simplex Type 1.  
(Phot by Myu Shadang).

***“Almost all mining workers who use that contaminated water have Herpes Simplex Type 1 and Eczema Herpeticum diseases. And some also get malaria frequently.”<sup>68</sup>***

– A local nurse.

A lot of old mining sites are causing health problems in the Tong Mali mining site. Miners dug many small ponds which became contaminated by mosquitoes, and parasites grow in the old mining ponds. Workers and mer-

chants are coming down with malaria and other diseases. Some mine owners help their workers get natural medicines. However, if the owners don't help the workers, the costs are very expensive. Therefore, mining workers face depression when they get diseases. Nobody cares for patients in the mining sites. The authorities collect taxes from the companies and everyone ignores their responsibilities to the workers.

## Land Confiscation in Shing Bwe Yang Township

Shing Bwe Yang Township is part of the Hugawng Valley. It is very close to India. It has Lisu people (a tribe of the Kachin nation) and Naga people (a tribe of the Chin nation). The Tang Shang Naga people have their own culture and own language. Most local people are Christian. Their livelihoods are farming, hunting and fishing, in the tradition of their ancestors. The people depend on their neighborhood forests and streams. They use herbal medicine from their forests.

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<sup>68</sup> Interview 12.





*Local people make houses with forest materials. (Photo by Myu Shadang).*

***"Dwellings are usually two stories built of wood and bamboo. Houses are oval in form; the first floor serves as storage and stables while the second is utilized for living quarters."***<sup>69</sup>

Before mines came, people had simple jobs - farming, hunting, and fishing for subsistence - and a good relationship with the local environment. However, the SPDC began to confiscate their rice fields and dig mines more than ten years ago, because their fields were along the Lido Highway.

***"In here there has been a lot of mining for ten years now. Before mining sites came, we were farming in our fields. But now, our rice fields have disappeared. Our rice fields are becoming mining sites. Our Shing Bwe Yang dwellers used to have their own rice fields but all of those rice fields have gone now."***<sup>70</sup>

- A local grandmother.

According to the Universal Declaration on Human Rights Article 17:

'(1) Everyone has the right to own property alone as well as in association with others.

(2) No one shall be arbitrarily deprived of his property.'

<sup>69</sup> [http://en.wikipedia.org/wiki/Hukawng\\_Valley#column one](http://en.wikipedia.org/wiki/Hukawng_Valley#column_one)

<sup>70</sup> Interview 9.



Rice fields now mining sites. (Photo by Myu Shadang).

The Burmese military regime is violating the Universal Declaration of Human Rights, and its own domestic property law, which states that if someone's action causes damage to another's property it violates domestic law.<sup>71</sup>

The law is supposed to protect public property. But everyone must follow the laws except the SPDC: in reality, we cannot see the 'rule of law' operating in Burma. The military junta acts however they want. Mining companies invade and confiscate farm fields to turn them into mining sites. Local farmers do not actually want to allow mining to take the place of their rice fields.

*"Some miners dig under the Shing Bwe Yang stream. Authorities limited mining in the area before; now they allow the digging of mines on local rice fields. At first nobody could enter into Shing Bwe Yang Township to dig mines. The town and the rice fields were separated by the Shing Bwe Yang stream. But, they gave permission to dig over the stream and into the Town. Shing Bwe Yang has four quarters. They already confiscated and started digging in all of the quarters except the first quarter. They saved the first quarter because the SPDC has offices, schools, a hospital, and some houses there. Now in the rainy season it floods every year because miners dig the stream."*<sup>72</sup>

<sup>71</sup> Union of Myanmar Ya zatat kyī, Property Law (April 1963), Chapter 14, Article 268.

<sup>72</sup> Interview 10.



Mines are causing serious problems for the lives of the villagers. People do not have adequate food and clothing. The Burmese government has a responsibility to fulfill international law. Article 11 of the International Convention on Economic, Social and Cultural Rights (ICESCR) says that state parties must recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. It says that state parties must take appropriate steps to ensure the realization of these rights. The Burmese regime is violating these standards.

## Livelihood Problems

Local residents were experts in farming in the tradition of their ancestors. Until the mines came, local people were satisfied with their livelihoods and loved their land. Now they face a crisis of livelihood.

Every person has the right to work according to Article 6 of the ICESCR. This Convention states that each person has the right to gain his living by work which he freely chooses or accepts. But in this mining area people no longer have work. The mines have taken over or destroyed traditional livelihoods. Some people work in the mines by hand but the work is difficult; the people have no expertise. It is hard for them to survive.



*Miners work with big machines. (Photo by Myu Shadang).*

***“Authorities give permission to dig mines on our farmlands. Companies confiscate them from farm owners. I didn’t want to sell my rice fields for mining. But they forced me to sell and threatened me.”<sup>73</sup>***

## **Social Problems**

Residents face an income crisis in Shing Bwe Yang Township; because of mining people’s rice fields are gone and they cannot plant vegetables. The population is growing at the same time that there is a lack of land for planting. People are forced to buy expensive vegetables and rice. Parents have to go to mining sites to make enough money to survive every day.



*High School, Shing Bwe Yang. (Photo by Myu Shadang).*

***“Nobody cares for their children to go to school and for an adult, for vocational training or something. Children follow their parents to the mining sites. Therefore, children in Shing Bwe Yang lack education.”<sup>74</sup>***

Parents also do not encourage their children in education because their priority is making money to survive. The mines have changed almost all aspects of the villagers’ lives, including their culture and dress. Before the mining sites, people used wood and bamboo for their houses. But now, they can not make them with those tools. They are very difficult to get. Materials that have been used by the people for a long time are disappearing. Before, the people were living with their families and they were satisfied. However, now there are many kinds of night-clubs and karaoke shops, encouraging corruption amongst local residents. Women and girls’ lives are also changing for the worse.

***“Some ladies and girls are going to work in the sex industry and in massage centers.”***

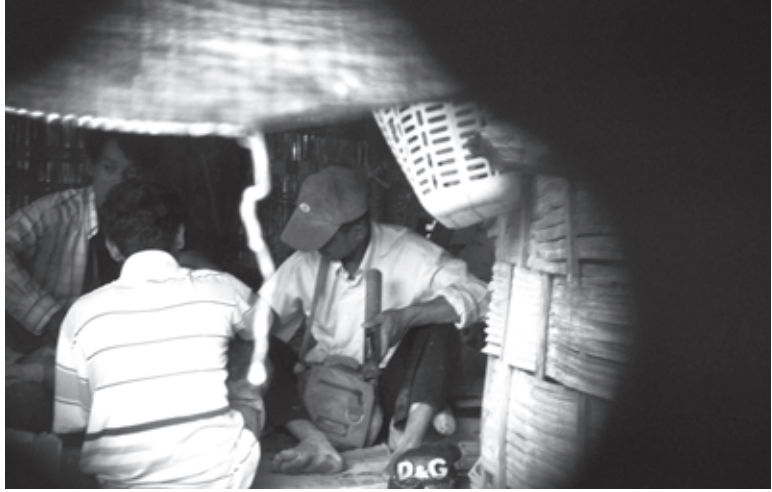
– A local NGO representative.

<sup>73</sup> Interview 9.

<sup>74</sup> Pan Kachin Development Society.

## Drug Distribution

In mining sites in the Hugawng Valley a lot of mining workers use opium and heroin. Opium and heroin use is causing corruption and other negative results in society and consequently all countries are against it. The Burmese military regime, however, still allows people to use these drugs. The authorities only pretend to clean up opium and heroin in Kachin State. In the Hugawng Valley mining sites, the authorities allow people to distribute drugs at the sites. No one checks to see if anyone is carrying heroin and businessmen cooperate with authorities to carry the heroin. Some people steal and also distribute the drugs.



*Some miners and local people use opium freely. (Photo by Myu Shadang).*

***"I know who is trading heroin and how they distribute it in here. But I don't want to tell that name. I knew how they steal when they arrive in the mining sites."*<sup>75</sup>**

Some drug carriers use women and girls to carry the drugs and be their victims.

***"They use ladies to carry heroin through checkpoints. The ladies hide it inside their bodies. They put heroin into a small bottle and then into a condom. After they arrive in mining sites, the drug is distributed freely."*<sup>76</sup>**

Almost all mining owners allow their workers to use opium and heroin. Workers believe that when they use opium during work time, they can concentrate better on their work.

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<sup>75</sup> Interview 15.

<sup>76</sup> Interview 15.

***“Some mining owners support opium and heroin use daily. They believe they can get more work done this way.”<sup>77</sup>***

– A mining worker

Before the mining sites came, local people only used opium for cultural medicine. Now there is a great amount of corruption and addiction in the community.

## **Displacement as Villagers Flee to Other Villages**

Most of Shing Bwe Yang’s people are poor. They were just farmers until mining sites started on their farms. When they started mining in Shing Bwe Yang, residents faced frequent forced relocation. Many people have been constantly threatened by the military and have become depressed and scared. Therefore, some of the local people flee to nearby Hkalung Village.

***“My aunt fled to Hkalung Village from Shing Bwe Yang Township. The authorities forced relocation over and over again and again.”<sup>78</sup>***

– A Shing Bwe Yang youth.

Most local residents face joblessness in their homeland. Some villagers try to work in the fields to the right side of the Lido Highway. Unfortunately, it is very difficult for them to farm there or get food. The SPDC recognized the right side of the Lido Highway as a conservation area without thinking about consequences for local people. Some farmers have been stealing land from inside the jungle but were caught and punished by the SPDC.

***“I am amazed by the SPDC. They don’t recognize what they have done to us. I am really hurt when I think about my rice fields. We must buy every vegetable and it is very expensive. How I will survive in future I don’t know.”<sup>79</sup>***



A grandmother points to where her rice field used to be.  
(Photo by Myu Shadang).

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<sup>77</sup> Interview 8.

<sup>78</sup> Interview 11.

<sup>79</sup> Interview 9.





(Photo by Myu Shadang).

## Conclusion

Gold mining in Hugawng Valley is destroying the environment and violating local livelihoods. The military regime makes money in the Hugawng Valley so that they can develop, and to buy military weapons. The junta has spent more than 40% of the national budget on the military, while IMF figures estimate that 'under 1% of GDP is spent on health and education.'<sup>80</sup>

Military development is causing environmental problems in Tong Mali mining sites and destroying livelihoods in Shing Bwe Yang Township. The SPDC has been perpetrating these abuses for ten years; however, we cannot see any infrastructure growth in Kachin State. Miners do not benefit because they are heavily taxed. The Sea Sun Star Company and Burmese government benefit greatly from Hugawng Valley mining sites. Military camps increase every year in Kachin State; many are based in the Hugawng Valley so the government can extort money and goods from the public. Local people and mine workers give property and labor to the military and companies involuntarily.

<sup>80</sup> *Driven Away*, Kachin Women's Association, Thailand, page 11.



The SPDC is violating human rights in Shing Bwe Yang Township. It confiscates local rice fields and no one is allowed to protest their actions. International law says that everybody has right to complain equally. However, this is not the case in Burma. The people of Shing Bwe Yang are made poorer and poorer by the Burmese military regime and its mines. The environment and local villages are being destroyed. The people are sacrificing their own land and lives to make money for the SPDC.

## **Recommendations**

### **To the State Peace and Development Council:**

- Stop violent action against the environment.
- Follow and implement domestic environmental law.
- Cooperate with local people to conserve the environment.
- Respect all international human rights conventions and customary laws.
- Stop human rights violations against Shing Bwe Yang dwellers.
- Respect local livelihoods.

### **To the Kachin Independent Organization (KIO):**

- Stop cooperating with the SPDC.
- Stop the violent action against the environment.
- Stop encouraging mining in the Hugawng Valley.

### **To the international community:**

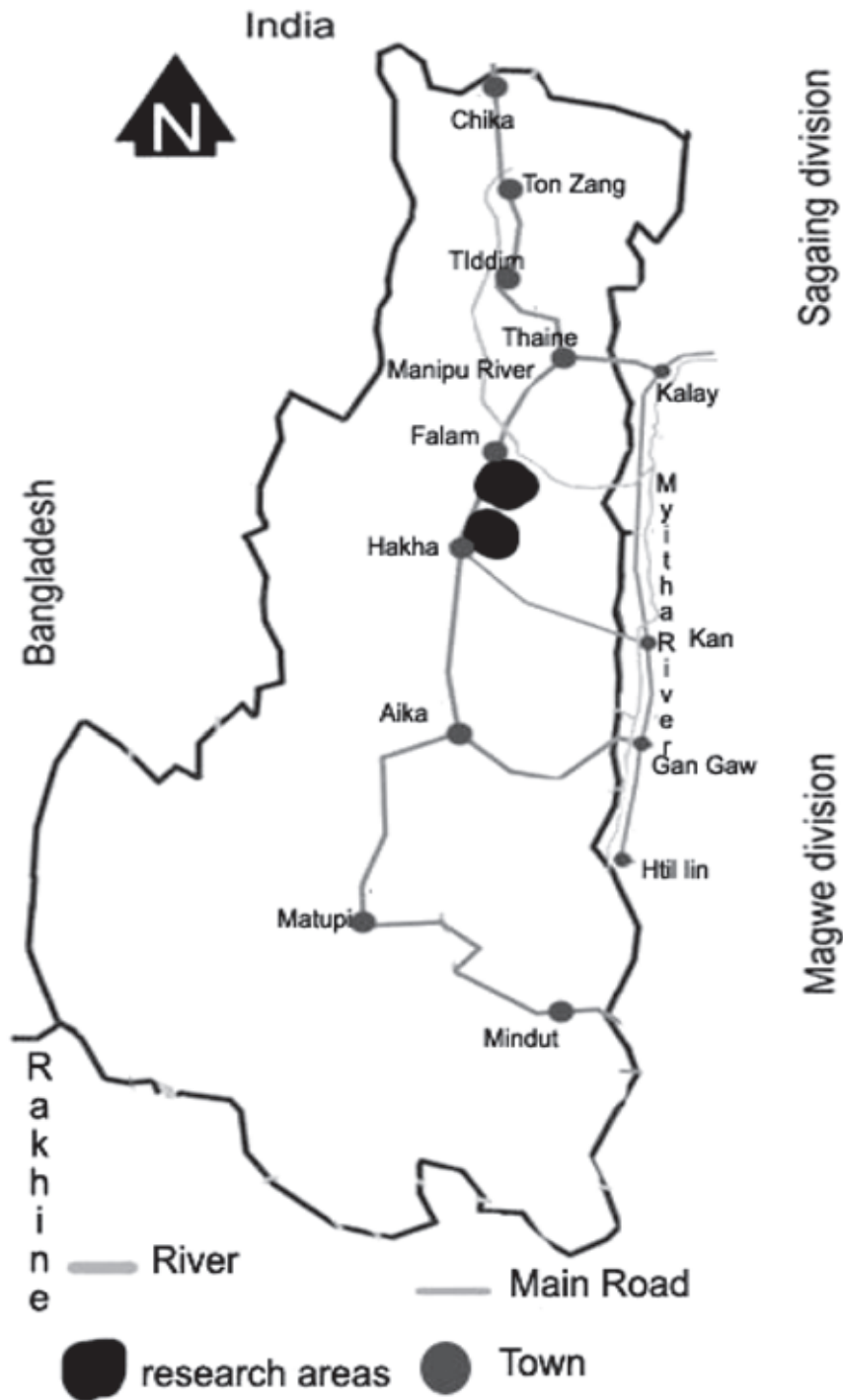
- Pressure the Burmese government to implement international conventions.
- Encourage the SPDC to implement environmental policy.
- Pressure the SPDC to stop human right violations in the whole of Burma.
- Pressure China to stop buying products from Burma.

### **To companies and miners in the Hugawng Mining Sites:**

- Stop cooperating and/or working with the SPDC.
- Stop destroying the environment in Hugawng Valley.
- Respect your positive cultural traditions.
- Think about future generations.

# Social & Environmental Impacts of Deforestation in Northern Chin State, Burma

By Icon



## Introduction

Trees are vital to the ecosystem that sustains human life. The Chin Hills are composed of mountains that were once covered with deep forests. They are inhabited by beautiful wild flowers and all kinds of wild animals. In the past, the Chin Hills forest produced enough resources, the river bore satisfactory products, and the fields gave sufficient food for humans.

After World War II, the Chin State was destroyed. People cannot survive like before. The population continues to increase and there is not enough food, animals, forest, or farms to support the population. The economic crisis has resulted in migration to the plains. In addition, since 1990, many people have left Chin State due to civil war. Although people did not want to leave their homes, they had no choice. Most of the Chin people have gone to other countries because they cannot get enough food or work in their own land.<sup>81</sup>

85% of Chin people are farmers and hunters; they have no other jobs. They spend their whole life in the forest. Chin people are dependent on farming so they need a sound environment, good weather and sustainable natural resources to work with. When the land is destroyed they face a lot of problems. "Unscientific cultivation systems and unwise traditional uses of the forests are causing environmental degradation and an ecological crisis. The lack of environmental and ecological knowledge is the root cause of environmental problems in the Chin Hills."<sup>82</sup>

The Burmese government does not support education, or economic or rural development. The State Peace and Development Council (SPDC) takes resources by force from the people because they need money to make their military stronger and for their own benefit. Most Chin people are uneducated. They do not know how to protect the environment.

Deforestation threatens the existence of all living creatures including humans and it causes further climate change. Today barren hills are appearing and beautiful wild flowers and valuable wild animals are disappearing due to deforestation. The weather is also changing these days. During the period of research that informed this paper, there was no rain until the end of May in Northern Chin

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<sup>81</sup> Thin Thang Journal Vol.1 (Community Development Initiative), November 2006, page 1.

<sup>82</sup> Thesis: 'Toward a new understanding of ecology in the Lai Christian community of the Chin Hills', Joel Za Hlei Kap, page 1.

State. Usually rain comes in March. People were waiting for the rain and were unable to cultivate their fields.

***“If the government continues to ignore rural development, there will be more deforestation and more negative environmental impacts in Northern Chin State.”***

This report reveals the ongoing economic crisis and lack of ecological awareness in the Chin community due to the SPDC’s actions. This report explains the causes of problems in Chin State and identifies solutions to solve those problems. Furthermore, the report seeks to develop a new understanding of ecology and its restoration through sustainable development. Sustainable development not only protects the environment but also reduces poverty.

The report proceeds as follows: Part 1 describes the background of Chin State and the Chin people. Part 2 identifies the causes of deforestation in Northern Chin State. Part 3 examines environmental problems caused by deforestation. Part 4 looks at social problems that result from this situation.

## **Methodology**

There were multiple stages involved in this research. First, I consulted with my mentors about where to perform my work and how I should do it. I also obtained advice from the local leader of the Chin community. I next did secondary internet research. Finally, to perform my fieldwork I went to Falam and Hakha Townships in Chin State. I interviewed twenty people including church pastors, the headmaster of theology, a lawyer, community leaders, elders, hunters, and farmers.

## **History**

### **Background of Chin State**

Chin State in Burma is bordered by India to its north, Rakhine State, Burma to its south, Bangladesh and India to its west and Magwe and Sagaing divisions to its east. It is 13,907 square miles. There are two districts: Falam district and Mindat district; and nine Townships: Falam, Hakha, Thlantlang, Tedim, Tonzang, Matupi, Mindat, Kanpalet and Paletwa, which are further divided into 505 village tracts.<sup>83</sup> Mountains in Chin State average 5000 feet in height (1523 meters). The highest

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<sup>83</sup> <http://www.asterism.info/states/13>: State and division Chin state

mountain is Khawnumtung (Victoria) located in Mindat district, at 10,200 feet (3109 meters).

Chin people typically work in agriculture; however, it has not developed as widely in the traditional sense because of a scarcity of large valleys and plains in Chin State. Rather, shifting cultivation is prevalent. Teak forests and other hard woods are found below 900 meters. Above 900 meters, there are many oak and pine trees. Teak, pines, canes, resin and turpentine are important forest products. Since electricity is not available in most villages, people depend on the wood for cooking.<sup>84</sup>

The main mode of transportation in Chin State is cars, however, the roads are poor as they are cut along the sides of mountains valleys. It is very difficult to travel because of the landscape as well as landslides. Cars have to bring shovels and garden hoes to clear frequent landslides and stone cover. Given these challenges, Chin villagers normally travel by foot from village to village.

## **Background of Chin Culture**

Chin people have their own culture and religion through which they maintain their morality, social life, and history. Chin people believe in *Khawzing* (Nature). *Khawzing* is not worshipped, but is viewed as ruling over everything, including spirits. Traditionally, the best way fulfill the will of *Khawzing* is to get along with one's fellow human beings and to live in harmony with the rest of nature including animals. Shooting many wild animals and harvesting many crops is meaningful, because it is accepted as being favored by *Khawzing*. When Chin people shot a big wild animal and/or get a good harvest, Chin people hold a feast of celebration with the whole village and everyone shares the joy together.<sup>85</sup> Many kinds of Chin traditional music come from wood and bamboo instruments. Most Chin hand-made materials (i.e. baskets) are from bamboo.

## **Importance of Trees & Forests to Chin People**

Trees are extremely important for the vitality of life, especially for Chin people. There are many useful wild trees in Chin State. Houses, huts and animal pens are commonly built by using wood and bamboo. Pine trees are also used for building homes and building fires. Usually, 30 to 50 pine trees are needed for the building of

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<sup>84</sup> [http://en.wikipedia.org/wiki/Chin\\_state](http://en.wikipedia.org/wiki/Chin_state)

<sup>85</sup> Thesis by Joel Za Hlei Kap (see above), page 10.



one house. Also important, Chin people produce many kinds of medicine using local trees and animals.<sup>86</sup> Chin people commonly travel by on foot so trees are also important for providing shade and shelter for those who are in transit.<sup>87</sup> The Chin people's survival depends on their relationship with the earth: and therefore it also largely depends on the climate.

## **Medicine & Livelihood**

The trees and animals in Chin State produce natural medicines that provide for the health and well-being of the people. If an animal is killed for medicine, almost the whole animal will be used. Traditionally, Chin people have been able to maintain a healthy balance in their interaction with the local environment and survive very well. Mountain rice, wheat, maize, coffee, oranges, damson (one kind of palm tree), and apples are traditionally grown with a system of shifting cultivation. The Chin do not traditionally use any machinery in doing their agricultural work.<sup>88</sup>

Starting in around 1988, after a change in SPDC policy, natural resources were increasingly taken away and people could not survive as they had before. People had to start working jobs with the methods that they were told because it was not their land and that did have any investment in it. The SPDC's policies and land confiscation practices caused significant deforestation and environmental problems though methods including cutting firewood, fishing by chemical and dynamite, getting orchids to sell, hunting and cultivation. Today it is very difficult to get hard wood and big trees. Even they struggle with violently hard work, they can not become rich, only receiving meager daily wages.<sup>89</sup>

## **Deforestation in Chin State**

### **Chin State Before Deforestation**

Before 1990 Chin State was full of deep forests. There were evergreen forests everywhere; the state was beautiful. There were many kinds of beautiful flowers including rhododendrons, and various kinds of small and endangered animal species including tigers, deer etc. The Kaladan River flowed strongly and was beautiful. It flows from India to Chin State and through Rakhine State and has pine trees along the banks.

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<sup>86</sup> Interviews 1, 2, 6 and 8.

<sup>87</sup> Interview 11.

<sup>88</sup> Interview 1.

<sup>89</sup> Interviews 3, 11, and 20.

***"I can't describe how beautiful it was. If we defend the forest, we don't need to ever go to another beautiful country. This area is good for a tourist attraction. The forest produces many natural resources, and there is enough food from the land. The trees can make the people peaceful."*<sup>90</sup>**

Before deforestation, the climate was regular. 90 % of the land was full of trees in Chin State. In the new era, people log the evergreen forest and now there is drought. The rivers have narrowed and dried up, the weather is hotter. Nowadays there are grasses instead of trees.

## **Causes of Deforestation**

### **SPDC Activity**

The SPDC has very good laws for forestry, but has not followed them. When the people want to destroy the evergreen forest they pay money to the leader of the military or of the forestry unit, and then they can cut the trees. There is no need to go to an office or a court, a criminal can give money and there is an understanding.

SPDC civil servants are also poor; they do not get enough salary. SPDC and the Forestry Department were cooperating to log trees for furniture and house building wood for their own benefit without tax at the border of Chin State and Kalay Town (Sagaing division). The junta orders the SPDC civil servants to allow logging as a way of paying their salaries.



*Logging at the border of Chin State and Sagaing Division.  
(Photo by Icon).*

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<sup>90</sup> Interview 12.

In the summer the SPDC brings wood by 12 trucks every day for 4 months. Before the trucks come, elephants carry the trees and they make trips 3 times in a day. In 1 trip they can bring 8 tons of wood. They send wood from inside Burma to India and China. Since 1088, people have not known how much the wood is being sold for. It does not produce benefits for local people. When a civil servant cuts one tree, he gets 3,000 kyat from the SPDC.

The SPDC has claimed that the condition of forests was as follows:

#	Forest Resources		Production 2001	strength 2002	Collected Taxes (kyat) 2006/2007	Collected Taxes (kyat) 2007/2008
1.	Teak	Tons	13,262	11,500	45,000	22,500
2.	Hardwood	Tons	13,410	12,613	15,000	3,750
3.	Bamboo	Tons	8,593,000	8,848,000	432,000	92,250
4.	Fire Wood	Tons	614,717	259,849	150,000	120,000
5.	Coal	Tons	440	432	60,000	45,000

Even though the government has given their exact production statistics, no one denies that forests are destroyed and exploited beyond what this statistic shows. Trees are cut down for export, for firewood and coal, for building houses, baking bricks, corn fields, and for the families. These are all contributing factors leading to deforestation.<sup>91</sup>

There are three sources of electric power in northern Chin State. Namely: 1. Tongva hydro-electricity, Hakha, 2. Var and laiva hydro-electricity, Falam and 3. Zaluyi hydro-electricity, Tedim. However, none of this electricity has reached the rural areas. Around 78.44% of Chin State's population is rural,<sup>92</sup> many pine trees are used for light and thousands of pine trees have been lost and destroyed. There is no fuel except firewood; this is a significant cause of deforestation in Chin State.

The SPDC is a dictatorship and the local people cannot complain and cannot do anything without an order from the government.<sup>93</sup> The government is focused on making money at any cost. If people request a logging permit and pay a high tax, they can destroy any forest. The village head cannot punish them because they will say, "we got the permit from the SPDC."<sup>94</sup> Even those who are responsible for taking care of the forests will accept bribes and allow logging. After paying money, the tree cutters can continue their job.<sup>95</sup>

<sup>91</sup> 'Ecological Crisis in Chin Land,' document from a file with the author (Jason), page 17.

<sup>92</sup> Chin State Solidarity and Development Union Record, 2005.

<sup>93</sup> Interview 5.

<sup>94</sup> Interview 7.

<sup>95</sup> Interview 8.

***“The SPDC civil leaders are very nice because we can order their underlings and we can do whatever job we like, when we are free.”<sup>96</sup>***

The SPDC has cut down many trees to make it easy for them to be able to see their enemy. Before the SPDC set up its camps, the local people enjoyed the forest and would pray or have picnics on the mountain. The SPDC set up a military station around the mountain for ‘security’, but actually it is not for security at all. The SPDC threatens and tortures people and now people cannot go to the mountain.<sup>97</sup>

## **Shifting Cultivation**

Chin people cultivate 194,309 acres each year (The table of Division ground, 24 January 2006). One out of every three acres has gone to cultivation.<sup>98</sup> As the major occupation is agriculture, people are growing various kinds of crops by the system of shifting cultivation with mattocks, and do not use any other machines.

The system of shifting cultivation is also called slash and burn cultivation. At first people cut the trees in October or November, this is called *Vah Hau* in Chin. The trees are burned two times in February or March the following year. The dark smoke covers the whole of the Chin Hills every year from February until early May. Nevertheless, the Chin community does not recognize the danger of air pollution because they lack scientific knowledge.<sup>99</sup> They plant crops for three days after the burn. But they have to wait for the first rain. At the beginning of March it regularly rains for the first time. The harvest time depends on the climate, if the rain is regular, they can harvest three months later. How the Chin use the field during the year depends on the land. They have to change the land every one to three years because the fallow field was destroyed.<sup>100</sup>

When people burn the forest for cultivation, it always over burns and destroys the forest and not only the focus area. Therefore, the wild animals and flowers are also lost. Burning is one of the reasons the forest is destroyed. Despite that this continues happen on a wide scale, the present government has no records of deforestation in the Chin Land.

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<sup>96</sup> Interview 10.

<sup>97</sup> Interview 20.

<sup>98</sup> Thin Thang Journal Vol.1 (Community Development Initiative), November 2006, page 3.

<sup>99</sup> Thesis, Joel Za Hlei Kap (see above), pages 21-23.

<sup>100</sup> Interviews 3, 6, 11, and 13.



## Firewood Cutting

After 1995 the good trees disappeared more and more because of the need for firewood. Yearly, the Chin were cutting at least 14,828,200 of trees (around 500,000 tons). The firewood is used in the kitchen because there is no electricity or other fuel. Almost every Chin family has to use firewood for cooking and for warmth and light.<sup>101</sup>

Most people cut down trees and divide them for the ease of bringing the trees down from the mountain area. They also send the wood from the mountain to the plains by bicycle or car. Every family uses three tons of wood every year. One ton is equal to 200 trees.

Villagers pay 1,000 kyat to the forestry office for one year of tree use. If they want to get more, they pay more. Around 300 tons of trees are deforested per village per year. The private companies are cutting the trees by group; there are 100 groups of



*Gathering firewood on roadside in Hakha Town. (Photo by Icon).*

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<sup>101</sup> Interviews 11 and 14.



businesses cutting yearly. They each have to pay a tax of 3,000 kyat to the leader of the military in the village; 5,000 kyat to the leader of forestry; and also 5,000 kyat to the town's forestry office. In addition, they force the logger to put their wood as they want in 3 or 4 sections. The cost of one section is equal to 1,500 kyat.

Business people bring trees by car or bullock cart and sell them at their village and in town. They can bring 12 tons per trip by car in a week. One ton of firewood costs 35,000 to 40,000 kyat. Each group can bring three tons of firewood in a day.



*Every family keeps firewood at their houses. (Photo by Icon).*

The foresters do not give permits to log good trees, because they have their own purpose for them, but some people log them anyway. If forestry officials catch the loggers, they collect 5,000 kyat for one piece of timber. As a result, all of the local mountains have become barren, contributing to flooding during monsoon rains.

Loggers cut the trees between December and March. In the rainy season they cannot cut because it is too difficult to go into the mountains, and in the summer, they cannot use water because it is all dried up. People cut trees that are 12 or more years old. One of the problems is they do not have enough trucks, and they do not have enough money to rent trucks. The rental fee is expensive at 300,000 kyat for one time. Truck owners benefit the most; the forestry leaders benefit second most, and loggers struggle to benefit.

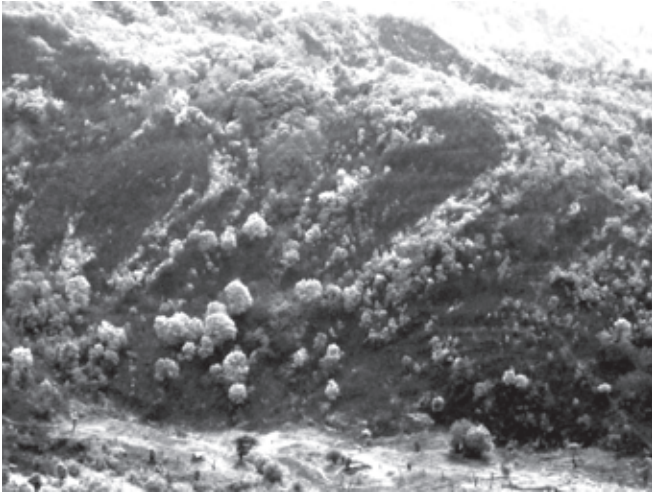
Businessmen can log hardwood after paying a tax. They are not allowed to log green timber and plank, because forestry officials need it for their own benefit. If a logger breaks the rules and is caught they used to be put into jail for seven years; now it is more, because officials want additional money.<sup>102</sup>

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<sup>102</sup> Interviews 11 and 14.

## Burning the Forest

***"Before burning forest you must request a permit from the village head or relevant person. Then you must clear an area at least 10 feet wide of grass and shrubs to contain the fire."***<sup>103</sup>



*Burnt hill between Falm and Hakha towns. (Photo by Icon).*

In the past, there were various kinds of wild animals including tigers in the Chin Hills. The Burmese military burned the forest to get wild animals into the areas of their battalions. While the forest was burning, animals escaped and the military shot them with their guns.

Before 1995, local people could hunt on the mountains with their guns. After the government acquired guns, in 1988, the

local people were no longer allowed to hunt with their guns. The local people had to explain to the government that the guns were not for shooting humans and eventually the government gave permits for gun use to the Chin people. The Chin guns have licenses. A Chin gun is different than others; it weighs more than 2 kilos.

Around 1995, the forest was very healthy; a senior hunter could get all kinds of wild animals including tigers. Many people hunted animals by burning the forests until they started to lose their lives. People were caught in fires and killed while trying to catch animals.

Hunting is a part of Chin culture; almost all Chin men traditionally hunted animals, but did not sell the meat. When they got wild animals they held feasts and hosted social gatherings. It was an important part of people seeing their families and talking. In 1980, the animal prices went up. Nowadays many Chin people hunt animals for their profession. After hunting became a business, the animals quickly started to disappear.

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<sup>103</sup> Chin State law (1964) Section 2, Number 4.

Wild flowers and some species of small and endangered animals were lost by burning the forests. In addition, the people cannot grow any crops when the forest is burned. According to interviews for this paper, some people have killed and sold from anywhere between 60 to as many as 1,000 animals. One barking deer is more than 30,000 kyat; one deer is 300,000 kyat right now.<sup>104</sup>

## Cultivation of Tea & Castor

The government forced people to plant tea and castor in 1998. There was no plan for this project; they just forced people to plant in almost the whole of Chin State. Every village had to plant 20 acres and 10 villages combined to plant in one place. There are still tea and castor plantations in the Chin Hills but crops do not grow well. Out of 1,000 acres, only 100 can be harvested.<sup>105</sup>

Tea needs a lot of water and the government has not invested in caring for the trees. There is drought and therefore this project cannot develop and does not bode well for Chin people's livelihoods. This project has destroyed the forest more because people have had to cut it down to plant tea trees. In addition, businessmen take advantage of the project and request permits to plant many acres of tea. However, when they get the permits they destroy the forests and plant other crops that they want for their business.<sup>106</sup>

After the SPDC ordered people to plant the tea and castor, local people did not want to cultivate any other crops. The Forestry Ministry forces people to plant according to their projects. Every family paid 1,500 kyat for one bag of tea seed. In addition, every family paid a tax of more than 24,300 kyat for one year to the forestry office. The SPDC said, 'Chin State must be a tea state' and 'the plantation of castor is the obligation of men.' This project aimed to enable the SPDC to trade tea and castor to other countries, but they have not been successful yet.<sup>107</sup>



*A castor field in Chin State planted by force for the SPDC.  
(Photo by Icon).*

<sup>104</sup> Interviews 16 and 19.

<sup>105</sup> Interviews 17 and 19.

<sup>106</sup> Interviews 7, 15, and 20.

<sup>107</sup> Interviews 11 and 15.

In the past year the SPDC has ordered villagers to plant castor oil on their land. If people deny that order, they have to relocate by warrant of the SPDC. In addition, the Burmese military authorities have warned people that they would award the death sentence to anyone who speaks about the drawbacks of castor plantations in Chin State.<sup>108</sup>

In the Universal Declaration of Human Rights, Article 17, we can see that 'Everyone has the right to own property'.<sup>109</sup> Furthermore, the right of all peoples to enjoy their inherent freedom and to enjoy natural wealth and resources is expressed in the International Covenant on Civil and Political Rights, Article 47. The SPDC does not follow these conventions in Chin State.

Every Chin person has to work as forced labor for this project at least three times a week. SPDC civil servants do not attend their office due to this project.

***"We are lying to each other because we knew that castor cannot grow well in Chin State. So we are working only by name."***<sup>110</sup>

Castor cultivation destroys the land by its oil. After it is planted, people cannot grow any crops and the land becomes barren land. Traditional Chin lands will more disappear because of the castor plantations.

## **Economic Crisis & Poverty**

95% of Chins are in poverty and because of poverty they commit corruption and injustice. Before 1988, every villager could survive by their own means. Between 1984 and 1987, a student could attend theology school at the expense of 80 kyat for one month. After a change in SPDC policy, natural resources have been taken away and everything costs more than before, so local people cannot survive very well and poverty is worse. The people have had to start working jobs which provide capital.<sup>111</sup>

Private business began logging a lot of trees for their livelihood. The trees are sold in their villages and in the plains. They have to pay a lot of tax to the forestry ministry and the military.

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<sup>108</sup> Khonumthung News, 12 July 2006, via Burma Net News, 26 July 2006.

<sup>109</sup> <http://www.unhchr.ch/udhr/lang/eng.htm>

<sup>110</sup> Interviews 17 and 20.

<sup>111</sup> Interview 1.

## **Salary**

The staff or officers get a salary of around 20,000 kyat per month. They do not get sufficient money, so they have to work at other jobs.<sup>112</sup> A senior carpenter gets 4,500 kyat in a day; this is a good salary. Other junior people get 800 kyat per day. A worker who is an expert can get 1,500 kyat. However, most people cannot find work. Many youths and fathers are living jobless. The result of this poverty is cheating, exploiting, and robbing each other.

The cost of meat is more than 5,500 kyat for a viss (one viss is equal to 1.6 kilograms), so people cannot treat their visitors to dinner. One rice sack is 45,000 kyat. Also, it is at least 4,500 kyat for a piece of cloth. Therefore, it is very difficult for local people, especially for big families, to survive. People hunt animals, burn the forest to cultivate it, and find orchids to get money. People are in a crisis of livelihood. People are working hard and still cannot get enough food. Hard labor threatens old people because they have to work until they die. The worst aspect of this system is that people have no awareness and therefore cannot be liberated from the structure of poverty.

## **Raising Cattle Causes Deforestation**

Most local people breed cattle. Some families breed 100 bullocks. Around 10,000 bullocks are raised in Falam Town. Cattle-raising has happened since the era of people's grandfathers, but the people do not know how to raise cattle properly. The bullocks can destroy the forest due to their grazing. When the villagers need to move their fields, the land is already destroyed and they cannot cultivate it again. When people need money they do not care what their action will do to the land. They do not understand the long-term importance of the trees.

## **Deforestation & Orchids**

Orchids grow on the old trees and they like deep forests. Various kinds of orchids grow in Chin State. Orchids are good for some kinds of medicine which the Chinese make. The Chinese people get permission from the SPDC then they contact the private businesses of Burmese people. Many villagers find orchids in the deep forests on the mountain. Around 1,000 people find orchids every day. This started around 1990. There is a very exact process, step-by-step: villager to

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<sup>112</sup> Interview 10.





*Orchid growing on a tree. (Photo by Icon).*

private business, business to China. The orchids have different costs; some kinds are 3,000, 5,000 or 15,000 kyat for one viss.<sup>113</sup> One person finds 16 to 32 kilograms of orchids a day. A hundred thousand viss (16,000 kilograms) of orchids are sold every year.

Foresters collect taxes from people who gather orchids. Gatherers pay 5,000 kyat and then can sell the orchids. Some foresters go to markets to collect money. People collect the orchids between November and May.<sup>114</sup>

100 year-old trees are cut down to get orchids. They do this because the orchids are growing on the upper part of the trees. Various kinds of wild animals and wild flowers are disappearing with the orchids. Nowadays grasslands are replacing the forests.<sup>115</sup>

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<sup>113</sup> Interviews 2, 5, 7, and most others.

<sup>114</sup> Most interviews.

<sup>115</sup> Interviews 6 and 7.

## Environmental Problems

### Destroyed Forest & Land

After burning the forest, the land is unusable for the next 15 years. During those 15 years, 3 million acres could have been cultivated.<sup>116</sup> Chin State is mountainous. Deforestation has resulted in tons of topsoil being eroded. Soil erosion results in a poor harvest. People need to buy food from the plains area due to the poor harvest, which further results in the loss of money. Many people move to the plains or other countries to search for better and more convenient places to live.<sup>117</sup>

The land is not good for cultivation because of the erosion. The rich people use pesticides and organic chemicals. They are helpful in the short term, but the next time the land is used it has become worse and unhealthy. Land can only be cultivated for one additional year before moving to another place.

The land in Chin State was destroyed by 1990. The climate and the earth were changed due to deforestation. When people cut down the evergreen forest, it cannot grow again by itself because it is different from other trees. Today, trees are growing around twenty miles away from the village. In rural areas people have no assurance of food for their lives, so many people have left their villages and run to where they can get enough food to live.



*Falam forest ruined. (Photo by Icon).*

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<sup>116</sup> Thing Thang Journal, page 3.

<sup>117</sup> Interview 11.

## Lost Species of Small Animals

Between 1970 and 1990 there were all kinds of animals living in Chin State, including tigers, deer, barking deer, fox, rabid dog, big monkey, gibbon, apes, boar, weasels, wolves, jacks, leopards, rhinos, and elephants. The hornbill is one of the Chin symbols for culture; it shows honesty and loyalty. Nowadays it is extinct. 70% of birds are now extinct in Chin State.

People could hunt various wild animals in most forests of Chin State before. Most hunters got animals and at least 200 animals' skins were sold each month. Those skins were sold to Mandalay and then were exported to China by businessmen.

After 1990 hunters could not get animals because the forest was thin and destroyed by logging and burning. Most of the wild animals were lost due to deforestation. When the trees grew without fruits, the animals also faced a lack of food and they could not breed for their next generation. In addition, they did have not enough places to live, so they moved to the thick forests. Especially when the animals' market prices went up, the wild animals decreased in number quickly.

***"When I was 18 years old, I started to hunt. I heard the voices of different kinds of animals from my house; I went one furlong away from the house. I got more than three wild animals with my gun during a short time. I didn't know how big the jungle or forest was because there was no need to go so far. Most of wild animals were near my home. I got 144 wild animals. After 1990, we lost a lot of species because of burning and cutting. They don't have enough places."**<sup>118</sup>*

## Pollution from Burning

There is no scientific equipment to test pollution in Chin State. But people can see the ashes from burning forest without a microscope. The people catch colds and sneeze often during the two months when they burn the forests until their lungs turn black.

## Deforestation & Water

Today, many springs in the Chin Hills do not produce fresh water anymore. The waste from deforestation is flowing into the river and the fish eat the pollution. It produces negative effects in humans also. Brooks, streams, and rivers are dried up and evaporating rapidly due to deforestation. Air pollution is often a serious problem in large cities.<sup>119</sup>

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<sup>118</sup> Interviews 5 and 16.

<sup>119</sup> 'Ecological Crisis in Chin Land', document from a file with author, page 16. (He finished a Masters of Geography).

## Climate Change

Trees prevent floods and droughts as well as holding topsoil in place. Chin State was very cold not only in the winter but also in the summer before. Today the weather is very hot because there are no trees. If we look particularly at the capital city Hakha, before the land faced the effects of deforestation, they got 18,000 gallons of water per day. But today, they can get only between 7,000 and 10,000 gallons of water per day.<sup>120</sup>

The Chin people's suffering from climate change is seen clearly from the year 2000 and onwards. Especially the rainy season has changed from twenty years ago (the era of General U Ne Win). The river cannot flow like before, it is dried up, not only the river but also the state. There is not enough drinking water and people fight each other about stealing water. Not only humans have felt the drought, but all living things have. The climate of Chin land is now unhealthy and effects human life and endangers the future of the land. Therefore, climate change is a big problem in Chin land today.<sup>121</sup>

People cultivating crops depend on the rain. The crops need water, so the crops cannot grow when the climate is changed. They have not had enough water. In 2003 and 2007 they did not succeed at all because of drought. When they needed the water it did not rain, and when they do not want the rain, it is raining worse. They have no food for the next year. In 2008 it did not rain until the end of May, local people could not grow the crops or rice at all. There is no other job to do; they are waiting for the rain. They do not know how they will survive for the next year. They are working hard but the harvest is poor because of climate change.

## Social Problems

Article 23 of the Universal Declaration on Human Rights states that 'Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment.'<sup>122</sup>

Forests are the major economic resources for the survival of the Chin people. People are finding escape routes rather than struggling against poverty. They

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<sup>120</sup> Ibid., page 11.

<sup>121</sup> Interviews 9, 11, and 14.

<sup>122</sup> <http://www.unhchr.ch/udhr/lang/eng.htm>





*Cultivation during drought. (Photo by Icon).*

cannot harvest enough food. There are two kinds of poverty in the Chin Hills: physical poverty and emotional poverty. The environmental destruction affects both kinds of poverty. 'In physical poverty human value is decreasing and material value is increasing. Mental poverty and psychological poverty lead to selfish interpretation of creatures, which cannot foresee the next generation.'<sup>123</sup>

After 1988, many families relocated to India and to the flat lands in Burma due to battles between the SPDC and the rebel Chin organization. The SPDC accused villagers and local people of disobeying them, and tortured them. People could not stay securely in their villages; as a result, it was difficult for them to find a livelihood.

About 50,000 Chin people abandoned their homeland and took refuge in foreign countries in the past year to escape oppression by a brutal military regime in Burma. The military is still forcing Chin people to work on army camp construction, carrying army rations without paying them, and is confiscating land in Chin State. As a result, people have fled their homeland. There are no other options for a career except farming in Chin State.<sup>124</sup> In the beginning, most mature Chin males hunted animals. There was no trading in Chin culture. But after they could not survive they had to sell everything that they had. The Chin are economically poor due to a poor economic system.

## **Education & Ignorance**

The system of teaching in Burma is too limited. Most teachers were never deeply convinced of the original meaning and purpose of education. Rather they use memorization. Many students pass exams without proper qualifications and without reading a single book. Therefore many do not have ecological knowledge. Hence, most Chin seem to be completely ignorant about the ecological crisis.<sup>125</sup>

Chin State is the only state in Burma without an airport for public transportation and without a university to equip young people for their futures. Few young people have the opportunity to obtain higher education due to poverty. Poor

<sup>123</sup> Thesis by Joel Za Hlei Kap (see above), page 81.

<sup>124</sup> Khonumthung News, 21 February 2007 ('Oppression in Chin state forces people to abandon homeland'), page 5.

<sup>125</sup> 'The Root Causes of Ecological Crisis, document on file with author, page 47.



people are automatically excluded from the educated circle. This is against the Convention on the Rights of the Child Article 27, which says: 'States Parties must recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.'

## **Health**

In 1950, the government built a hospital in Falam Township; there are no other private hospitals. After building the hospital, there is not enough medicine and equipment. Only rich people can go to the hospital, it is not for poor people because they discriminate a lot and the cost is so high. Therefore many people died due to poverty. When the poor were sick they could make medicine from the forest, but when the forest was destroyed the poor lost their traditional medicines. Diseases have increased and the trees cannot bear fruits as before. People often suffer from burning eyes, sore throats, and coughs as by-products of urban life. In addition, people are suffering nowadays from ailments that are different from 15 years ago. Now, diseases are caused through breathing dirty air. Dirty air may cause much more harmful problems than minor irritations. Dirty air can cause cancer and birth defects. In addition, the people suffer from malaria and dysentery from water pollution due to lack of fresh water and dried up streams.<sup>126</sup>

## **Conclusion**

The Declaration on the Right to Development Article 3 says that, 'States have the primary responsibility for the creation of national and international conditions favorable to the realization of the right to development.'

Chin State is being deforested and is losing its most valuable and beautiful natural resources. Analyses of the root causes of deforestation have pointed to factors such as poverty, corrupt politics, unjust taxes, dishonest courts, lack of education, lack of economic development, the traditional way of living, the violence of ruling classes, and the lack of electric power.<sup>127</sup> All of these factors led people to change their cultivation, cut firewood, burn forests, and to find and exploit orchids and other forest resources. Deforestation has had a negative impact on the environment in the whole of Chin State.

We can sadly count the number of negative results of deforestation in Chin State. The environment of Chin land appears as destroyed forest and land and some

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<sup>126</sup> 'Ecological Crisis in Chin Land', document on file with author, page 25.

<sup>127</sup> 'The root causes of ecology crisis in Chin Land', page 35.

species of small animals are almost extinct. The land is covered with smoke during the burning time for around four months and people face a lack of water in the dried up land. The people suffer from bad health as a result of these environmental problems.

The Chin people did not need to migrate to other countries before because before their land could produce enough food and forest in a controlled climate. Currently, Chin people are living in an economic crisis and the lack of education is one of the root causes of deforestation. Deforestation creates refugees; people cannot get enough food to live. They are suffering double poverty - material poverty and emotional or mental poverty. This causes a decline in loyalty and faithfulness of the people.<sup>128</sup> Almost all rural people are ignorant about the current ecological crisis, due to a lack of education.

The SPDC ignorance of rural development is causing social and environmental problems in the Falam and Hakha Townships of Northern Chin State. If the government continues to ignore rural development, it will mean more deforestation and more causes for negative and destructive environmental impacts in Northern Chin State.

In the northern Chin State there are few environmental activists and few health organizations. There is no organization for rural development. A few individuals and the ZTC (Zomi Theology College) could work in development and protect the environment, but they need technical support and money.

This research reveals that one of the main needs of the Chin community is to develop ecological knowledge and technical restoration in the Chin Hills. Technical restoration would not only prevent further environmental destruction but it would also reduce the poverty by creating sustainable development. Sustainable development will bring a new sound environment and a new understanding of ecology to the communities of the Chin Hills.

## **Recommendations**

### **To the State Peace and Development Council (SPDC):**

- To create social, political and economic development.
- To provide basic needs for people in Chin State.
- To respect and protect the Chin people's rights and dignity.

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<sup>128</sup> Document on file with author, page 33.

- To follow international environmental law as has already been agreed to.
- To practice the Convention on the Rights of Child as was already signed.
- To stop dividing the reserve forests.
- To stop unjust taxes.
- To stop using forced labor for planting tea and castor.
- To make decision through just and fair courts.
- To stop corruption in business.
- To support sustainable livelihoods for rural people.
- To take responsibility for poverty.
- To allow non-governmental organizations to do their work.
- To build a university in Chin State.
- To educate the people on how to protect the environment.
- To provide technical assistance for Chin State in sustainable development.

### **To NGOs / environmental and human rights organizations:**

- To strongly pressure the SPDC to respect the international environmental law that they signed and ratified.
- To pressure the SPDC to ratify other human rights conventions and they have not ratified such as the ICCPR or ICESCR.
- To pressure the SPDC to establish NGOs and CBOs to protect the environment and reduce poverty.
- To provide adequate education resources so that the people have the opportunity to receive quality education.
- To educate people to understand environmental law.
- To serve in restoration work for a sound environment.

### **To local communities:**

- To demand that the SPDC to preserve forests in each village.
- To change from traditional shifting cultivation to permanent commercial farming methods.
- To change from hunting to caring for the valuable wild animals.
- To change from an undisciplined animal rearing system to a systematic animal grazing system.
- To share environmental knowledge.
- To protect the environment and maintain natural resources.

### **To Religious groups and other organizations:**

- To create programs to raise awareness about the environment.
- To grow substitution crops every year.

# Forced Labor



# SPDC Use of Forced Labor on the Electric Power Lines & the Effect on Villagers in De Maw Soe Township, Karenni State

By Khon Nasa

## Introduction

When U Nu took power for the first time in October 1954, the Burmese cooperated with two Japanese companies called Kajima and Nipon Ko Ee to construct the hydropower plant at the Law Pi Ta waterfall. In 1960 they brought electricity from Law Pi Ta to Rangoon successfully.<sup>129</sup> The electric power line passes through the De Maw Soe Township in Karenni State and many local people's property was confiscated by the military regime. After the electric power line was finished the villagers were suffering and faced a lot of violence as a result of the military regime's actions. The Burmese cities need electricity, so the regime uses forced labor and abuses the human rights of Karenni people. The Karenni villagers have already experienced suffering from violations of their human rights for a long time. The Karenni villagers do not know for how much longer they must suffer from the State Peace and Development Council's (SPDC) actions.

The purpose of this report is to inform the local and international communities about how the SPDC forces the villagers to work, to take responsibility for electric power lines and be on sentry duty at night in the pylon area. In 1955 the Burmese military signed the International Labor Organization convention (ILO) NO.29 on forced labor. However, despite the fact that they signed the ILO convention, the villagers are still facing forced labor as a result of the military soldiers. The State Peace and Development Council (SPDC) are ignoring the ILO and silently uses forced labor in De Maw Soe township of Karenni State. This report aims to expose the strategies used for forced labor and to force the villagers to take responsibility for the pylons, despite the regime not providing any electricity for the villagers. The villagers must take responsibility and offer their lands, houses, animals, blood, sweat and energy from the dam site and down the power lines.

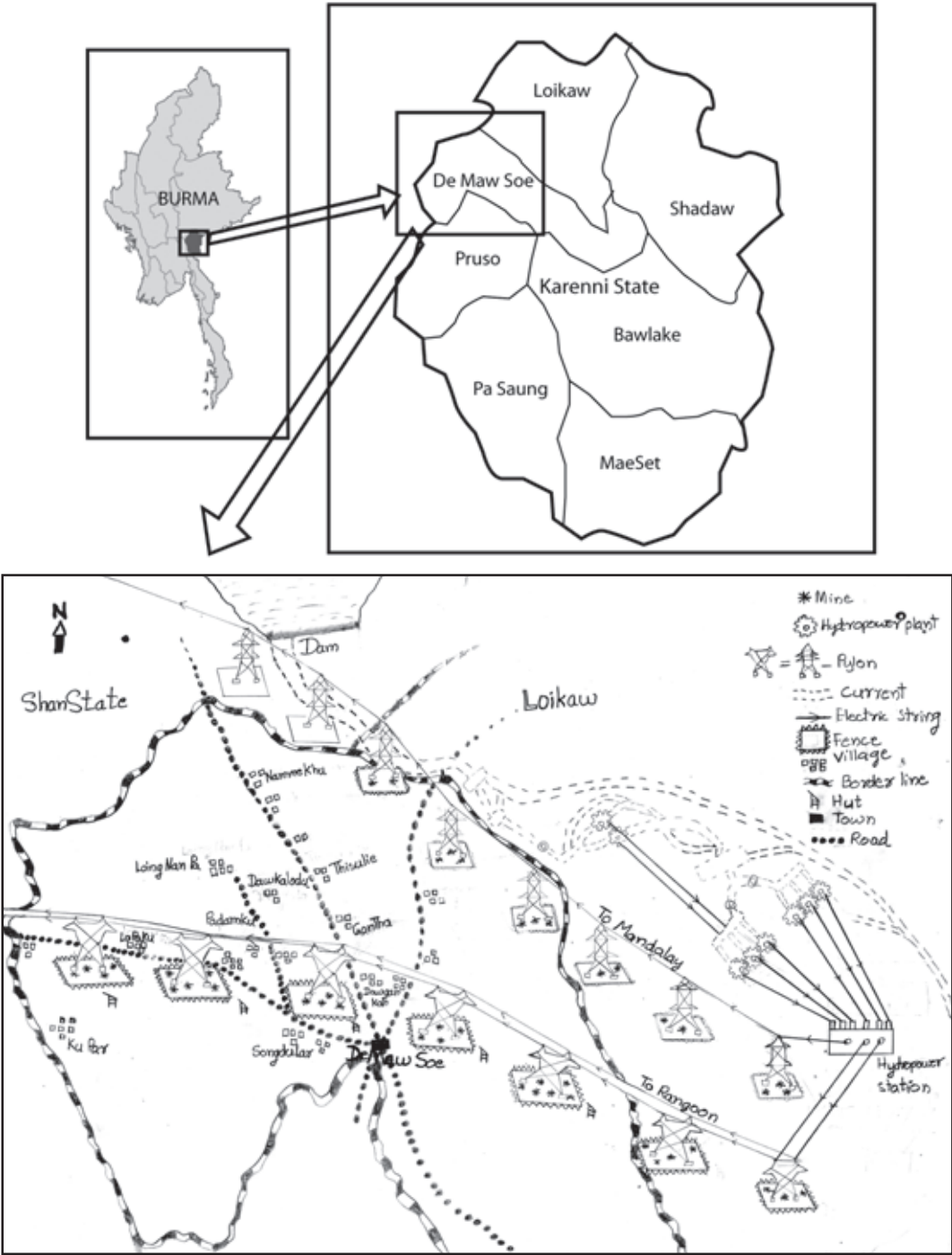
Part covers the international law standard according to the Universal Declaration of Human Rights and International Labor Convention (ILO). Part two discusses the forced labor situation including making fences for the pylons and guarding electricity power line at night and day time. Part three covers the impact on the lives of local people and animals, including the use of landmines.

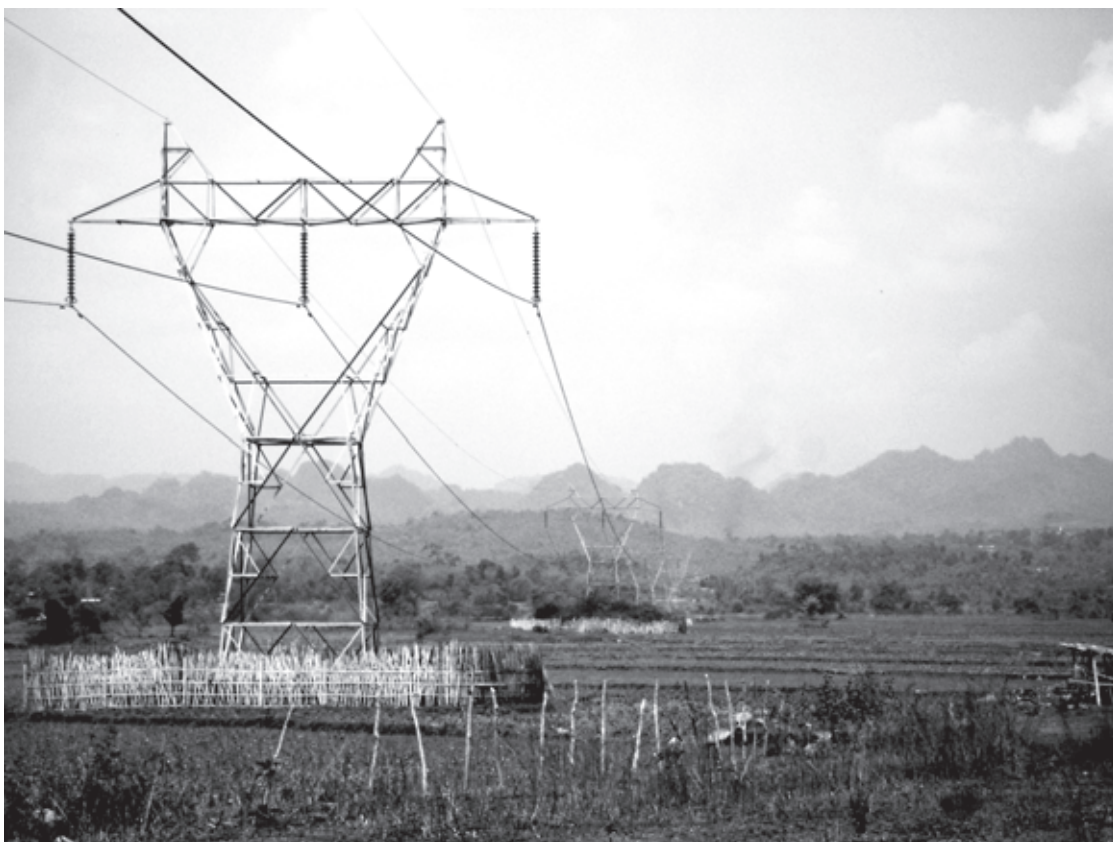
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<sup>129</sup> *Myanmar Encyclopedia* (page 292).



# Map of Karenni State and Power Transmission Line





*The SPDC electric power line passes through local villager's lands, villages and forests.  
(Photo by Khon Nasa).*

The SPDC continues using force labor in Karenni State every day. The SPDC uses various kinds of forced labor on villagers. The SPDC soldiers order villagers to be on sentry duty in the region of the pylons at night time. Anyone who does not obey and follow the orders of the soldiers is fined and tortured. During the night time there is no security for the villagers. There is also not enough sleep. They are unable to go to their fields and they lose their income. When the SPDC soldiers force them to clear the land, go as porters and make fences without compensation they say 'it is voluntary' and not forced labor.

Though villagers do everything that the Burmese military demands, the military has no humane feelings and plants landmines near the villages, around the pylons and near their camps. They even stipulated to the villagers that if they accidentally explode a landmine, the villagers must pay a fine. It is one way of income for the SPDC soldiers. Many local people are obliterated because the SPDC soldiers' plant landmines. It is very dangerous for local people to work and find their food.

Even though the Karenni villagers make fences and stand sentry for pylons every year the electricity is not for them. Some house get electricity, but they have to pay taxes and it is very expensive. Usually the villagers can only access the electricity for five or six hours a day.

The situation of the villagers is dire. They are silently facing discrimination, limited access to education, poor health care, and no access to electricity as an ongoing result of the military regime. The SPDC soldiers do not care about the villagers' health, food security, elderly people, pregnant women and young people. They only want to follow their order and say "an order is order."

## Methodology

The research for this report was done in De Maw Soe Township, Burma in April 2008. Twelve interviews were conducted in total, including with local leaders, farmers, ex-soldiers and interviews with people who had suffered from forced labor by the SPDC soldiers and who were used to make fences in the region of the pylons and sentry for pylons at the day and night time in De Maw Soe Township.

## Background

Ne Win took power of Burma in 1962. From 1968 to 1969 the Ne Win military regime cut down the trees and cleared the Lawpita dam site, forcing all the villagers to clear the dam site without payment.<sup>130</sup> All villagers in Karenni State had to give their time on the dam site and hoped that they would receive electricity. However, the Burmese regime has only supplied electricity to Rangoon and Mandalay.

In 1970 Ne Win cooperated with a Swedish company and constructed a dam project on the Shan and Kayah States' border to organize the water for the Law Pi Ta hydropower plant. This dam is called the Moby Dam.<sup>131</sup> It is built on the Beluchan River. The river flows through Karenni State and it becomes a big waterfall at Law Pi Ta, therefore the waterfall is called Law Pi Ta waterfall.

In 1973 the Law Pi Ta hydropower plant's average output was 168 MW. A 402 kilometer-long electric transmission lines carries electricity to Rangoon and an-

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<sup>130</sup> Interview 5.

<sup>131</sup> Interview 5.

other 400 kilometer-long transmission power line carries power to Mandalay. In the end of 1992 the military government built Hydropower Plant No. 1, with an average output of 28 MW.<sup>132</sup>

Those who live in Karenni State have no access to electricity in their homes until now. When they have tried to get electricity from the military regime they were ignored. The military regime uses Law Pi Ta electricity and makes weapons in Rangoon. In addition the military soldiers use their weapons and force the local people to take responsibility for the electricity power line. Some villagers were killed by SPDC soldier. Therefore many local people are against the military regime.<sup>133</sup>

## **Ethnicity and Culture**

De Maw Soe Township is located in the eastern part of Kayah State in Burma.<sup>134</sup> The east of De Maw Soe Township is bordered by Shan State, in the north it is bordered by Loikaw township, in the west it is bordered by Shadaw and Bawlakeh townships and in south it is bordered by Prouso township. Many different kinds of ethnic groups live in De Maw Soe Township. There are Kayan, Kayah, Pa O and Kayaw people. Most of the villagers are farmers and they are very close to their culture. They have their own traditions, languages and religions. Their villages are very small and the village systems are different.

## **International Law Standards on Forced Labor**

### **Universal Declaration of Human Rights**

The State Peace and Development Council (SPDC) military regime is a member of the United Nations. The international community has agreed on the human rights law for their citizens. However, the SPDC does not follow the international human rights law and pressures the local people to lose their rights. Many local people are facing human rights abuses by the SPDC. Therefore the SPDC should sign the International Covenant on Civil and Political Rights (ICCPR) and International Covenant on Economic, Social and Cultural Rights (ICESCR).

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<sup>132</sup> *Dammed by Burma's Generals* (2006) Karenni Development Research Group (KDRG), page 29.

<sup>133</sup> Interview 6.

<sup>134</sup> [http://en.wikipedia.org/wiki/Demoso\\_Township](http://en.wikipedia.org/wiki/Demoso_Township)

Article (5) *No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.*<sup>135</sup>

The military soldiers' torture and kill villagers who are absent from their sentry duty at the pylons or work for the SPDC benefits. Therefore, the Burmese military regime is in violation of human right according to the UDHR article (5).

Article (9) *No one shall be subjected to arbitrary arrest, detention or exile.*

The SPDC is also in violation of human rights according to the UDHR article (9). For the reason that the SPDC soldiers arrest local people with out any reason and people who do not stand sentry at the pylon are sometimes arrested by SPDC soldiers.

Article (23) *Everyone, without any discrimination, has the right to equal pay for equal work.*

All villager in Karenni State are facing force labor as a result of SPDC soldiers every day for security of the electric power line, however, they have no access to electricity in there house. The electricity is for Burma's cities and military officers. The SPDC is in violation human rights according to UDHR article (23).

## **International Labor Organization Convention**

The ILO convention prohibits all forms of forced or compulsory labor and the SPDC has signed the International Labor Organization (ILO). They recently announced that if any person is forced to work, they can complain to the ILO. However, forced labor is increasing day by day. If some one complains to the ILO the SPDC will threaten them with death. The ILO has the responsibility to pressure the SPDC to follow what the convention said. The SPDC should obey the ILO convention.

Article (2) 1. *For the purposes of this Convention the term forced or compulsory labor shall mean all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.*<sup>136</sup>

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<sup>135</sup> Universal Declaration of Human Rights.

<sup>136</sup> Convention concerning Forced or Compulsory Labor (ILO No. 29), 39 U.N.T.S. 55, entered into force 1 May 1932.



The SPDC force the Karenni villagers to build the fences for pylons every year without any compensation. In that case the villagers have to take their own tools and bamboos. Consequently the SPDC is in violation of ILO Article (2).

*Article (18) Forced or compulsory labor for the transport of persons or goods, such as the labor of porters or boatmen, shall be abolished within the shortest possible period. Meanwhile the competent authority shall promulgate regulations determining, inter alia, (a) that such labor shall only be employed for the purpose of facilitating the movement of officials of the administration, when on duty, or for the transport of Government stores, or, in cases of very urgent necessity, the transport of persons other than officials, (b) that the workers so employed shall be medically certified to be physically fit, where medical examination is possible, and that where such medical examination is not practicable the person employing such workers shall be held responsible for ensuring that they are physically fit and not suffering from any infectious or contagious diseases, (c) the maximum load which these workers may carry, (d) the maximum distance from their homes to which they may be taken, (e) the maximum number of days per month or other period for which they may be taken, including the days spent in returning to their homes, and (1) the persons entitled to demand this form of forced or compulsory labor and the extent to which they are entitled to demand it. 2. In fixing the maxima referred to under (c), (d ) and (e) in the foregoing paragraph, the competent authority shall have regard to all relevant factors, including the physical development of the population from which the workers are recruited, the nature of the country through which they must travel and the climatic conditions.*

The SPDC soldiers force the villagers to transport their ammunition and equipment. According to ILO Article 18(1) the SPDC is in violation of human rights.

*Article (11)1. Only adult able-bodied males who are of an apparent age of not less than 18 and not more than 45 years may be called upon for forced or compulsory labor. Except in respect of the kinds of labor provided for in article 10 of this Convention, the following limitations and conditions shall apply ...*

The SPDC soldiers not only force those between the ages of 18 to 45 to work, in addition they force children to work in their camp, clearing and in sentry duty at night. The villagers in Karenni State who are less than 18 years old have to stand sentry at the pylons at night. According to ILO Article 11 the SPDC is in violation of human rights.

## Forced Labor

The SPDC military junta continues forced labor practices in Burma. Ten of thousands of men, women and children of all ages do many kinds of forced labor including working in the military camp, building pylons, building highways, working as porters, making fences for pylons and other infrastructure projects. The SPDC calls this labor voluntary.

Around 127 Karenni villages are facing many problems because SPDC soldiers force them to make fences, clearing brush, cutting down trees under the pylons, or do sentry duty at night for around 100 pylons in De Maw Soe Township every year. Each village has to take responsibility for each pylon and if anything happens the villagers must know about it. Villagers also have to build fences around the pylons and sentry at night and during the day. If a villager is absent the soldiers demand a fine.

The SPDC uses forced labor even in landmined areas, forcing villagers to porter in the front row and using them to sweep for landmines. The villagers have to carry heavy weights and the SPDC tells the villagers that if they cannot carry what the soldier force them, the soldiers will torture or kill them. The SPDC forces the people to work until the point of malnutrition or exhaustion. If the villagers get sick from diseases there is no medicine for them.

Making the fence is not safe for villagers because around the pylon areas the SPDC soldiers have planted thousands of landmines. The villagers must work with the knowledge that if a landmines explode they will die in addition to the fact that their family will have to give a fine to the SPDC soldiers.

The SPDC usually sends written orders to villagers demanding laborers and then one person has to go for each family. If the family has no husband or boy in their house they have to hire a person to go to the work site. They have to pay at least 2,500 kyat per day or more if the work is not finished. Sometimes they have to pay for two or three days. As a result some families do not want to work several days in a work site, so they bring their children with them to finish the work.

The work sites are very far from the villages and consequently the people have to walk for many hours without any transportation to get to the work sites and the time is not enough for them to finish the work. If the villagers are late the SPDC soldiers swear or give the villagers punishment.

## Making Fences For Pylons

Since 1980 the soldiers have forced the villagers to make fences for the pylons every year.<sup>137</sup> Before, the villagers were working on their fields and were happy with their families everyday. However, because of the military regime members who live in De Maw Soe Township, the people have to make fences for the pylons every year and they spend a lot of their time doing so. Consequently they lose their jobs, income, bamboo and they have no time to be happy with their family anymore. SPDC soldiers live in their camp and give orders to village headmen to build fences for the pylons. Sometime they demand money from the villagers without explanation. They tell the villagers to send bamboo to them for building their camps. They give orders to the village headmen to make fences for the pylons, but nothing is for the villagers, and they have to use their own tools and food.

***"First they order village's chairman like this, 'this time your village has to make the fence for pylon and don't be so late, we give you authority to supervise it.' Then the village's chairman gives us an order again. Usually they send orders by letter."***<sup>138</sup>

***"I used to do my own fence on May every year and when I do my fence, I have to make a fence for the pylon every year."***<sup>139</sup>



*The SPDC forces villagers to make fences.  
(Photo by Khon Nasa).*

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<sup>137</sup> Interview 6.

<sup>138</sup> Interview 1.

<sup>139</sup> Interview 10.

The villagers have to make fences for the pylons every year without benefit for themselves and with no access to electricity in their house. If they do not do it the SPDC soldiers will demand a fine and punish them. Subsequently they have to use their own bamboo and have to do it on time. If they do not have bamboo they have to buy it with their own money. Sometimes the villages who have no money for buying the bamboo have to change their crops, including rice, to bamboo. Widows in the village who cannot make the fence have to hire men who can build the fence for them. Then they have to do light work or housework for the people who do the fence for them.

***"When the SPDC soldiers force my village to build the fence for the pylon I have to hire a man for making the fence on behalf of me every year and I have to give him 2,500 kyat."***<sup>140</sup>

***"I have no bamboo in my garden therefore I have to buy bamboo for making the fence every year and I have to pay 500 to 1,000 kyat for each bamboo. Right now I can still buy it, but I think not so long from now in my village will be gone. If the bamboo is gone, next time where can I get it and how can I make more fences for the pylon? No one will be able to make more fences in my village."***<sup>141</sup>

The SPDC soldiers live comfortably in their camp and they give orders to villagers to take responsibility for the pylons. The villagers cannot follow their own methods; they have to follow as they are ordered. If the villagers do not respect their orders they torture and punish them or they have to build a new fence again.

***"They give orders to us to have to build two layers of fences for each pylon. They must be 100 yards along and each fence must be 4 armspans apart."***<sup>142</sup>

***"Sometimes, if I'm not free to go in the working area I have to hire a man for making the fence instead of me. I have to pay at least 2,500 kyat per day if the work is finished. For a day it is no problem, but more than one I can't pay for it anymore."***<sup>143</sup>

The SPDC does not take responsibility for the pylons and uses forced labor from the villages to protect the pylons. They give orders to villagers to work as their

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<sup>140</sup> Interview 12.

<sup>141</sup> Interview 3.

<sup>142</sup> Interview 7.

<sup>143</sup> Interview 10.

slaves and each village has to make, a fence for each pylon every year. As a result of the fact that the villagers have to make fences for around 100 pylons every year bamboo, trees and other traditional plants are gone.

***"When my husband's health is not good I have to make the fence instead of my husband. If I did not do it by myself I would have no money for the fine in my house, so I have to cut down the bamboo and bring it by myself and I have to climb mountain to get there. The place is quite far from my village and it is not easy for women to cut down the bamboo and making fences for the pylons."***<sup>144</sup>

The SPDC uses forced labor everywhere along the pylons area and other places also face similar problems as De Maw Soe Township.

***"LIB 261 forced the villagers to rebuild fences around the pylon. Daw Paw Kler and No Ko villages in northern Karenni State have to build them."***<sup>145</sup>

## **Guarding Power Lines**

The villagers face many problems including guarding pylons day and night. SPDC soldiers force the villagers to be on sentry duty along the pylons area at night time without any compensation for it. The majority of poor local people and widows are becoming poorer day by day; they have no income in their lives, no jobs and most of them are day workers.

A number of the families only get 1,500 kyat for a day of work in the rainy season. They have no job and no income in summer. How can they support their families? There is not enough food, clothes, medicine or education. The work is



*Villagers must guard pylons day and night without benefit.  
(Photo by Khon Nasa).*

<sup>144</sup> Interview 11.

<sup>145</sup> [www.freeburmarangers.org/Reports/2008/20080115.html](http://www.freeburmarangers.org/Reports/2008/20080115.html)



not easy for them; they have to be in the farm from 7am to 5pm to get 1,500 kyat. The authorities should take security, health care and food security as a priority for the citizens. Instead of take responsibility for them, the authorities extort money, demand forced labor and torture them.

During sentry duty the villagers face several systems of treatment from the SPDC soldiers. They have to stay awake the whole night, so in the day time they cannot work in their fields. They are poor families and they have no time for being on sentry and they have no money. However unfortunate the citizens are, the authorities do not care about their lives.

The SPDC ignores that the citizens are poor. Their aim is only to get money from them and force the villagers to work. The widows in the villages have to hire men for about 2,500 kyat to sentry the pylons. They have to hire them three or four times per year. If they are not in the pylon area when they are supposed to be on sentry duty, the SPDC soldiers will check and demand a fine from them or chicken or alcohol.

***"In 1988 my son was arrested by SPDC soldiers because my son was not free to be a sentry duty for the pylon. When the soldiers check the around the pylons area at night time, my son was not in the pylon area and the next day they found my son and arrested him. Then I had to take 2 viss of chicken and went to the place where they arrested my son. I apologized to them for my son and I gave them chicken, then they allowed me bring my son back home."***<sup>146</sup>

The SPDC do not care about the young people, they only want to get benefits for Burma's cities. Many Karenni young people have to be on sentry duty every year. The young people who have no fathers or brothers in their house have to be sentries for the pylons at the night time from 6pm - 6am. The SPDC does not take responsibility for the pylons and demands local people and forces them to do it.

***"In May 2006 I was 16 years old and one of my friends was 17 years old at that time. We two have to sentry the pylon in the night time. The SPDC soldiers said the situation was not good so they gave orders to village chairman to remind the villagers to sentry the pylon and he told me to sentry the pylon at night and gave me a time table. At that time my father was ill and my brother was not in the house. Then I had to prepare my own food, water and blanket. At 5:30 I arrived at the***

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<sup>146</sup> Interview 6.

*pylon area. Then I heard them shoot their gun and after a few minutes they arrived at our sentry hut. A soldier came and asked me, 'What is your village name?' I answered him, 'My village name is xxxx village.' At that time I was very afraid of them."*<sup>147</sup>

## **Impact on local people's lives and animals**

### **Landmines**

The villages have several problems from forced labor by SPDC soldiers. The SPDC forces the local people to build camps, fences, roads, porter, clear the area, sentry for the camps/pylons and to grow the castors plants. In addition landmines exploded on villagers and the SPDC fines and tortures the people. The villagers' pigs, dogs, cows, and other animals have exploded landmines under the pylons so those who own the pig or others have to give money to soldiers for the mines.

*"Before the SPDC soldiers plant about 40 landmines for each pylon."*

*"In 2008, one SPDC soldier came and planted 4 landmines for each pylon. The pylons are very close to my house, therefore I told them, 'Please don't plant landmines around this area because I am very worried about my children, dog, chickens and cow will explode it.' Then I saw a child climb the pylon and three children were playing with a bomb under the pylon. The bomb exploded and one child lost 2 of his left fingers, another one lost 2 left toes. I'm very worried for my village's children."*<sup>148</sup>

Because the SPDC landmines exploded many children got injured and animals died and were lost. They demand fines from the villagers and people who own pigs have to give money to the soldiers. Pigs are valued at 4,000 kyat, so owners have to pay 4,000 kyat to the soldiers. Half of the pork must be for the soldiers or major and they can punish the owner or demand a fine. The SPDC plants landmines at all the pylon areas, not only in De Maw Soe Township but also in other township and places.

*"On December 20, 2007, eight villagers were injured by SPDC landmines that exploded near the pylon."*<sup>149</sup>

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<sup>147</sup> Interview 2.

<sup>148</sup> Interview 8.

<sup>149</sup> [www.karennihomeland.com/NewsArticle.php?ContentID\\_122](http://www.karennihomeland.com/NewsArticle.php?ContentID_122)

Children who explode SPDC landmines have to get medical treatment on their own and give fines to the SPDC. The villagers have to find their own money to treat their children, so they are continually facing family problems in their houses.

## Impact On Animals

***"I saw a pig exploded bomb under the pylon before. The house of the pig's owner is very close to the pylon at a village called xxxx village. The SPDC soldiers said, 'Whoever owns that pig must pay me 4,000 kyat for value of my bomb.' He spoke like that."*<sup>150</sup>**

Because the SPDC plants landmines under and along the pylons area, several of the villagers' animals and property has been destroyed. In addition the local people have to give money for the mines. The Karenni local people are very close with their animals; cows give them condensed milk, bulls work in their fields and give them crops, buffalos give them natural fertilizers and the pigs give them income. However they are suffering by SPDC landmines, and the SPDC soldiers ignore them. They not only lose their animals but are also fined by the SPDC every year.



SPDC landmines kill many local animals. (Photo by Khon Nasa).

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<sup>150</sup> Interview 4.

***“My uncle’s cow entered the pylon area and exploded the SPDC landmine, therefore he lost his cow and in addition he had to give a fine to the SPDC soldiers.”<sup>151</sup>***

***“On 12 January 2008, on the Shan and Kayah state border in the area of Loikaw Township, Kou Thar village tract, a cow exploded a landmine under a pylon, so the owner had to go to the soldiers’ office everyday, then the SPDC soldiers demand a fine from him. He said ‘I have lost my cow already and I also have to give a fine to SPDC soldiers.’ He had to spend his time and job as well.”<sup>152</sup>***

## **Impact On Livelihoods**

Before the majority of the Karenni villagers were very closely related with their environment and they got everything from the forest and soil. The bamboo was especially helpful for Karenni local people. Most of their houses are constructed by bamboo and bamboo is their life. Bamboo is one kind of primary food for Karenni people. The Karenni people get mushrooms, bamboo insects, herbs and wildlife from the bamboo forest.

Right now the bamboo is used to construct the camps, fences and other construction for the SPDC. As a result their bamboo forests are gone and they cannot find food easily. It is a worry for their new generations.

Then Karenni local people were getting enough food from their farm land. For the reason that the Burma’s cities electric power line is passing though their village and land all of their things were destroyed and their future lives were lost. Instead of getting any supplies from the authorities the local people have lost their things.

Subsequent to the electric power line passing though the local people’s lands and forests consequently they have lost their livelihood; they cannot find their livelihood from farms anymore. After that they have to cut down their trees and bamboos for making fences for the pylons every day. The local people were very dependent on natural plants but now they are in worried about food security. The Karenni local people have to send their bamboo for several years for the military soldier’s profit. All the bamboo is gone and the wood is also gone for the military camps. Villagers also cannot get bamboo anymore. They have to buy bamboo and wood with their own money for the military’s profit every year and they have lost their livelihood. If people want to construct a house or other things it is expensive.

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<sup>151</sup> Interview 7.

<sup>152</sup> Interview 5.

*"I had to pay 500 kyat for each bamboo before. But right now I have to pay 1,000 kyat for each bamboo and I have to buy three or four bamboo each year. The SPDC think I could not get any more because the bamboo in this area is gone and I'm worried for my children because we have no bamboo to build our houses and things and also food."<sup>153</sup>*



*The tubers from the bamboo forest. (Photo by Khon Nasa).*

The Law Pi Ta hydroelectricity project is the first and biggest in Burma. The hydroelectricity project was finished over 40 years go. However it has not been a good thing for the local people and they are still facing problems. Before the local people did not face any problems in their homeland and they could live without electricity in their houses. They could support their families without electricity. Burma's

military regime's development has impacted Karenni local people. Burma's cities want to get everything from the Karenni villagers and starting from the Moby dam site and from guarding the pylon. The Karenni villagers have given their time and labor on the dam site. The water covered their fields and land. They could not do more with their fields and lost their income and finally they have no access to electricity. Before the Karenni local people used to get income from their lands, but later with the hydroelectricity project they have no property to plant crops and there is no way to get money for them.

## Conclusion

For the benefit for Burma's cities the electricity pylons have caused increasing forced labor in De Maw Soe Township. The SPDC is a member of the International Labor Organization Convention (ILO). They are ignoring the ILO and continue to use forced labor from the local people. The majority of Karenni local people are still facing various kind of forced labor as a result of SPDC soldiers.

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<sup>153</sup> Interview 3.



The SPDC soldiers force the villagers to build fences for the pylons every year. The villagers have to bring their own bamboo, food and tools for making fences. If a villager is absent or does not obey their order they are tortured or ordered to pay a fine. What's more the villagers have to sentry the pylons at night and day time. They force the villagers to clear around the pylons.

The villagers are facing discrimination, limited access to education, poor health care, and no access to electricity ongoing as a result of the military regime. The SPDC soldiers don't care about the villager's health, food, elderly people, pregnant women and young people; they want only to follow their order and said "an order is an order." In addition the villagers do not know how long these problems will be ongoing.

## **Recommendations**

### **To the State Peace and Development Council**

- Immediately remove military camps from the local community.
- Give opportunities to the local people to improve their living standard.
- Immediately stop forced labor inside Burma.
- No more landmines on local land.
- Stop the action on local people.
- Stop corruption on local villagers.
- Do not force the villagers to sentry and make fences for the pylons or camps.
- Accept the ILO's request to stop forced labor and respect human rights.
- Do not force the local people without their agreement.
- Respect the farmer's voices.

### **To the NGOs**

- Put more pressure on the Burmese military regime to stop force labor in local areas.
- Pressure the SPDC to ratify the ICCPR or ICESCR.
- Pressure the SPDC to practice democracy.

### **To Neighboring Countries**

- Don't provide weapons to the SPDC.
- Pressure the SPDC to change their policies.
- Keep up pressure on the SPDC to change their action toward local people.

### **To Ceasefire Groups**

- Unite with each other and find good ways for villagers.

# The Impact of Land Confiscation on the Palaung People in Namkham & Mantong Townships, Northern Shan State, Burma

By Mai Naw Jar



## Map of the Palaung area in Mantong & Namkham Townships



- ★ SPDC army
- ★ PSLA position before
- Township
- ➔ Field research area
- ☞ Palaung area

## Introduction

In 2005 the SPDC began putting pressure on various ceasefire groups in Burma's Northern Shan State to surrender their arms. The Palaung State Liberation Army (PSLA), one of the resistance groups in Northern Shan State was very weak. They did not have the ability to continue to respond to the SPDC's military offenses and they also had to consider the well-being of the Palaung civilians. Therefore, on 21 April 2005, the PSLA handed over their arms to the SPDC. Since that time the entire Palaung area has been under SPDC control.

As a result of the ceasefire, the Burmese Army Light Infantry Battalions (LIB) 130 and 144 created bases in the Mantong and Namkham townships of Northern Shan State Palaung area. The arrival of the military troops has meant that thousands of acres of farmland have been illegally confiscated by the military. The local people whose land has been confiscated have not been given any compensation and they do not have the opportunity to take legal actions against the army for their losses. As a result, many local Palaung people who lost their land have gone to China to seek employment. Those Palaung who stay in the villages and towns have become landless and jobless. The land confiscation is destroying their livelihood and causing insecurity for the Palaung people in Shan State.

Throughout the ceasefire period, the Burmese military has been committing human rights abuses against Palaung civilians. Villagers are conscripted and used for forced labor, their lands are confiscated without compensation and used for military barracks and business projects, and the Burmese military troops extort funds, food and property from local people with impunity.

Data in this report was collected by interviewing victims of the Burmese military's land confiscation practices who are from Northern Shan State and have fled to the China-Burma border area. This paper is presented in five parts: part one examines the confiscation of fields and tea plantation and the expansion of military camps. Part two examines land that has been confiscated for the building of military departments. Part three looks at fields and forests that have been confiscated for a metal mining project. Part four explores other human rights abuses, force labor practices and the confiscation of homes for building schools. And finally, Part five examines the effect of land confiscation on the lives and livelihoods of the Palaung people, including the impact on food, property, culture and traditional medicine.

## Background

The Palaung people are one of the indigenous nationalities of the multi-national country that is the Union of Burma. They reside in Shan State. The Palaung people have a long history and a strong sense of their unique identity. They have their own language and literature, a distinctive traditional culture, their own territory and a self-sufficient economy. The Palaung are predominantly Buddhist with less than ten percent of the population being animist and Christians.

There are about one million Palaung people, and most live in the mountains of northwestern Shan State. However, large numbers also live in towns throughout southern and eastern Shan State. The customary lands of the Palaung people have the richest ruby and sapphire mines in the world, including the famous Mogok mine area, which was cut out of Shan State and made a part of Sagaing Division by the Burmese dictatorship. There are also many kinds of minerals in the Palaung lands including silver, zinc and gold and aluminum.

The Palaung are famous in Burma for the high quality tea that is grown in their highland farms. They also grow a variety of temperate climate fruit crops such as apples, plums, avocados and pears, which are highly valued in the lowland area and provide their livelihood. Unfortunately, the Palaung people have not been able to live on and tend to their lands in peace.<sup>154</sup>

## Land Confiscation

The main cause of land confiscation has been the expansion of Burmese military camps in Palaung areas since 2000. Due to the military's increased presence with the arrival of LIB 130 and 144, land confiscation and other human rights abuses have increased in Palaung areas. Between 2000 and 2007, the army confiscated land from villagers in Mantong and Namkham Townships. The confiscated land has been used to construct army camps and also to support the army's livelihood.

Local villagers have not received any compensation for the land confiscated by the army. Furthermore, after their land is confiscated, villagers are forced to work on their own land for the Burmese Army without compensation. The military regime has attempted to justify these abuses by citing the need for development but has continued to force the villagers to plant castor nut, reconstruct roads and work on other SPDC projects that only meet the SPDC's needs.

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<sup>154</sup> 43<sup>rd</sup> Anniversary of the Ta ang (Palaung) National Revolution Day, page 50.



***"We can't tell them anything, we don't have land titles and the military said the land was not legal land and no one owns it, so they can seize it and it is owned by the military regime."*<sup>155</sup>**

## **SPDC Projects**

### **Expansion of Military Camps**

LIB 130 soldiers forcibly confiscated 73 acres of land from the Palaung people between 2000 and 2007 as ordered by the commander Tiha Thura Thin Aung Myint Oo. The reason they did this was to build new military camps on the mountain between Mantong, Moemaik and the Namthu main road.

The military gave orders to every village in Mantong Township that one villager per house must build the military camps and the commanders' houses on the land. There is not only one commander in the camps, and if the senior commander wants to build his house, the other commanders will want one also.



*A confiscated farm in Mantong Township, Palaung area.  
(Photo by Mai Naw Jar).*

Since the military came, there is no free place or wild land left. The land was owned by the old Palaung people since the old village named Youe Kor was there. The Palaung people plant tea on the land to get income for their livelihood. Now some of the villagers have lost their land and can't complain to the military at all.

In 2000-2002 while Khin Maung Shwe, commander of LIB 130, was there they forced the farmers to work in the fields they had already confiscated by that time. Because the Palaung State Liberation Army didn't surrender their arms to them at that time. But the end of June in 2002 the deputy battalion commander Thi Maung Win forcibly confiscated over 23 acres of tea land. They declared that land was owned by the military regimes and did not give enough compensation to the land owners. Since 2003 the commander Thin Maung win gas controlled the LIB 130 and uses the farm and tea plant for his livelihood.

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<sup>155</sup> Interview 1.

***“They said and threaten us “although we didn’t give all value amount of your land its okay. We can do like this because this is order by the military regimes.”<sup>156</sup>***

On 14<sup>th</sup> March 2007 ordered by the Thin Maung Win, commander of the LIB 130, the military confiscated the land of people who didn’t have land titles. The military went every house in the village to investigate and accused the villagers of whatever they liked.

The military threatened the villagers and told them they had to accept the land titles issued by the military regime claiming the military’s ownership of the land. The military easily seized the land. The commander not only ordered the land confiscated but also forced the truck owners in the township to carry stone, sand, brick, cement and other materials needed to build the military camps. They didn’t pay the truck owners anything.

The military also threatened the brick sellers that they could not sell to other markets if they did not sell their supplies to the military for a low price. Shopkeepers in the towns also had to obtain a permit before they could sell. When the shopkeepers sell to the military, the price is low because the military will not pay the full price.

Local villagers are forced to build both the military camps and the commander’s houses. When they build the commander’s houses they use teak, which is gathered in the forest and owned by the villagers. The commander cooperates with Chinese people to trade large quantities of illegal teak from the forest without any payment or compensation to the villagers.

***“We are very poor. The tea plantations are not owned by us. We have to rent tea plantations from other people to provide for our livelihood. When the military came to confiscate the land, my wife had high blood pressure and she was fading [in and out of consciousness]. If we requested compensation, the military would say “If we want to repay, we will pay. Don’t come to request it from us. This is not your land, don’t say anything. We can do anything that we like.”<sup>157</sup>***

Land confiscation for the projects of LIB 130 in Mantong, Namkham Township, caused 17 families to lose their lands and plantations. Tea plantations used to cover the land which had a value of 20 million kyat between 2000- 2007.

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<sup>156</sup> Interview 2.

<sup>157</sup> Interview 3.

## Military Service & Police Department Buildings

On 13<sup>th</sup> May 2007, by the order of Commander Thin Maung Win based in Mantong Township in Northern Shan State, land was forcibly confiscated from the local people to build the Burmese military department in Mantong Township. When the police groups came to meet the landowner before confiscating the land, they said to them, “We will give a higher price for your land than before and we will also find new land for all of you. It’s not like we force you all to relocate from your land. This was ordered by the central government.” In the end, they forced the villagers to move from their homelands and didn’t pay any compensation.

***“Before they confiscated the land they came to take the land tax from us. They said, ‘If you want to stay on the land, you must pay a tax. We will not seize your***



*Built-on land confiscated from local people.  
(Photo by Mai Naw Jar).*

***land.’ We had to pay 20,000 kyat. But two days ago they confiscated the land. My wife said to them, ‘The land is my grandparent’s legacy, and we kept the land for our sons to use in the future.’ They threaten us, ‘If you speak like this we will not pay compensation for your land. They asked, ‘Where is your land title?’ We had to move from our homeland on 16<sup>th</sup> May, 2007. We also didn’t get any cash for the land from them until now.”*** <sup>158</sup>

The landowners did not get any of the compensation that the military promised. If the villagers went to request their money, the military said, “Don’t request the money and don’t talk about your land. It’s not a concern for us.” The military used to give the reason that if people did not have a land title document, then the land was owned by the regime.

***“We just have two acres of land to plant rice that provides our food. Now we have to do daily wage work for our livelihood. We only get 1,000 thousand kyat per day, it’s not enough to provide food for the whole family. As the result, I have to send my two sons to live in the monastery because I cannot support them to go to school.”***<sup>159</sup>

<sup>158</sup> Interview 4.

<sup>159</sup> Interview 5.

The confiscation of people's homes, fields and other land such as their tea plantations also happened in other townships. Villagers from four villages in Namkham Township also lost their land. The landowners not only lost their properties, but also were forced to work on their lands for the army without being paid anything. These landowners' incomes mainly depended on how much rice they produced and on tea from the land.

***"We didn't have any faults in the township. We stayed there since our grandparents. We don't know why they kick us out from our homeland. There was no reason and we didn't get any compensation from them. Now we are living in a small hut in the forest. We had to find some fruit and bamboo in the forest for our food before we got jobs."*** <sup>160</sup>

Not only the local military battalions, but the local police also confiscated several acres of land from local Palaung villagers in Mantong Township. During 2007, as ordered by the police officer U Aung Kyi based in Mantong Township, three families had their land confiscated without pay or other compensation. They forced the landowners to build a Burmese police department office on the land.

***"The three soldiers came to our houses and at first they asked, 'Where are your land titles and what kind of evidence do you have that says it's your land? If nobody has a land of title, then nobody is a landlord. If no one has a land title, that land will be confiscated by the government. Do you know the government will build a military department around this area? So you have to move and build new houses at another place. We will help you to carry your things and will give compensation for the value of your land and houses.' On 21<sup>st</sup> May 2007 we had to move from our homeland to near the forest. When we moved they helped us to bring our things, but we didn't get any compensation from them until now."*** <sup>161</sup>



*After people were moved from homelands by the military.  
(Photo by MNJ).*

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<sup>160</sup> Interview 6.

<sup>161</sup> Interview 7.

## Mining

From the middle of 2006 to now the State Peace and Development Council (SPDC) and the Kachin Democratic Army (KDA) have cooperated together to mine metal in Northern Shan State in the Palaung area.



*Mining project using land confiscated from local people.  
(Photo by Mai Naw Jar).*

The land is owed by the grand-parent's of the Palaung people and not owned by the military regimes. When the State Law and Order Restoration Council (SLORC) controlled the country, they forced the local Palaung people to give the land and say it is owned by the government. After the SLORC became the SPDC, they forced the Palaung State Liberation Army to surrender and controlled wherever they wanted in the Palaung area and imposed a lot of human rights abuses on the people.

After the military regime abused the human rights of the Palaung people, they compensated for it by giving the land as a concession to the Palaung State Libertarian Army (PSLA). The PSLA grew tea and other vegetables on the land. Now the SPDC and KDA cooperate together to mine the metal on the land. They do not negotiate with the PSLA at that time, but only confiscated the land to mine the metal.

***According to one of the PSLA leader, "This is a big case of the human rights abuses, unfair, nobody said in the law the government and the people could cooperate with to deep the such as mining on the own by people land. This is they mean; the Palaung people didn't have land own by them."***

When the SPDC and KDA started to mine the metal they forced the Palaung leaders to write a letter about the metal mining land and say it is owned by the military regime. The leaders didn't get any compensation from the government and the fields around the area were destroyed. Many farmers became jobless and could not provide food for their livelihood.



They established the Kway Ka Ba Ma Kyaw Company there and will continue to mine the metal until 2010. The manager is an ethnic Kachin and the company is owned by the KDA. This was done by SPDC General Soe Win, the former #3 in the SPDC, before he died.

***According to one of the Palaung leaders, "If we look at it in a political way, this is not only about the SPDC getting half the profits from the company, but also part of their plan to create misunderstandings between the ethnic peoples." <sup>162</sup>***

**List of officers from LIB 130 who confiscated land from the local people between 2000 and 2007<sup>163</sup>:**

1. Deputy Commander Tin Maung Win
2. Deputy Commander Sor Tun
3. Commander Nay Myo Win (Adjutant general)
4. Commander Nyi Nyi Min
5. Commander Min Thu Yain Tun
6. Commander Win Tun
7. Commander Tor Tor Tun (Sergeant)
8. Commander Sai Maung Myint
9. Commander Myo Myint Aung
10. Commander Win Myint Ning
11. Commander Win Zaw Hen

**Land confiscated in Mantong and Namkham Townships from local villagers:**

<b>Acres seized</b>	<b>Village</b>	<b>Confiscator</b>	<b>Reason</b>
70 acres of tea plantations	Mankan, Lwykan and Manpain	LIB 130	Military camp and fields
11 acres of homelands	Yourtit	LIB 130	Military department
94 acres of forest and farms	Hoemar and Sighkin	SPDC and KDA	Metal mining project

<sup>162</sup> Interview 8.

<sup>163</sup> Interview 9.

## Forced Labor

The SPDC not only confiscated the land from the local people, but also forced the landowners to build their military camps without pay or any compensation. So far, the military has built many roads by confiscating land from local villagers. When the military built the Mantong to Namthu road, many acres of private properties including houses, plantations, and farmland owned by Palaung villagers in Mantong township area were confiscated.

The villagers from Mantong Township were enslaved for force labor in road construction year after year under the decree of Thin Maung Win, commander of Battalion 130, Man Tong Township, Northern Shan State. From November to December 2007, one resident from every household in three villages was forced to work every day on the road from Mantong to Namkham Township.

***"The military forced us to repair the road by saying that it was for developing the region. The Palaung people finished it by themselves. Me and about 300 laborers were forced at that time. There was no construction machinery to do it, only the villagers, taking their traditional mattocks and tools. We had to labor until the big trucks could pass down the road for at least one month."*** <sup>164</sup>

- Former PSLA soldier who asked not to be named.



Road construction by villagers. (Photo by Mai Naw Jar).

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<sup>164</sup> Interview 10.

## Home Confiscation

Families in three villages were forced to give their homes to the military for the construction of a government school between 2005 and 2007. The three families were forcibly moved without any compensation from the government by General Htut Winn from Man Tong based Battalion 130.

*“The threat from the military said, “The families would have to pay xxxx kyat each if they didn’t move by the specified time. My family’s still facing extreme difficulty. I don’t know where I can find a place for my family.” The government still has not built the school yet until now. If we want to build our houses in our specified place, they threatened us. We still have to be afraid of them.”<sup>165</sup>*

## Impact of Land Confiscation

### Livelihoods

Most of the Palaung people depend on farming and traditional tea plantations for their livelihood. They can grow tea, rice and beans on their land during the three seasons of the year. Tea plantations are very important for them because their incomes are mostly from tea. After planting the tea seeds, they grow for three years, and then it can be used and sold for income. In the summer, they pick the tea leaves and other products such as coffee from those lands. The tea leaves are dried before using or selling.

They also grow a variety of temperate climate fruit crops such as apples, plums, avocados and pears, which are highly valued in the lowland areas to provide their livelihood. Unfortunately, the Palaung people have not been able to live and tend their lands in peace.

After the PSLA surrender their arms to the SPDC. The Burmese troops entered the Palaung area and confiscated hundreds of fields and tea plantations from the local people in order to build their camps and to provide incomes for themselves.



Tea plantation. (Photo by MNJ).

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<sup>165</sup> Interview 11.

## Local People

Generally, the heads of families, men or women, seek to earn money to feed their whole family. There are some families whose lands were confiscated and who depended on those lands, which could no longer support their children to attend school.



*After his land was confiscated, this unemployed man was displaced and had to seek work. (Photo by MNJ).*

***"I was so very sad that I couldn't provide enough food for my grandparent after my land was confiscated by them. I also can't support my children to attend school"*<sup>166</sup>**

Ninety percents of local Palaung people rely on their tea plantations and fields and shifting cultivation for their livelihoods, so it is not easy for them to find another way to make a living. After land confiscation, Palaung farmers and the civilians in the surrounding areas suffer seriously.

The government promised the landowners, "When we are mining around your fields, you can do your farming. If there is a landslide on your field we will pay the amount of compensation for your land." However, when landslides have occurred in the fields, the government did not say anything to the landowners and did not pay any of the promised compensation.

***"We have twenty people in our family. We only have the field and a small tea plantation to provide for our livelihood. Now the tea plantation is not enough to provide food for us. We have a lot of debt, we are insolvent. We have to be alone from other families and work day to day to support our family."***<sup>167</sup>

The landowners not only sufferer due to their lost land, there are also social problems in their families. Some farmers or growers spend their life-time savings to establish a plantation without any consideration to do any other things. They do not have experience to get other jobs so it is very difficult for them to stand up for their lives after the military confiscated their land. When the SPDC takes their land they become jobless and do not have any skills to do anything else.

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<sup>166</sup> Interview 12.

<sup>167</sup> Interview 13.



***"I am so sad until now because after they confiscated our field my wife died three days later because she had high pressure blood at that time. I didn't get any help and any compensation from them."*<sup>168</sup>**

There are not only orders by commander Thin Maung Win to confiscate the land; there are also orders from other commanders. For example, if the landowners went to request any compensation, the battalion commander would say, "We don't know who you agreed with to get your money. We can't pay. You can go to take your money from another commander."

The local people whose land was confiscated by the Burmese military only have tea plantations and farms to provide for their livelihood. The main source of income for the Palaung people are the tea plantations. The Burmese military entered the Palaung area and confiscated hundreds of acres of land from the innocent people and forced the villagers to build their military camps without paying any compensation. The landowners lost about twenty million kyat in income from their tea plantations and fields.



*Mining site on land confiscated from villagers. (Photo by MNJ).*

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<sup>168</sup> Interview 14.



The landowners cannot do anything after the military regime confiscated their land and it is very difficult to find other jobs to provide for their livelihood. Furthermore it is difficult to support their children to attend school. Although some farmers are able to get some compensation from the military, the amount is much lower than they lost. As a result, some farmer's sons had to leave for China to seek employment. Some do not have jobs and have become drugs users in the towns. Under the military dictatorship, there are no property rights. The civilians have no rights for the ownership of their lands. The government can confiscate land and property whenever it wants.

## Food Security

After the military confiscated the fields and plantations, the local villagers need to find new cultivable lands to farm or to start new plantations because farming and tea plantation are, for them, the only way to make a living. Since they spend most of their lives as traditional farmers and working tea plantations, it is almost impossible for them to get a job other than without professional training.



*After his land was confiscated, he was displaced and had to seek work. (Photo by MNJ).*

It is very difficult for the local villagers to get a different job to provide for their livelihood. Although some villagers have new land, it is not easy for them to farm. They cannot cultivate the seeds as before on their old land. There are some families whose lands were confiscated and who depended on those lands, which could no longer provide food for their children or families.

Without the land they cannot grow food to eat themselves, also that if the land is confiscated they cannot grow things like tea to sell and get money to buy food to eat

***"We ran ranch to provide food for our family on the land, planted paddy, crops and vegetable to sale the market. Now we are losing that entire plantation without any compensation. All of my 32 chicken and 7 pigs died after confiscated the land. Also my children can't attend school because I didn't have any income to support my children to go to school" <sup>169</sup>***

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<sup>169</sup> Interview 15.

## Culture & Traditional Medicine

The tea plantations and fields are one of the Palaung people's traditional livelihoods and it was inherited from their grandparent's. They believe in their culture that they have to provide land for their sons and provide gold for the daughters when they get married. The land is the most important inheritance for their children. In particular, the inheritance of the tea plantation land is related to a complicated belief system of ancestral spirits called the grandparent spirits.

***"I have many children. In our culture we need to provide a legacy for our children. I got these tea plantations from my parents'. I was so sad that I had to lose this legacy of my grandparent's. After that our families became worse and worse."*<sup>170</sup>**

Some materials for traditional clothing, dresses, food and medicine are from those lands. They believed that medicinal natural herbal from the forest are better than the medicine from other products and use those medicinal plants during their entire life. The local villagers can easily get traditional medicine on their land.

Landowners lost over 96 acres of land and millions of kyat in fields and plantations on 13<sup>th</sup> May 2007 as a result of land confiscation by the metal mining project. Many people lost their jobs because their employment was based on that land and the fields. The people lost not only their land, but also all the money they have invested in their plantations.

Besides the loss of property, the people also suffer from severe depression and helplessness. In addition to the loss of property and jobs, the local people are also suffering from different kinds of human rights abuses by the local authority because their lives are insecure.

## Consequences of the Mine

The SPDC and KDA plan to build the Kway Ka Bar Ma Kyaw Company around the mining site between Namkham, Namthu and the Mantong main road. They will also order the soldiers to take security there. This is the main road for the local villagers to go to work their fields. If the soldiers are really move there, the local villagers will suffer human rights violation by them. They will build a soldier's checkpoint and extort money from the local villagers. In addition, they will force the villagers to be sentries at the checkpoint.

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<sup>170</sup> Interview 16.

The extortion of money will increase more than before because the local villagers have to bring their tea leaves, paddy, fruit and other vegetables by bullock, horse, and some by truck from their fields to the village. They will pass the checkpoint and the soldiers will check them and collect an illegal tax on their goods. Other human rights violations such as forced labor, rape, torture and killing may also increase during the mining project because the number of soldiers will increase. The local villagers' lives will be insecure in the future.

## **Conclusion**

After the PSLA surrendered their arms on 21<sup>st</sup> April, 2005 to the SPDC, the SPDC increased their control everywhere in Palaung area. Hundreds of acres of land have been confiscated and twenty million kyat worth of plantations have been destroyed or confiscated by the Burmese military between 2000 and 2008. Therefore, hundreds of villagers lost their lands, plantations and jobs. Some of them had to leave for China to seek employment. In addition to land confiscation, the military forced the local villagers to work on those lands without any pay or benefits as laborers.

The military also forced the local villagers to build military camps. Although the landowners requested the amount of the compensation that they lost, the Burmese military did not pay anything and ignored their appeals. Ninety percent of the local villagers that were from Man Karn, Lwat Kan and Jel Koung village did not have enough food for their daily living.

The villagers land has been confiscated and poor families have not received any compensation. The poor local people are painfully struggling for their survival but the families of the military regime are enjoying all the best in life.

There is no rule of law under the current military regime. The military not only confiscated the land but also committed other human rights violations such as forced labor and illegal taxation. Therefore, the international community and other internal human rights organization need to stand up for the people who are helpless in the ethnic areas.

## Recommendations

### Recommendations to the SPDC

- Stop expansion of the military camps in the ethnic areas.
- Give more assistance to people who have had to resettle.
- Follow the obligations under the UN's declaration of human rights.
- Stop land confiscations and other human rights abuses in Palaung areas.
- Repay fair compensation to the farmers for their lost land.

### Recommendation to the PSLA leaders and other Armed forces

- Work more for the local people and stand with them.
- In solidarity, defend and fight for the rights of local people.

## Law

### International Principles on Political, Social and Economic Rights

#### Universal Declaration of Human Rights

- Article 3: Everyone has the right to life, liberty and security of person.
- Article 17: (a) Everyone has the right to own property alone as well as in association with others; (b) No one shall be arbitrarily deprived of his property.

#### International Covenant on Economic, Social and Cultural Rights

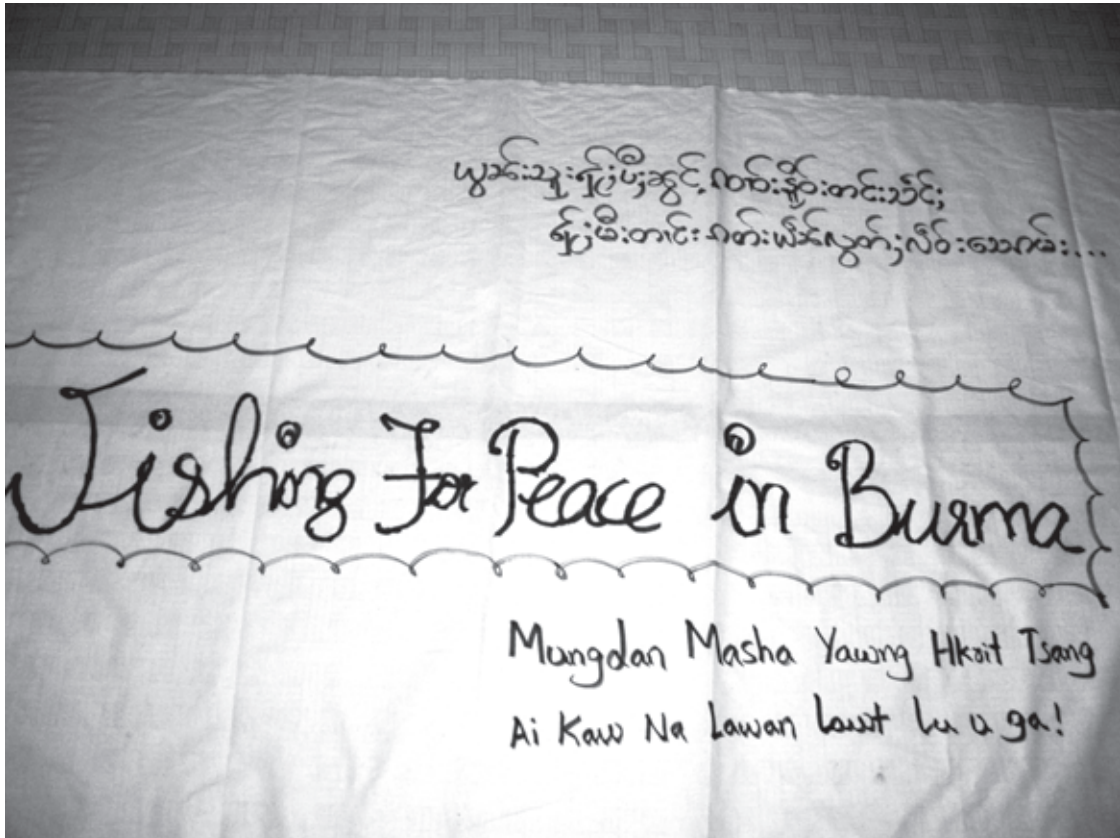
Article 11: The State Parties to the present Covenant recognize the rights of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The state parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.

These instances of land confiscation interfere with or directly violate a number of internationally recognized rights, including the ICESCR's rights to livelihood, and the International Covenant on Human Rights, which provides, including, that local communities and individuals shall have "full and complete sovereignty over all their natural wealth and resources."<sup>171</sup>

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<sup>171</sup> *Turning Treasure into Tears* (2007) EarthRights International, page 34.

## Social Issues





# **‘If you cut the tree it will be scarred forever’: Domestic Violence in Karenni Refugee Camp 1**

By Tyardu

## **Introduction**

*“I do not want to stay with my father anymore; without my father I will be happy. I only want to stay with my mother because my father treats me unfairly, like: you are the elder girl in this house so you have to work hard. If I can’t do it he beats and swears at me in front of my friends using bad words. This year I failed the exam because I couldn’t concentrate on studying, and when he drinks and is intoxicated it disturbs my study. I can’t read and don’t have a chance to do my home-work because it’s really noisy.”*<sup>172</sup>

- Ten year old girl, Karenni Refugee Camp 1

There are many definitions of domestic violence used in statute and practice across the Department of Human Services. All include forms of physical injury/abuse, sexual abuse, intimidation, verbal abuse and emotional abuse or threats of such. These tactics are used by one adult to coerce or control another. When these acts are committed by a spouse, ex-spouse, boyfriend/girlfriend, ex-boyfriend/girlfriend, or date, they are referred to as ‘intimate partner violence’. Intimate partner violence and domestic violence are present in all cultures, ages, socio-economic classes, and communities of faith<sup>173</sup> around the world: so of course it happens in refugee camps.

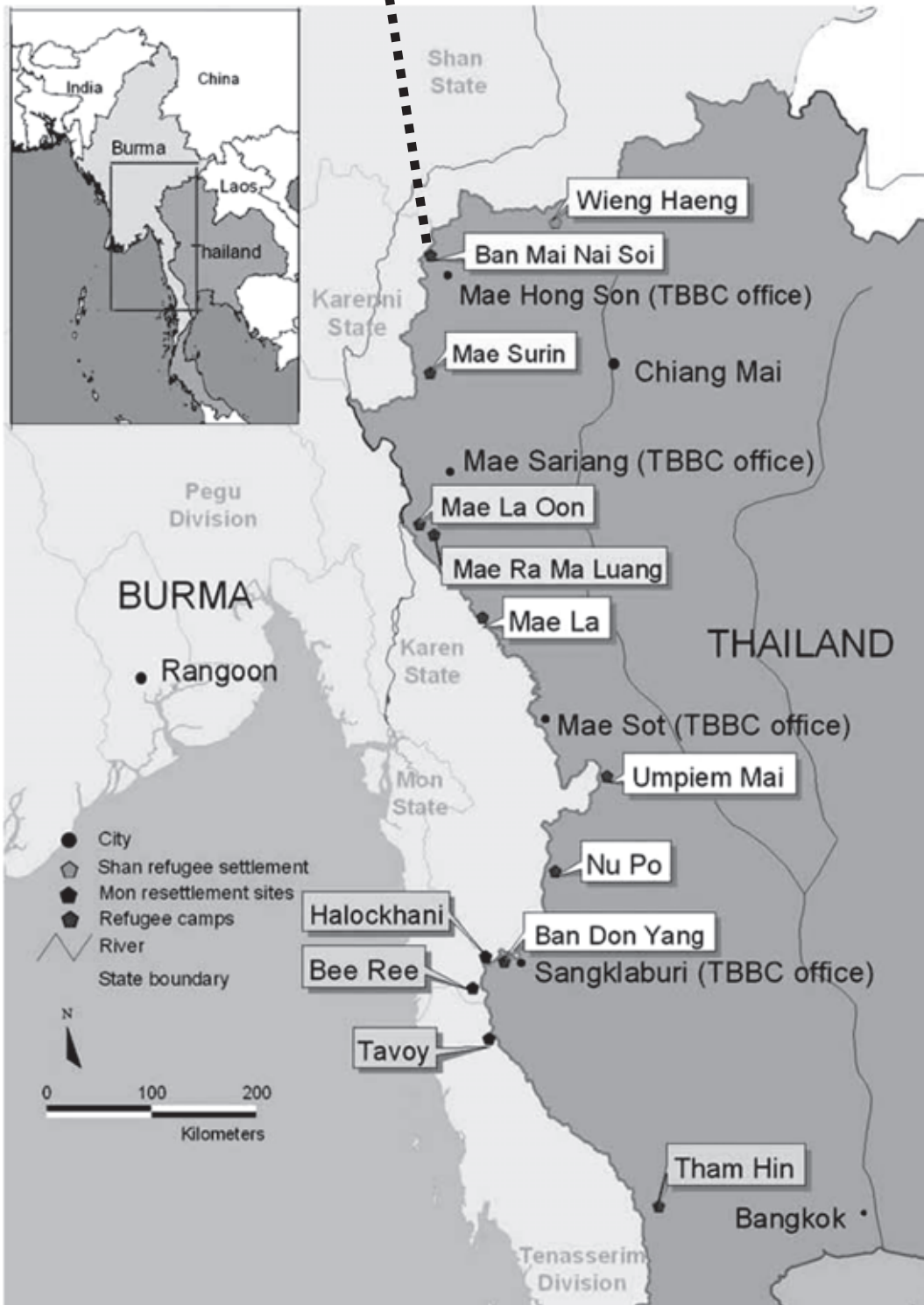
Karenni Refugee Camp 1, recognized by the United Nations High Commission for Refugees (UNHCR) in 1993, is located in Mae Hong Son province, close to the Thai-Burma Boarder. Around 18,000 Karenni refugees live there. The original camp was established on the Karenni side of the border in 1989. It was moved into Thailand in August 1993 but was forced back across the border in July 1995 following the breakdown of the Karenni ceasefire with Rangoon. Originally, the refugees were forced out of their own homes by the SPDC (State Peace and Development Council, the military regime governing Burma) who attacked their villages.

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<sup>172</sup> Interview 5.

<sup>173</sup> [www.oregon.gov/DHS/abuse/domestic/definition.shtml](http://www.oregon.gov/DHS/abuse/domestic/definition.shtml).

## Research Area



From the TBBC (Thai-Burma Border Consortium)



*Housing structures in Karenni Refugee Camp 1. (Photo by Tyardu).*

This report expresses the feelings of the victims of domestic violence in the camp and examines the impact on their children. Both the victims and abusers want this report to communicate their views to the outside world. Living in the camp is like living in prison; they cannot go in or out. They have been there for almost 16 years without being able to express themselves. “Some of the victims said nobody comes to ask them what happened to them ... they want other people to know how their feelings hurt so much and they can’t swallow them or tolerate them anymore.”<sup>174</sup>

This report puts forward that one root cause of domestic violence is living in the adverse conditions of the Karenni refugee camp. The information is from 25 interviews with people from different levels, including victims of domestic violence, abusers and some Camp-Based Organization (CBO) leaders. This was difficult because the male camp leaders did not approve of the topic: it threatens them and their social position of power. In fact, when conducting this research I was threatened and told I had better, “be careful”<sup>175</sup>

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<sup>174</sup> Interview numbers 1 and 15, women victims.

<sup>175</sup> Camp leader and staff member from MIP (Men Involved in Peace).

This report will proceed as follows: Chapter One is a summary of the issue. Chapter Two examines why domestic violence occurs in the camp and defines domestic violence in that context. This chapter also looks at specific examples of what happens to the women, children and men and includes: sexual abuse, physical abuse and psychological abuse. Chapter Three explores the consequences for women and children. Chapter Four outlines the legal and community responses for the victims and perpetrators.

## Background

Karenni State is located in eastern Burma and is bordered to the north by Shan State, to the east by Thailand's Mae Hong Son province, to the south by Karen State, and to the west by Mandalay Division.<sup>176</sup> The capital city is Loikaw. Karenni State is the smallest state in Burma. In the past, Karenni people were ruled by their own princes until 4 January 1948, when Burma regained its independence from the British. On 9 August 1948, Karenni State was invaded by the central government's army and annexed into the union of Burma.

In 1957, pro-independence groups were already active in the area and formed the Karenni National Progressive Party (KNPP) which was backed by the Karenni army. The central government has been abusing human rights in Karenni State ever since. Several waves of forced relocation by the Burmese regime have taken place in the State. They have used different strategies for controlling the Karenni people.

During the first wave, the Burmese military seized state power for a second time, in September 1988. The displaced gradually headed to the east across the Thai border as refugees to the camps. In the second wave, the ruling Burmese regime carried out a massive forced relocation program in the eastern and southern parts of Karenni State. Two-thirds of the population in this area went into hiding and the rest moved into relocation camps. By mid-1996 many internally displaced people (IDP) entered the camps, doubling the population. The third wave, in October 1996, saw the regime's second forcible relocation of the Karenni people living in the middle and southern part of the State. It was difficult for those people to reach the camps. A lot of people went into hiding and a few people crossed the border and entered the Karenni camps. During their trip, they were routinely attacked by Burmese troops and some were arrested and forced to serve as military porters.

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<sup>176</sup> *Green Voices of Youth*, EarthRights School of Burma, EarthRights International, page 21.

One young girl was gang-raped by troops for a week. Some were starving, and many were victims of forced labor, rape and forced marriage to Burmese soldiers.

These are the reasons why the Karenni sought refuge in Thailand. The first Karenni refugees arrived in Mae Hong Son province in 1989 and year by year the camp population has increased due to the entrenched civil conflict in Burma. The current camp situation is very difficult and unstable because of the continually increasing camp population.

Now Camp 1's population is over 18000 people, and around 3 percent of them make the camp unstable and disturb the camp leader's management role. If one stays in camp, there are less problems but if you go outside there are many problems with the local authorities.

## **Domestic violence in Karenni Camp 1**

Violence against women is a major health and human rights concern. Women can be physically or mentally abused throughout their lifecycle, in infancy and during adulthood or older age. Violence can affect their health consequences and create social problems.

In February 1996, a group of international experts convened by the World Health Organization (WHO) agreed the definition adopted by United Nations General Assembly provides a useful framework for the Organization's activities. In 1993 the Declaration on the Elimination of Violence against Women defines it as "any act of gender-based violence that results in physical, sexual or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty whether occurring in public or in private life."<sup>177</sup> These things happen in the Karenni refugee camp.

Domestic violence occurs when a family member, partner or ex-partner attempts to physically or psychologically dominate another. Domestic violence occurs in all cultures, races, ethnicities, religions, sexes and classes, perpetrated by both men and women, but most perpetrators are men.

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<sup>177</sup> [www.who.int/mediacentre/factsheets/fs239/en/](http://www.who.int/mediacentre/factsheets/fs239/en/) (A group of international experts providing safety recommendations for research on domestic violence against women).



Children become caught in the crossfire of domestic violence and suffer the full consequences of a turbulent home life. Violence against children also involves physical, psychological abuse, injury, neglect and sexual abuse. The perpetrators may include both parents and other close family members; this violence also happens to the children who live in the camp. Some of the children are abused by their parents – especially by their father – including physical abuse, psychological or emotional abuse, neglect and sexual abuse. There are different subcategories of abuse.

Domestic violence has different forms including physical violence, sexual abuse, emotional abuse, intimidation and other threats of violence. Some of them can be criminal such as hitting, pushing, shoving and stalking – those are assault. Although emotional and psychological abuse is not always criminal, they can lead to criminal violence.<sup>178</sup> These kinds of problems happen in the Karenni refugee camps. On the Thai-Burma border there are nine refugee camps, including the Karenni Refugee Camp. Among the nine refugee camps, the one with the Karenni refugees is the worst because there are many problems such as domestic violence, according to the camp justice leader.<sup>179</sup>

There are many causes of domestic violence in the camp. The camp is overcrowded with people that have little income and with nothing to do. Most people



*Camp housing: packed together and crowded with different ethnic people with different cultures. (Photo by Tyardu).*

who live in the camp are jobless because they are isolated from the outside and are not allowed to go out and work. So they keep quiet about what they want to be and what they want to do, then sometimes cannot control their mind and become aggressive to their partner or children because they don't have any way to express their feelings.

<sup>178</sup> [http://en.wikipedia.org/wiki/Domestic\\_violence](http://en.wikipedia.org/wiki/Domestic_violence)

<sup>179</sup> Camp Justice leader.

The primary cause, however, is the abuse of alcohol and the resulting aggression towards their family. Alcohol abuse is rife amongst the adult males, many of whom used to be soldiers. Their lack of work leads them to feel unimportant. Others are disabled and become drinkers. Most of them have been there for a long time and don't have any way to earn money. They see a short term solution in alcohol abuse. They even sell their family's rationed monthly yellow beans and rice to fund their alcohol habits. They feel hopeless because they don't have an opportunity to go back to Burma and are unlikely to be accepted for third country resettlement. They comfort themselves with alcohol and release their feelings for short periods of time to feel better.<sup>180</sup> According to the some of the perpetrators of domestic violence, using alcohol releases their feelings and pleases their mind.<sup>181</sup>

Cultural traditions make the men superior to their wives. When their wife argues with them, often due to the stressful nature of life in the camp, the husbands get angry and resort to violence. Many families are the result of forced marriages and they do not love each other enough to deal with the difficult life in the camp. Stress causes them to break their silence and express their feelings, despite the wishes of their parents. They believe that situation is their fortune; they comfort themselves like this although their husbands treat them badly. In the past, they did not believe they had the right to stand up to their husbands, but now they know about their rights and do not tolerate their husbands' behavior as much anymore. They have begun to explore their feelings. One of the victims explains her story:

***"My parents forced me to get engaged with this man when I was 10 years old. At that time my period was not coming so my husband tried to have sex with me every night but I ran away or avoided him. But my parents encouraged this man: if you try you can sleep with her. So later I couldn't fight against him any more because he forced me to have sex after I had fallen asleep. I struggled but I couldn't, he pulled my belt and destroyed my necklace. So the first time of my period came and I got pregnant, but when I gave birth the baby was not alive for me ..."***<sup>182</sup>

This kind of problem is a consequence of an oppressive culture for women. The Karenni society still has some people who believe and practice this culture. The Karenni National Women Organization (KNWO) provides awareness training on women's rights, human rights, child rights and domestic violence. As women begin to know their rights, they no longer keep silent about abuse and break

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<sup>180</sup> Camp Based Organization (CBO) leader, Interview 29.

<sup>181</sup> Interviews 12 and 13, a perpetrator.

<sup>182</sup> Interview 6.

tradition to request help from other people. Men feel their privileges disappearing and want to blame the women's group. The KNWO provides training for both men and women but most men are not interested and few come to listen. It appears those men feel threatened and are afraid that their wives will emasculate them. This causes many family disputes and can result in domestic violence.

There are many broken families in the camp. Infidelity can cause social problems and violence at home. Some wives steal or sell themselves to supplement their husband's inadequate income, often angering the men. Some disputes are caused by the UN resettlement program; families are divided over whether to apply and go.

Domestic violence is an example of the abuse of women common in the refugee camps.<sup>183</sup> In the Karenni Refugee Camp 1, some of the husbands beat their wives and children. Many women suffer this abuse from their male partners, including physical injury/abuse, sexual abuse, intimidation, verbal abuse and emotional abuse or threats. Physical abuse includes pulling their hair, kicking their stomach while they are pregnant, and regular beatings. Some women have broken hands, fingers, teeth, and some have cuts and concussions. They carry these effects permanently.

In most of the cases there is verbal abuse and shaming. A few also are guilty of violence against their husbands but it is mostly verbal abuse like lying about their husband or sending their husband to jail without any real reason because they want to divorce them. This situation results in some feeling depressed. There are many different kinds of abuse women suffer from their male partner including sexual abuse, physical abuse and psychological abuse or emotional abuse. Each of them can be explained as follows:

## **Sexual Abuse**

Sexual abuse is any form of non-consensual physical contact. It includes rape, molestation, or any sexual conduct with a person who lacks the mental capacity to exercise consent.<sup>184</sup>

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<sup>183</sup> *A collection of articles on domestic violence in Thailand*, EarthRights International, p. 94.

<sup>184</sup> <http://www.preventelderabuse.org/elderabuse/physical.htm> (National committee for the Prevention of Elder Abuse).

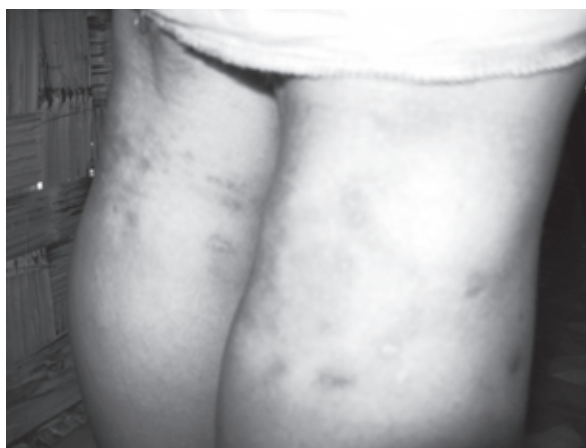
Many interviewees complained that when they have sexual intercourse their husbands treat them badly. Their husbands force them to have sex. This sometime occurs in front of their children, under their house and in the toilets without consent. Some husbands show their wives sex movies and orders her to do the same as the 'actors'; although she refuses she must. After they gave birth, when the husband requests to have sex they are not interested and also their bodies are weak.

There are many different types of sexual abuse including, behavior involving penetration, fondling, violations of privacy, exposing children to adult sexuality and exploitation.<sup>185</sup> There are cases involving children in which the stepfather got drunk and abused them, sometimes swearing and beating them. He often showed them his penis - three or four times - and sometimes touched their body, they said. (The two daughters are from a mother and one of her friends).<sup>186</sup>

## Physical Abuse

Physical Abuse includes physical force or violence that results in bodily injury, pain, or impairment.<sup>187</sup> According to the interviewees, their husbands hurt their bodies in different ways:

One woman said that when her husband was angry with her he broke one of her teeth and loosened another. She couldn't eat for a month; until now she can't eat hard food. At that time, she didn't know what happened to her - she suffered memory loss for a few hours. When she remembered she could not speak about it, it hurt her too much, so her daughter came to explain for her. Her mouth became swollen. Later camp security come to arrest him and sent him to the jail. That was not the first time for her; he has done it many times to her and to his children.<sup>188</sup>



*Abuse scars. (Photo by TD).*

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<sup>185</sup> [http://en.wikipedia.org/wiki/child\\_abuse](http://en.wikipedia.org/wiki/child_abuse)

<sup>186</sup> Three young girls.

<sup>187</sup> <http://www.preventelderabuse.org/elderabuse/physical.htm>

<sup>188</sup> Interview 4.

Another victim said her husband also treated her similarly, punching her in her eyes and swelling them for three days.<sup>189</sup>

Another victim said her husband punched her head and pulled her hair. The first time she forgave him. But, the next time, “he did it to me again and shamed me in front of many people. I went with my children to a relatives house and he suddenly appeared and pulled me under the house and punched me repeatedly. I don’t know myself. The whole of my head and face were bloodied and my memory was lost for one day and one night. I remember arriving at Mae Hong Son hospital with my face swelled so much that I could not eat. I felt bitter towards him and divorced him but he blamed me for this. The effects of this abuse still linger: my mind is changed and I am always nervous. The Doctor said he caused permanent damage behind my eyes by punching me in the temple.”<sup>190</sup> Another victim said she her husband ripped out her hair and always beat her.<sup>191</sup> A typical response was as follows:

***“My husband said I own you so whatever I want you to do you have to do for me. He said that’s our culture: I bought you when you married me. Therefore, he is always angry and aggressive to me. When he is drunk he beats me. He punched my face so hard I could not eat and broke one of my fingers and now I can’t wash very well clothing and do other work. He always punches my head and including my neck. When I got pregnant he kicked my pregnant belly, and I couldn’t remember myself for a while. At that time my pregnancy was big.”***<sup>192</sup>

- Victim of violence against women in the camp.

That is the situation of physical violation of the women in the Karenni Refugee Camps. Sometimes their children become victims because their father becomes angry and starts beating, pulling, and throwing them and knocking their heads together. It hurts their head, hand, arm, ear and other parts of their body. According to Interviewees 2, 4 and 5, the violence caused external bleeding.

Domestic violence is contrary to Thai law and international standards. For example, under Thai law, Penal Code: Article 295 explains that “Whoever has caused serious harm or torture to the body or mind of the others shall be punished with

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<sup>189</sup> Interview 16.

<sup>190</sup> Interview 20.

<sup>191</sup> Interview 15.

<sup>192</sup> Interview 1.



imprisonment of 2 years or fine of 4000 baht.”<sup>193</sup> Moreover, people should be allowed to get divorced. Thai law allows for divorce with the consent of both parties. If mutual agreement cannot be reached, the case must be taken to court. Violence is one of the grounds for divorce.

According to Thai law, Article 295 is applicable to everyone who lives in Thailand, but this does not work in our Karenni society. We do not have laws for domestic violence, but have some articles such as, if someone hurts someone, they should give a penalty or get a punishment; something like this. It is very weak and not binding.

## **Psychological Abuse**

Psychological abuse is the willful infliction of mental or emotional anguish by threat, humiliation, or other verbal or nonverbal conduct.<sup>194</sup> The victims of women who I interviewed were menaced by different kinds of action from their husbands. Their husbands threatened them with guns and knives, and took other action like making them afraid, acting like tigers or using necromancy. They made threats against their relatives, like “I will give one bullet to your father.” Their husbands stayed with other women and provided things to those women. Their husbands made mortal threats like “I will kill you and go to the jail.” Some husbands accuse them of being with other men, and said things like “You are a prostitute, you are selling yourself.” Some husbands compared their wives with dogs, or said they were stupid or naughty. A further example of psychological abuse is as follows:

***“I am deaf so he can’t tell me what he wants but my daughter told me again. He didn’t consider me his wife and stayed with other women in front of me. When the children are sick and have to sleep in the clinic women come to sleep with him. This hurt me so much but he doesn’t care. I told to him not to do this and informed the camp leaders. He denied this behavior but was punished and sent to the jail. He was angry with me and swore that I was now his enemy. He threatened revenge saying, ‘If you cut the tree it will be scarred forever.’ He will never forget.”***<sup>195</sup>

- Refugee Victim of Psychological Abuse.

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<sup>193</sup> ‘Summary of Thai laws and international laws relating to violence against women’; ‘Summary of Thai laws on violence against women’, Handout 6, ‘Domestic Violence’, Migrant Assistance Programme, Chiang Mai, Thailand, page 14.

<sup>194</sup> <http://www.preventelderabuse.org/elderabuse/physical.htm>

<sup>195</sup> Interview 4.

This also happens to children. Many child interviewees said they hated and feared their fathers due to domestic violence in the family. Some of them feel ashamed and depressed. They do not want to go out with their friends. Some of them are feeling upset with their mother for not stopping the violence. If the violence is inflicted in front of their friends, some friends make 'jokes' to them.

***"When I went to watch a movie, the actor pretended to be a drinker, so some of my friends jested with and reproached me, they said he looks like your father. So I was angry with my friend and quarreled with him."***<sup>196</sup>

In these situations, parents also neglect to fulfill the needs and wishes of their children; for example, not providing them with clothes, enough food, hygiene, or love.

Men also suffer from psychological abuse. Two male interviewees wives left them. Although there was no sexual abuse or physical abuse, there were signs of psychological abuse. Neither of their wives discussed with them what they wanted to buy or to do. Every month they incurred debt and the husbands had to pay. Both of them faced requests from their wives for divorce. So although they did not want to divorce they had to, because they did not want to upset their wife and children.<sup>197</sup>

One man said his wife always had much debt. At first she did not understand so he tolerated her but she never finished. At the end of the month people came to request her payment; he did not know what she had bought. She never explained to him. He told her not to do that, but she did not listen to him. She shamed him because of so much debt. She finally understood and apologized but felt unable to change her behavior. So she felt ashamed of herself and requested of him that she stay alone. She said the main thing was her happiness, so allow her a divorce. She swore at him badly and compared him with a dog. This couple were from different ethnic groups.

## **Policy in Other Countries**

Other Countries have formulated policies to deal with domestic violence. Special policies are necessary because domestic violence is a crime that takes place within the family, between people who are emotionally and financially involved with each other. First, policies must reflect the singular nature of domestic crime and

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<sup>196</sup> Interview 5, a young girl.

<sup>197</sup> Interview 21, male victims.

must provide support for the victim and help the abuser. Secondly, policies must take into account the cultural, economic and political realities.<sup>198</sup> But little has been done by the Thai authorities or camp leaders to address this problem.

## Family Consequences

Families that suffer domestic violence are looked down upon by the rest of society. Children become victims and are reproached by their friends. These families do not provide a nurturing environment for children and are unkind. The children's lives are affected; their work, health, and education suffer.

They cannot get divorced so they have to tolerate their partner. One of the victims said the court did not allow for her to divorce so she has to suffer from her husband's treatment forever. She requested a divorce and went to court but failed. She cannot tolerate her husband anymore.<sup>199</sup> This typical case is a huge problem because although she lives with him she is not going to be happy in her family, so it is causing social problems.

Some families are going to divorce but this is confusing for their children who must then choose between their father and mother. The camp justice system shares custody but some still feel it is unfair and become angry. Then, the custodian must struggle alone to raise the children and often cannot fulfill children's needs. The result is distressed hopelessness.



*Struggling alone in poverty with two little children. (Photo by Tyardu).*

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<sup>198</sup> 'Violence Against Women: Thailand Country Report 2000', Jackie Pollock for Friends of Women, Cambodia, page 15.

<sup>199</sup> Interview 16, women victims.

## Consequences For Women

Some of the victims of domestic violence have divorced their husbands and are restarting their life again. Some are lonely and have to take care of their children alone. Some are having mental problems like always feeling afraid in their mind. Some of them become unhealthy and cannot work very well because they are concerned about their children's future. Some of interviewees said they lost weight because they have to think a lot and are struggling for their children alone. Some of them are ignored or reproached by their community.<sup>200</sup> The neighbor's wives see mistakes or blame and accuse them with their husband and fight with them.

One victim explained how it is dangerous for divorced woman to stay alone. After her divorce she lived with her child in a different section of the camp. The traditional culture looks down on divorced women. Some believe that a divorced woman is nothing so they can do what they want to. A man came to her house at 1:34 am and threatened her with a knife, telling her, "You must marry me. If you don't I will kill you." Although she went to inform the community leaders, they did not want to further damage the man's already fractured family.

The combination of violence by her husband and a stranger caused her to suffer Post-Traumatic Stress Disorder. It created deep psychological trauma for her; she had never feel like this before, she said.<sup>201</sup> This is a consequence of domestic violence that women face in the camp: it makes them vulnerable to further abuses.

## Consequences For Children

The consequences of domestic violence can span generations. The effects of violent behavior tend to stay with children long after they leave the childhood home. Boys exposed to their parents' domestic violence are twice as likely



*Study time with mother in WCC. (Photo by Tyardu).*

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<sup>200</sup> Interview 15.

<sup>201</sup> Interview 20.

to become abusive men as are sons of non-violent parents. Furthermore, girls who witness their mothers being abused are more likely to accept violence in a marriage than girls from non-violent homes.<sup>202</sup>



*Safe house (WCC).*

Consequences for children include dropping out of school, some are married early, and some do not want to work on their studies. They also have mental problems, do not want to talk to their father and are bitter about them. Some feel upset with their mother and get depressed. Most children who are treated badly themselves start to treat others badly. Some are ashamed with their friends and do not want to go to school. They become aggressive with their friends. Some delay their education because they feel they must stay with their mother to protect her in case the father returns. For some it is difficult to stay with their stepfather, especially for the girls. It can be dangerous for them to live freely in their home. Some children are going to be very cruel adults: they are anti-social because their parents set a bad example.

Women who are battered often go to extreme and courageous lengths to protect their children from an abusive partner. Children growing up in a violent home can suffer a terrifying and traumatic experience that can affect every aspect of their life, growth and development.<sup>203</sup>

## **Community Response**

Community organization leaders such as section leader, camp security, camp justice, camp administration, women activist group and legal assistance centers take responsibility for victims of domestic violence. It depends on the situation: they have different levels of responsibility for victims. Most cooperate with each other. They inform on a step by step basis if the case is not satisfied at the lower level. First the case goes to the section leader, and if not resolved, goes to the camp

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<sup>202</sup> [www.unicef.org/sowc07/docs/sowc07\\_pane1\\_2\\_1.pdf](http://www.unicef.org/sowc07/docs/sowc07_pane1_2_1.pdf)

<sup>203</sup> [www.endabuse.org/resources/facts/](http://www.endabuse.org/resources/facts/)





*WCC new building. (Photos by TD).*

security or committee and then to the camp justice. But if the case is big, they send it to the legal assistance center. By Thai law, the procedure depends on what the victim wants to do. NGOs such as the IRC-GBV program also provide awareness about how to reduce domestic violence in the camp, and offer trainings.

According to Camp Security, they punish the perpetrator depending on the case. They arrest the perpetrator within 24 hours and examine the problem; if they need to take more time to check they can. Before releasing him he is warned and commits not to repeat such behavior as drinking, swearing, keeping money from the family, and disturbing the neighbors.

The provision of the women's safe house is problematic to the male leadership. Most of the men leaders and perpetrators believe it encourages more problems. They blame the women's groups that provide these services. The WCC managers said they have expanded the new building but are concerned for women's safety. Men who commit domestic violence are upset because women run to the WCC. They argue that before the WCC building the problem was private and settled at home. Instead now they must face justice, meet with the section leader and write recommendations in order for them to be allowed to call back their wife from the WCC. Some even must go to criminal court.<sup>204</sup>

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<sup>204</sup> Interview 22, section leader.

The educators said they go around every section encourage and educated to them to be exemplary in the society. The problem of domestic violence is happen all over the world, not only in the camp so we want to improve like the other society and provide awareness training for them. Although we have the camp justice the people are don't understand law. When justice is done many are not satisfied with the result. They have a plan to provide awareness training for the people but they don't have the resources according to the leader of camp justice.<sup>205</sup>

The root causes of domestic violence in the camp are alcohol, joblessness, gambling, ignorance, and infidelity. Most people are concerned about their future life - they feel hopeless, have no guarantee of a good, long life, and worry about basic subsistence. There are many different ethnicities in the camp, with various festivals and cultural practices and behaviors.

## Dispute Over the Definition of 'Violence'

The word 'violence' is controversial amongst the camp leadership and CBO leaders. They have different views and different opinions about relations between men and women. Most of the men CBO leaders don't like this word and want to change this word. They argued with the Karenni National Women Organization who works with women on domestic violence issues in the camp. Instead of using the term 'violence' they prefer to use a term like 'family problems' because violence is a strong word when translated into Burmese. They don't want to use it in the context of Karenni refugee society. Although most understand this term, the male leadership doesn't use it officially. The KNWO called a meeting to discuss with them.



*KNWO held a meeting with CBO leaders about the word 'violence'.*

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<sup>205</sup> Interview 10, Camp Justice.

KNWO is working closely with women who are suffering from domestic violence. They support them by giving counseling, accompanying them to the clinic or to the judicial office.<sup>206</sup> They provide a temporary safe house for the victims of women and their children. According to the WCC staff said that in 2006 the reported domestic violence cases totaled 60 and in 2007 the total was 54 with 10 of them repeat offenders. In total in 2007, 19 children stayed with the WCC. During this year January to April the total of reported domestic violence cases were 11, some of them were repetitive. 30 children are now with them.<sup>207</sup>

## Conclusion

Domestic violence is one kind of human rights violation but many people in the world see it as being 'only' a family problem so they do not want to interfere. People who live in the Karenni refugee camp also think like this so when one of the families has this problem they don't want to interfere and come to help. Most victims said that no body came to help them when their husband mistreated which increased their suffering. The women are with husbands who treat them badly. They have tolerated it for a long time but cannot continue to do so forever.<sup>208</sup>

This research proved highly controversial in the camp and provoked resentment from many quarters. Many disagreed with the project and the use of the correct terminology – domestic violence – because it is taboo. The purpose of this report is for more people to know about and find solutions for the crisis situation in the camp; to weaken the taboo; and to raise the voices of the victims.

Domestic violence has various ramifications.<sup>209</sup> The victims of violence and their children are affected by the actions of the perpetrator. Living in the camp is very difficult situation with few ways out. The result is domestic violence. Activists must stand with the people who are weak or oppressed, in this case by their closest partner. If not, the cycle of violence can continue for many generations. Domestic violence can affect the whole society, destroying human dignity. Indeed, human dignity plays an important role here. Long-term life in the Karenni refugee camps is a major cause of domestic violence as it erodes the dignity of those forced to live there.

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<sup>206</sup> <http://karennihomeland.com/OtherOrgs.php>

<sup>207</sup> Women's Community Center staff.

<sup>208</sup> Interviews 1,4. and 6.

<sup>209</sup> [www.lawrf.com/Domestic.shtml](http://www.lawrf.com/Domestic.shtml)

## **Recommendations**

### **To the camp committee:**

- To reduce making homemade alcohol inform by camp committee
- To create job for the people in camp which relevant for them to do
- To arrange for the people can stay in their country as soon as possible
- To distribute camp rule and law and let the camp people know
- To make stricter rules and give punishments to the offender

### **To Royal Thai Government:**

- To allow the camp people to go in and out in suitable way
- To allow the outsider people enter to visit in the camp like foreigner people
- To let the local people rule and control their people
- To allow the camp people living as applicable to refugee right under the refugee law
- To protect and promote human rights for the refugee camp
- To allow the refugee people access to movement

### **To NGOs:**

- To provide awareness training about basic law to the people
- To create job like income generation for the people and reduce jobless problem
- To let the international people know the real situation in the camp

### **To the abusers:**

- To look inside themselves and try to understand the causes of their behavior so it is not repeated.

### **To the parents:**

- To understand that their treatment of their children will affect those children in every way, in the present and the future, and will affect future generations of their families.

# Impact of Drugs on Palaung Children in Namkham Township, Northern Shan State

By Lway Poe Taung





## Introduction

This report is based on the SPDC (State Peace Development Council) policy of allowing local people to cultivate opium from 1997 to 2001 in Northern Shan State, Burma following the SPDC's ceasefire agreement signed with the Palaung State Liberation Army (PSLA) in 1991<sup>210</sup>. Many Palaung people in Shan State grow opium and as a result many have become addicted to the drug. The use of opium by men has had a particularly negative impact on Palaung children and women, including in the Nakham area. Despite the fact that the Myanmar strategic programme framework claimed that heroin production could be reduced 50% in the Northern Shan State, including Muse, Lashio and Kutkai by 2005,<sup>211</sup> the number of Palaung people who use heroin is still increasing in Palaung areas causing great suffering for women and children and entire communities.

This report puts forward the argument that the SPDC is using drugs as a weapon of war to control Palaung people and that it is having a negative impact on Palaung children. The SPDC allows the ethnic Chinese in Burma and ceasefire groups to cultivate opium and takes taxes from drug traffickers and opium farm owners in Palaung land. The police come to destroy the opium every year but they just collect bribes from farm owners and destroy a field of rather of poor yield that can't give taxation. Most Palaung people are poor in Northern Shan State because tea prices dropped in 1962 when the SPDC started its war on the ethnic people and then took control of the tea economy – and because after the ceasefire 1991, the SPDC continued to exert control though building a tea factory and therefore dominating private industry. Poor people can grow poppy fields, however if they do not have money to pay taxes to the police, their fields will be destroyed and they will have to go work in the Chinese poppy fields in the Palaung areas in Northern Shan State. When working people become tired, field owners give them opium and therefore many Palaung people have become addicted. Palaung drug addicts are not interested in politics or fighting and therefore it is easy for the SPDC to control the Palaung lands by allowing and even promoting drug use. This report will examine the effect of this SPDC policy on local Palaung communities in Northern Shan State.

Most of the information in this report comes from two Palaung villages in the areas of Namkham Township in Palaung land that is also called Special Region 7,

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<sup>210</sup> <http://palaungland.org/archives/category/opinion>

<sup>211</sup> [www.unodc.org/pdf/myanmar/myanmar\\_strategic\\_programme\\_framework.pdf](http://www.unodc.org/pdf/myanmar/myanmar_strategic_programme_framework.pdf)

Northern Shan State and May 2008. Twenty-five people were interviewed of which 18 were from the two Palaung villages and seven were from the Palaung Women's Organization (PWO) office based in Mea Sot, Thailand. The subjects of the interviews were interns at the PWO, women who are the wives of drug addicts, children, headmen, nursery teachers, youth, field owners, drug addicts and drug dealers.

This report is laid out as follows; it begins with a background of the Palaung people and then the history of drugs in Northern Shan State. Part one explains that the reason people become drug addicts in Palaung areas is because of depression, work in poppy fields, and peer pressure. Part two examines the impacts of addiction on families including domestic violence; the death of parents; divorce and the abandonment of children. Part three shows the impact on women such as disease, struggle in the family and depression because of their husbands' drug use. Part four looks at the effect of an addicted father on children and how a father's addiction often means that his children must work the fields, do domestic work or become migrant workers. Children are even sold by their parents. Part five examines the economic and social impacts of addiction on local people. It explores issues of children's health, the lack of medical care and the lack of food for children. It also looks at education; Addicts' children often cannot go to school as there is no money for school fees, and addicted parents do not encourage education. Part six looks at the social impact of addiction on the community. It finds that people are hopeless, get married early, feel isolated, have anti-social behavior and go to marry in other places. Part seven concludes the study of the impact of opium addiction on the Palaung in Northern Shan State and proposes some recommendations.

## History of Drugs in Palaung Areas

Before the ceasefire and the civil war in Burma, the Palaung people lived peacefully and they didn't grow opium in Northern Shan State. According to the Poisoned Flowers Report<sup>212</sup>, there was no tradition of opium cultivation amongst the Palaung. Rather, the villagers grew good quality tea and used their income from tea cultivation to support their families. At that time the tea price was good and the people were able to earn enough income to survive. There were few people who used opium; the ones who did were mainly older people who came from opium farm areas on the China-Burma border.

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<sup>212</sup> 'Poisoned Flowers, Opium Growing in Palaung Areas' (2006) Palaung Women's Organization (PWO), page 24.

Since the ceasefire was put in place, opium cultivation, drug trafficking and drug addiction has increased in Northern Shan State. Authorities allow ceasefire groups and militia groups to grow opium in their areas. The authorities appoint militia groups called *Tha Ka Sa Pha* that are led by Pan Say Kyaw Myint, who is an ethnic Chinese man and who stays in the Palaung lands, controlling the southeastern Namkham area. Kyaw Myint has 300-400 armed men to promote opium growing in ethnic Chinese areas of Shan State. According to Shan Drug Watch,<sup>213</sup> militia groups give protection to local opium growers and traders and in return they tax the growers and give the profits to the SPDC. In other areas also controlled by the militias there is little or no opium cultivation because the villagers are poor and cannot afford to pay taxes to the militia groups. The local people also grow other crops but it is not easy for them to get the amount of money that they can with opium cultivation.

Shan State's ethnic Chinese people's traditional livelihood is poppy farming because they don't have tea farms like the Palaung people do. The SPDC gets large taxes and bribes from militia groups controlling poppy cultivation. Palaung people also grow opium but not much like Chinese people in Palaung land. They began to grow opium because of the drop in the tea price once the Burmese military took control. The Palaung people are in the situation of not being able to earn enough income for their families to survive as they could before SPDC control.

Drug addiction is increasing in Palaung areas because of poverty and because of the low tea prices. Palaung people are now becoming migrant workers and they have to grow opium in ethnic Chinese villages to earn enough income to support their families. While they are growing opium their bosses will sometimes provide them with it for personal use, saying that they don't have money to give to the workers and paying them with drugs instead.

The PSLA took action on the Palaung drug problem and worked to reduce addiction but after the PSLA surrendered to the SPDC in 2005, addiction has grown because the Burmese military does not do rehabilitation for addiction as the PSLA did. Even if the PSLA tried to do rehabilitation now, the local drug addicts would no longer have reason to respect their power and would be unwilling to rehabilitate because they know that the PSLA has no weapons. Although the PSLA had weapons to collect some addicts to come to rehabilitation camps in the past, some of the local addicts didn't come and ran away. The PSLA didn't allow people

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<sup>213</sup> <http://shanland.org/resources/bookspub/ShanDrugWatch%28Eng%29.pdf>, page 16.

to grow opium but now that the SPDC is in control, they allow local people and ceasefire groups to grow opium. This is part of their strategy for total control.

## **Current Opium Situation**

In the current situation local people grow opium because local authorities encourage them to grow poppies and then collect taxes. According to reports from Southern Shan State, Infantry Battalion 245 based in Mongani went to ask for a bribe of 150,000 kyat (\$120) from the an opium fields owner on the 21<sup>st</sup> of February, 2008 in Loi Pang Hawk Mountain in Wan Yart village. Wan Pa village and Nam Hu village were forced to pay on the 22<sup>nd</sup> of February, 2008.<sup>214</sup>

One of villagers said, “They told us to plant and collected taxes from us” in a Shan Agency for News report. The report further claimed that every District Peace and Development Council (DPDC) and Infantry Battalion went to look for opium fields and collected taxes from local people in every township in Shan State in early 2008. The authorities will sometimes destroy the least desirable crops so that they are able to show foreign countries that they are doing something.<sup>215</sup>

Most local people currently grow poppy under military control in Northern Shan State. According to SHAN, a trader in the northern Shan State, Infantry Battalion 23 allowed villagers in Namkham Township to grow poppies, about 690 acres, so that they could collect taxes.<sup>216</sup> In December and January 2008, 10 people from the local government including police, immigration, the fire brigade, and the forest ministry combined forces to destroy the opium in Palaung areas. However, there is still poppy cultivation because the government was ignoring the opium growing in October and November in 2007 by taking bribes from villagers, said the Palaung government of Special Region 7.<sup>217</sup>

## **Background of the Palaung people and Namkham Township**

Palaung (Ta’ang) people are one of the indigenous nationalities in Burma. The Palaung people live in the rural mountains of Palaung land, northern Shan State. Some of them also live in urban areas in towns in southern and eastern Shan State.

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<sup>214</sup> [http://www.shanland.org/drugs/2008/junta\\_demands\\_paid\\_poppy\\_tax](http://www.shanland.org/drugs/2008/junta_demands_paid_poppy_tax), 21 February 2008.

<sup>215</sup> Ibid.

<sup>216</sup> <http://www.shanland.org/Poppy+Fields+Flourish+Under+Junta+Grace%3A+Shan+trader>

<sup>217</sup> <http://palaungland.org/archives/185>

The population of Palaung people is over one million and over 90% are Buddhists; less than ten percent are Christian and animist.

Palaung (Ta'ang) originate from Mon-Khmer stock. The Palaung have a long history and a strong sense of unique identity. They have their own language and literature and a distinctive traditional culture such as food, dress, and



*Poppy field in Palaung area. (Photo by PWO-Palaung Women's Organization).*

festivals. In the past they also enjoyed their own territory and a self-sufficient economy. They have an army called the Palaung State Liberation Army (PSLA) formed on the 12<sup>th</sup> of February, 1976. The PSLA fought against the Burmese military to get autonomy and many Palaung people have become internally displaced. The PSLA took a ceasefire with the Burmese military in 1991. However, The State Peace and Development Council (SPDC) forced the PSLA to fully surrender on the 29<sup>th</sup> of April, 2005, and took all of their weapons at this time.<sup>218</sup>

The lands of the Palaung people have many ruby and sapphire mines and are rich in minerals such as silver, zinc, gold and aluminum. The Palaung have a long tradition of tea-growing in upland areas. Their tea is very famous in Burma for its high quality. While the main export is tea, the Palaung also grow a variety of temperate climate fruit crops such as apples, plums, avocados and pears, which are highly valued in the lowland areas.

Research for this report was conducted in Namkhan Township, located in Northern Shan State. The area is bordered by China and by Kachin State. There are 20 villages in Namkham Township. The population is 30,000 and other ethnic groups include the Chinese, Kachin, Burman, Palaung, Chinese, Shan and Muslim. The main export is tea and rice. The main profession in Namkhan Township is agriculture and specifically tea and rice crops. Some people collect food and other things from the forest.

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<sup>218</sup> 43<sup>rd</sup> Anniversary of the (Ta ang) Palaung National revolution Day, PSLF, pages 50 53.



Before PSLA took the ceasefire the local people grew tea and farmed rice every year for their income. They had enough income to survive and support their families. After the ceasefire some villages started to grow opium because the Burmese military controlled the tea industry so the tea prices had become lower and people could not get enough income as they had before. Under Burmese military control the people are allowed to grow opium because they get bribes from opium field owners. A lot of human rights violations such as forced labor, Portering, forced relocation, corruption and drug problems have increased.

## **Motivation for Drug Use**

A lot of people were poor after the civil war in northern Shan State. The Burmese military allowed people to do poppy cultivation in Northern Shan State from 1997 to 2001 and many people started to grow poppy fields. Many people became drug users during this time. Many people tried opium and then they grew it so that they wouldn't need to buy it from other people. Some Palaung said 'we are growing opium if we don't smoke it who will smoke it for us, it is for our happiness.' Palaung people grow poppies themselves and pay taxes to the SPDC, they also work in other people's poppy fields. Poppies are available and people have become addicted to them. People also use drugs as medicine as the people are depressed for many reasons.

## **Taxation**

Taxation is one reason that people are becoming drug addicts in Palaung areas. People can grow poppies because the SPDC accepts their bribes in Burma. Some opium growers give taxes to the authorities so that they will stop destroying their poppy fields.

***"The police came in the village three times to collect money from us. We have to pay 20,000 [kyat] per time. One headman said, "I have to collect money from the village and give it to them." <sup>219</sup>***

- Two field owners

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<sup>219</sup> Interview 14.

Some people report that they had to pay 100,000 kyat when the police came in to their village to destroy their poppy plantation this year. According to SHAN, the junta demands payment for poppy tax. The SPDC declared that Burma will be free of opium cultivation in 2014, but they still collect taxes from opium growers. Drug entrepreneurs report that “Opium cultivation is back to the level of the 2001-2002 seasons in Shan State when the military authorities launched an all-out war on drugs in Northern Shan State.”<sup>220</sup> Opium cultivation requires that people pay taxes to the SPDC and it also creates many drug addicts in the community. Under this system, no one can be free.

## **Working for Family Income**

Most Palaung people are facing problems with their livelihoods after the tea price became low and they had to go to work in other places. Many Palaung people go to work on poppy fields in Chinese villages in the Palaung areas of Shan State controlled by Kyaw Myint's Militia groups. When they come back they are drug addicts because often their bosses would give them drugs instead of a salary. Sometimes ethnic Chinese in Burma use drugs for forming relationships with their friends. When their friends come to visit their homes they smoke opium. One of the drugs users reported that he started to use drugs and then there were problems between him and his wife.

***“I started to use drugs when my wife left me at the time I went to farm in a Chinese village. One day I got stomachache and the farm owner gave me opium to take as a medicine. After that I tried opium again and when my wife heard she left me. I came home and I tried to find her but she didn't come back. So I went and I have been staying with the farm owner for a long time, I started using heroin there. I have only come back to the village because my mother died.”<sup>221</sup>***

Another Palaung man went to a Chinese village with his family to be a teacher in Kon Kang, Palaung area. The Chinese villagers allowed and helped him to grow poppy in their village now, consequently, he is a big drug addict. Later his family came to stay with his mother in the village but he didn't support his family and he went to the logging area in Kachin State. After that his wife took their youngest child and went to China to marry a Chinese man there. Two of the children were left with the man's mother and she sent them to different orphanages to study. One of his daughters is in Mogok and one of his sons is in Maline.

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<sup>220</sup> [www.shanland.org/drugs/2008/junta demands paid poppy tax](http://www.shanland.org/drugs/2008/junta_demands_paid_poppy_tax), 21 February 2008.

<sup>221</sup> Interview 14.

## Using Drugs for Medicine

People use drugs as a medicine when they feel tired or sick from working very hard and it leads them to become a drug addict. According to a UNODC report on life in the Wa hills in September, 2006. "One of the villagers who stay in Yong Ran village, in Wein Kao district got wounded when he was 17 years old it was so painful that he uses opium to feel better and now he has become an opium addict."<sup>222</sup>

## Depression

Some drug users were depressed because of fights with their family or their friends. Some people become depressed when their dreams do not come true and so they try opium and later they become drug users.

***"One of my friends wants to marry his lover but their parents will not allow it. He feels depressed and tried drugs so now he is a drug addict."*** <sup>223</sup>

- Palaung drug addict

## Peer Pressure

Men also feel peer pressure to use drugs from each other. Men will tell their friends 'you are not men if you don't use drugs and after you use drugs we will feel happy'. If someone is married and they don't use drugs their friends will say that the man is afraid of their wife. Men do not want their friends to look down on them and that why they try to use drugs. They convince each and become the drug addicts. According to SHAN's annual report in 2007, a villager in Yong Moot said, "I started to use opium when my friends told me about the "heavenly pleasure" they felt when they use smoke opium so I started use too during a week I become drug user I couldn't stop using opium"<sup>224</sup>

## Impacts of Addiction on Families

Many Palaung people report that families have faced domestic violence because of drugs and that it has a negative impact on children. The members of the family become depressed when they have a problem in their family. Sometimes the children may lose their parents and will become orphans. Sometimes the children

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<sup>222</sup> [www.unodc.org/pdf/myanmar/reducing the demand for drugs.pdf](http://www.unodc.org/pdf/myanmar/reducing_the_demand_for_drugs.pdf), page 4.

<sup>223</sup> Interview 10.

<sup>224</sup> [www.unodc.org/pdf/annual report 2007/southeastasia.pdf](http://www.unodc.org/pdf/annual_report_2007/southeastasia.pdf), page 63.

will be forced to drop out of school and start working to support the family when the family is getting poor and does not have enough food. Some children have to stay in other houses to look after babies and become housekeepers.

## **Domestic Violence**

Many villagers said that domestic violence increases in local areas because the husbands are involved in drugs. Most wives and children have to work hard to support their family without help from husbands. Not only wives and children have to support themselves but also they have to pay money to the father for his drugs. When wives and children have no money to give their husband or father they are beaten. Many parents are often fighting and getting divorced so children face social problems because their parents cannot support them to attend school.

“When we have no money to pay him he close the door and beat my mother at the same time we can not shout if we shout he will beat more because he afraid our neighbor to help us, That why nobody can help us when he beat my us. We go to work in the farm everyday we afraid to be getting dark because when we go back home the problems are waiting us.”<sup>225</sup>

Children have no chance to stop their father’s drug use. Even if they can stop their father from using drugs their father will become an alcoholic.

***“Before he drank alcohol he used drugs for 3 or 4 years. After he stopped using drugs he started to drink alcohol and sometimes there is not enough food for the family to share. Their father is drunk all the time and sometimes he beats them when he is drunk.”<sup>226</sup>***

## **Divorce**

Domestic violence in broken families has a negative impact on children because wives are beaten by their husbands all the time. They get divorced when the mother becomes depressed and she cannot continue in the situation. Divorce has a negative impact on both the wife and the children because they will all be looked down upon by the community. It’s difficult for the children because they still have both parents, but their parents are divorced. Their mother may marry someone

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<sup>225</sup> Interview 25.

<sup>226</sup> Interview 21.

else in a different community. If they stay with their father he will not care them well and will force them to find money for him to buy drugs. If they stay with their mother they may be beaten by their stepfather. The children cannot stay with their parents, either their mother or their father, and they have to stay with their grandparents. If they don't have grandparents they have to stay with their relative.

**"My father and my mother divorce when I was 4 years old, I get new father but we don't stay with them we just stay with my grandparents."**<sup>227</sup>

-Palaung child

## **Orphans**

Many Palaung families are broken apart and children become orphans and single parent's children because of drugs. The money that father makes goes to buying drugs but it is not enough because drugs are expensive. Fathers sell their property and family possessions to get drug. If they have no property and family possessions to sell, they steal cattle, wood and other things to sell and get drugs. If the villagers report the stolen things to the militia of village, the militia group will arrest the father and their wives become depressed and sometimes die. If the wives die the children are left only with their fathers.

Although these children still have a father they look like a child who doesn't have parents because their father doesn't look after them because fathers are busy working and getting drugs. If their father cannot find money he will force children to find money for him to buy drugs. Some Palaung children become orphans but they cannot stay in orphanages and they just stay with other people to be house keepers and baby-sitters in their communities. Although they want to stay in orphanages they need to go other places and they need money for their trip to go to stay in the orphanages, in bigger towns and in other districts.

**"My mother got a heart attack and died when I was in 5 standard in 2004. She died because of my father, because he sold our farm and our things now I am working to support my father because if I don't give money to him, he will steal from the village. One of my brothers is in the orphanages"**<sup>228</sup>

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<sup>227</sup> Interview 1.

<sup>228</sup> Interviews 4, 6, 9, 18 and 21.



## Abandonment

Some parents give their own children to other people because the father is a drug user and the mother is either divorced or dead. One of the villagers said that her brother, who is a drug user, didn't look after his children at the time his wife went to China to marry with a Chinese man. He gave his children to his mother. His mother also could not support his children so she sent his son to Maline and his daughter to an orphanage in Mogok to study.

***"After my mother died, my father give my sister to my aunt. She has stayed with my aunt until now and has become my aunt's daughter. but my father often comes and asks money from my aunt."***<sup>229</sup>

## Selling Property & Family Possessions

In many cases interviewees reported that drugs addicts not only demanded money from their wives and children but also sold their property and took any of their family possession that they could sell to buy drugs. This causes greater stress and poverty for the family and make its very difficult to send the children to school. Rather, children have to work hard to survive.

***"He pawned their tea farm, land and rice farm then he took everything. If the prices he gets is 100 kyat he gets drugs. When he doesn't have alcohol to drink he also steals their possessions."***<sup>230</sup>

## Impact on Women

Many people said women suffer most from their husbands' drug abuse. Wives have to work hard to support the family and to look after the children. The women are also beat by the men when they have no money and they feel depressed and have diseases.

***"My father never supports us because he uses drugs. He also works but the money he earns is not enough for his drugs. He takes something from my family and he exchanges it and sells it to buy drugs. He often beats my mother because of drugs because when he doesn't have drugs to use he gets angry at us."***<sup>231</sup>

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<sup>229</sup> Interview 18.

<sup>230</sup> Interview 20.

<sup>231</sup> Interview 18.

## Disease

Wives get many kind of diseases from their husbands who use drugs and suffer from things such as cancer and heart attacks. If their husbands are drug addicts wives get depressed and get diseases because when drug users want to use drugs they care about nothing they will do anything to get drugs. They sell their families properties or steal and blame it on the drugs. Their wives become depressed get diseases and die. Some wives face HIV/AIDS because when their husbands become big drug addicts and inject drugs they will get HIV/AIDS and can spread the infection to their wives and children. According to the Poison Flower Report one Shan man had HIV/AIDS and married a Palaung woman. One month after they married he was sick and died; nobody knew he had HIV/AIDS and after his death his wife married his younger brother. Later they also died.<sup>232</sup>

## Struggling for the Family

Most villagers report that women have to take responsibly to support the family, they have work hard to feed their children and husband because their husbands are drug addicts, they ignore their families. Everything they earn is for their drugs. Their wives have to carry teak, firewood, charcoal, and wood to keep the family surviving.

***“My mother carries charcoal to support us; sometimes she picks tea when they don’t have charcoal to carry.”<sup>233</sup>***

Some women have to carry their children to pick tea when their children are young. Some give their children to stay with their parents when they go to work in another place.

***“My mother cannot do hard work she had stomachache but when my sisters and brothers were young she had to carry them and pick tea.”<sup>234</sup>***

Their husbands not only stop supporting the family but also sell their property and take things from their houses in exchange for drugs.

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<sup>232</sup> ‘Poisoned Flowers’, page 44.

<sup>233</sup> Interview 3.

<sup>234</sup> Interview 6.

***“Yesterday I went to my tea farm and my father stole my dry tea and my rice that why I have no rice to eat today.”<sup>235</sup>***

Not only does the husband sell the family’s possessions and steal, but he also demands money from the family and threatens to beat them.

***“He never support us sine he became a drug addict until now and although he doesn’t support us he asks for money”<sup>236</sup>***

## **Women’s Depression**

Women become depressed by their husbands’ drug use. Women are left to solve the problem when their husbands borrow money from other people and they don’t pay back, and then lender comes to ask for money in their house and their wives have to pay it back. Women are ashamed when they have no money to pay back because the lender will say something to them. When the husbands sell their property wives feel sad and become depressed.

*“My mother died because of my father because he sells our farm and our goods. After he stole other goods to buy drugs, when he does like that the militia often come in our house find him and then the lenders also demanded their money which my father borrowed so my mother got a heart attack and died.”<sup>237</sup>*

## **Affects of Drug Use on Children**

Most children of drug users become either farmers, domestic workers or migrant workers.

## **Farming**

Many Palaung children have to work to help provide for their family. Some children have to work in other places and some have to carry charcoal and firewood with their mother. Some have to support all of their family members’ needs when their mother cannot work.

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<sup>235</sup> Interview 20.

<sup>236</sup> Interview 5.

<sup>237</sup> Interview 18.

***“Their children as young as 16 and younger have to look for charcoal every day in the forest so that their families will survive. Some are still young and they pick tea. Sometimes if some businessmen have something to do they call them to work.”***<sup>238</sup>

Some villagers report that some children work for other people without earning a salary because their father already took their earnings.

***“When his children work for other people he has already took the money from the boss.”***<sup>239</sup>

## **Domestic Work**

Although some children don’t have to work in the farm they have to work in their house when their mother goes to work in the farm.

They have to look after their brothers and sisters, washing, cleaning and cooking. Sometimes they have to care for their brothers and sisters without their parents when their parents go to work in another place. Someone has to care for the other children and support them if they are orphans.

***“One of my sister stays with other people to look after their children. I am staying with my cousin and sister to look after their children.”***<sup>240</sup>

## **Migrant Work**

Palaung children are told that they have to work in other places as servants to support their family. Even if a child leaves their house because of their father and goes elsewhere to work their father will find them at their new work and demand their salary.



*Palaung children going home from the tea plantation; the young girl has to take care of her little brother and work.  
(Photo by Lway Poe Taung).*

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<sup>238</sup> Interview 21.

<sup>239</sup> Interview 19.

<sup>240</sup> Interview 9.

***"I am working in China. Sometimes I come back in my village to see my sister and I have to pay money to my father and his debt to other people too."***<sup>241</sup>

## **Cattle Farming**

Some villagers report that many Palaung children become cowboys; they have to look after the cattle to get income for their family because of their father's drug use. Their father stops supporting them and mother also cannot support them so the children have to survive by themselves. Someone has to look after the cattle and someone has to work another kind of job.

***"I am picking tea; one of my brothers has to look my grandparents' cow; two of my sisters are still young and my mother looks after them and my mother has a new baby."***<sup>242</sup>

## **Selling Children**

Some children were sold by their fathers to be the wives of Chinese men in China and servants in other places. When fathers become drug addicts their earning are not enough for them to buy drugs so they will do anything to get drugs. They sell all of their property and possessions. When they have no property and possessions left to sell they sell their own children to get money to buy drugs.

***"My father sold two my oldest sister to marry a Chinese before my mother died. After my mother died my sisters came and called my youngest sister to stay with them."***<sup>243</sup>

According to the Poison Flower Report interview 53, "One of the drug addicts is using drugs for 8 years. Before he used drugs he used to be a rich man and he is a tea trader. After that he lost his business and become a poor. He sold all his tea farms and everything from his house. When he didn't have things to sell he sold two of his own daughters to a female trafficker. The trafficker call his daughters aged 25 and 23 to Ruili City on the China border and sold them to the Chinese man to be their wives. Even the girls don't want to be their wife but they don't have choice because their father already took money from the trafficker."<sup>244</sup>

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<sup>241</sup> Interview 18.

<sup>242</sup> Interview 2.

<sup>243</sup> Interview 9?

<sup>244</sup> 'Poisoned Flowers', page 53.



## Economic & Social Impacts of Addiction

Palaung people are getting poorer and poorer because drug addiction is increasing. According to the International Convention on Economic, Social and Cultural Rights (ICESCR) Article 9, “Everyone has the right to social security and social insurance.” Palaung people are facing economic and social problems such as negative health impacts, a lack of food and no access to education. Although some children study they are forced to drop out of school by their parents.

***“His children not only cannot go to school but they also have not enough food and no health care so they cannot be big. They just look small like they have a disease.”<sup>245</sup>***

### Impacts on Health

The Universal Declaration of Human Rights (UDHR) Article 25 states everyone has right to a living standard for health care. The Convention on the Rights of the Child (CRC) Article 24 states that every child has the right to access health care. Even though the Burmese government signed the CRC and the UDHR, most Palaung children still don’t get health care when they get sick because of the lack of medical care and money to buy medicine. Villages are far from towns and medicine is expensive.

Because the Burmese government does not stop the drug production many people become drug users and it negatively affects children’s health. Drug users’ families are poor and cannot afford medicine. In the past although parents had no money to buy medicine to care their children they could go and collect traditional medicines in the forest. Now traditional medicines have disappeared because of drug cultivation. When they grow the poppy field they have to log the trees. Furthermore, drug users log forest so that they can sell wood and charcoal to support their habits. This all makes it harder for children to survive and be healthy.

### Food Insecurity & Children

Many Palaung children live in poor families because their fathers are drug addicts. They do not have enough food for eating because only their mother works to support them and their father. Their father doesn’t care whether or not they

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<sup>245</sup> Interview 22.

have food to eat. Their father just cares how to get money in order to buy drugs. Sometimes all of the family members are hunger.

***"Sometimes their food is not enough for them and they have to share"***<sup>246</sup>

## Education

According to the UDHR, Article 26 and CRC Article 28, primary education should be free to all and compulsory. Everyone has the right to education. Some villagers reveal that children cannot study because their father is a drug addict; they cannot pay school fees and there is no free education in Northern Shan State, Burma. Although some can study they cannot finish their school because they have to leave the school when their parents cannot support them. The causes of the educational problems for children are related to their father's use of drugs. Children have to look after their young sisters and brothers, someone has to help their mother to work, school fees are expensive, there is no high school in the rural areas where Palaung children live, there are not enough teachers and transportation is not good.



*She cannot go to school because she must look after her young sister. (Photo by Lway Poe Taung).*

***"We are 8 people Just two of my sisters can go, nobody finished school although they studied they have to leave when they arrived to high school standard. Some of us can not go to school because my parents can not support us to attend the school because we are poor."***<sup>247</sup>

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<sup>246</sup> Interview 21.

<sup>247</sup> Interview 11.

Children cannot go to school because their parents are poor. Their father doesn't support the family because of addiction. Their mother cannot support the children to go to school alone and children have to help their mother to support the family survive. Even if they have no sisters and brothers to look after they have to keep their house when their parents go to work because there are many thieves in their communities. Their father also works but not for their family anymore, rather only for drugs. Some children don't want to attend the school because they are ashamed their fathers are drug addicts. In some places the school is far from their house.

***"U Aik Kyaw has 6 children. All of his children cannot go to school because he drinks alcohol and he doesn't do anything."***<sup>248</sup>

-Villager

## **Children Taken from School**

In many cases children were forced to drop out of school by their parents when their father became a drug user. Their father stopped supporting their family so their mother has to work to support their family and they need people to look after their children who are still young. They force their children to drop out of the school to help them to look after their young sisters and brothers and work with mother to support family. Sometimes their parents cannot pay their school fee so they forced their children to leave the school. One of the interviewee said,

***"Lway Aye Aye is oldest daughter in her family. Her father started to use drugs when she attended two standards that why after she passes the exam from two standards to attend three standards they have no money to support her. She looks after her sister and work in their house. She really want to attend the school because she has no friend to play in their house so she takes her sister and to visit near the school stay there wait her friends to play with them who can attend the school if her friend take a break she come to join they play together. When her friends finished the school she also goes back with her friends and goes to her home to cook."***<sup>249</sup>

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<sup>248</sup> Interview 22.

<sup>249</sup> Interview 24.

## Impacts of Addiction on Communities

The impacts of drug use on Palaung communities are changes in the children's behavior; children getting married early, young people getting married in other places far from their hometown, hopelessness, isolation and an increase in crimes and death.

### Behavioral Changes in Children

Before drugs were popular in Shan State, Palaung children were very useful for the community. Some children could attend the school in town and become educated. After they finished the school they helped their parents to support their family. Now most of Palaung children become drug users as their father. Not only do they leave school but they are also dishonest. Children steal money from their parents and steal other things.

***"All of my children cannot study because their father uses drugs and all my sons also became drug users Now nobody stays with me. One of my daughters also does not want to stay in the house because her brothers often come to eat in the house sometimes they steal her things such as her earring or ring."***<sup>250</sup>

### Death

Although Burma signed the CRC they don't follow the rule because in CRC article 6 and in UDHR article 3, everyone has rights to life including children. Some children die because of the fact that the SPDC allows local people grow poppy. Most of these people become drug addicts and they don't care about their children who get sick and die.

In the case that the father uses drugs they become poorer and the parents cannot send children to school. When the children get sick parents have no money to care for the children and cannot send the children to the hospital so some children should not die but they do die because of drugs. Some children can go to the orphanages to attend the school but when they get sick they have to go to the clinic without paying money to the doctor so doctors don't care for them like they do for people who can pay money. Some children get HIV/AIDS from injections and some overdose on drugs and die.

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<sup>250</sup> Interview 8.

***“One of their sons can attend but he went to other place to live in an orphanage to attend the school there. When he got sick there he went to the hospital and he needed blood but the doctor didn’t check the blood he put in him. After that he left the school he came back to help his mother to work in the village. After one year he got sick again they sent him to hospital. His father didn’t look after him. Only his mother looked after him until he died.”<sup>251</sup>***

## **Leaving the Village**

In many cases the girls go to get married in other places because they don’t find men who are not drug users in the Palaung community. Most Palaung men are drug users and so are some children, youth and old men. Some women’s mothers send them to get married with a Chinese man in China and in towns because they don’t want their daughter suffer from their husband like they have. Some women don’t want to stay in their family because their father used drugs and if they marry a men in the village husband will also be like their father. Many Palaung women know this and they go to marry in another place, especially in China.

## **Isolation**

Some children don’t want to stay in the community because they are shy and ashamed because they are the children of drugs addicts. They become isolated in the community so they go to work in another place and some get married there.

***“Because of my father we are looked down on by the community. That why I don’t want to stay at home”<sup>252</sup>***

According to the Poison Flower Report one of the local people said that “one of drugs user have 9 children just only one person stay at home most of his children don’t want to stay at home because they shy they are the children of drugs addicts.”<sup>253</sup>

## **Early Marriage**

Most of Palaung women get married early at 15 or 16 years old. Many of them are from poor families and are the children of drug users. Their fathers use drugs and

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<sup>251</sup> Interview 19.

<sup>252</sup> Interview 25.

<sup>253</sup> ‘Poisoned Flowers’, page 65.



cannot send them to study. Not only can't they study they also have to work all the time to support their family. They are staying in the community for a long time and they have no time to go outside, therefore they get married early. They can feel happy when they start to marry but after that they have to work harder than before they were married.

***"I married with my husband when I was 18 years old I have to work harder now than when I was in my family. They are poor and all of my husband's siblings are men so I have to support them. I have 6 children, my two daughters already died but my husband's brothers have three sons and one daughter. My husband already died because he used drugs when our children were young. Now all of my sons use drugs as their father did. The oldest already has 4 children, his oldest daughter already got married when she was 16 years old she also has one child now"***<sup>254</sup>

## **Increased Crime**

In the past there were fewer crimes in Palaung areas. At the time there were few drugs users but now because of the increased drug use, crime such as theft has been increasing. Drug users steal dried tea, cattle, wood and other things which they can sell and exchange for drugs. Sometimes they also steal cattle in the forest. Some are sentenced by the headman but he also does not care because the headman also releases them when their family members come and give him money. There are many robbers in Palaung areas, the robbers wait in the market road and if someone goes to the market without friends they will be robbed by robbers who are drugs users. Some drugs addicts work for their drugs but what they earn is not enough so they become stealers and robbers. Sometimes they fight each other because of the drugs. For these reasons there are more crimes now in Palaung area Special Region 7.

***"He steals things in their village. If the militia arrests him his mother has to pay money to the militia to release him. Sometimes his mother cannot give money to the militia or to the headman of their village. They arrest him and sentence him and tie him by rope in the house but they often release him because they can not feed him."***<sup>255</sup>

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<sup>254</sup> Interview 8.

<sup>255</sup> Interview 22.

## Hopelessness

Children become hopeless because they cannot attend school, they just work everyday in Palaung areas. Some have to stay in the house without parents because their parents use or have died from drugs. If both parents are drug users they will ignore their children and they have to look after each other. According to the Shwe Pyi Oo Journal there are four children staying in one old house and surviving by themselves without parents. Their father used drugs for 10 years and died; their mother married with another person and moved in to her husband's village.

"Aung Yin's husband used drugs for four years. He doesn't support his children when he starts to use drugs until now only his wife support their family. Sometimes he demanded money from his wife when his wife doesn't have money to give to him he hit his wife so they divorced. After that he got married again with another woman who was a drugs user like him. They have one child they gave their child to stay with his wife's parents."<sup>256</sup>

## Conclusion

There are many drugs users in Palaung areas because the SPDC allowed people to grow opium in the past and continues to do so unofficially now. Even though the SPDC said they will try to stop drug production in Burma, they still collect taxes from poppy growers and drug traffickers. The SPDC is using drugs as a weapon to control the Palaung people and it is having negative impact on Palaung children because local people work in poppy fields in Palaung areas and most of the men then become drug users.

Drug addiction has many negative impacts on children such as that children cannot study, have no parents, no hope, no health care, become orphans, work to help their family survive and become the victims of child trafficking. Some children become migrant workers and some have no house to stay in. Drug addiction not only impacts children but also impacts women and the community. Because of drugs there is no security for the people in the community and women suffer from husbands who are drug users.

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<sup>256</sup> Interview 19.

Not only Palaung people suffer from drug addiction but people in other regions face many problems as well. The SPDC allows local people to grow poppies because they get taxes from poppies and drug production. They also have controlled the tea industries in Palaung areas after the civil war, the tea price is low and people are vulnerable.

Palaung people are poor. The people work for family income and become drugs addicts. Some get depressed and use drugs and some people peer pressure each other into it. Wives and children have to work hard to support their family. Children are forced to work in the farm, as house keepers, migrant workers, cattle watchers and some children are sold by their own fathers. Most Palaung people face economic and social problems such as a lack of health care, little or no access to education and crime. Similar problems face people all over Burma.

The SPDC became a member of (UNODC) United Nation Office on Drugs and Crimes and signed the 1961 Single Convention on Narcotic Drugs in July 1963 and the amended 1972 Protocol in 1991. According to this convention, Article 38, state parties must give special attention to the abuse of drugs for prevention. There is serious drug abuse in Palaung areas and some people die because of drugs. The SPDC does not care-they just care about collecting money from poppy growers and drug producers. The more that the SPDC collects taxes without destroying the opium farms, the more people will grow opium and drug addiction will increase in Burma. Through this policy, the SPDC will grow richer and grow more powerful.

## **Recommendations**

### **To the State Peace and Development Council:**

- To take action to stop drug addiction nationally
- To protect children from the illicit use of narcotic drugs
- To take action against the drug producers
- To stop collecting taxes from drug traffickers and poppy field owners
- To rehabilitate drug addicts
- To respect the UDHR and CRC and take responsibility for providing free primary school education for all children in Burma.
- To create and meaningfully implement strong laws against drug production in Burma.
- To obey international law including the Convention on Narcotic Drugs.

**To Ceasefire and Militia Groups:**

- To stop drug production in Palaung areas.

**To the International Community:**

- To encourage SPDC to reduce drug production in Burma
- To pressure SPDC to stop taking taxes from poppies field owner without destroy
- To pressure SPDC to follow the international law

**To Opium Field Owners and Drug Producers:**

- To stop doing poppies field in Palaung areas.
- To stop produce drugs in Burma

**To Parents:**

- To stop children who are dealing in drugs
- To encourage the education for children and care children health
- To respect the children future

**To Local People:**

- To stop using drugs
- People who are drugs addict should thinking about generation
- To stop giving bribes to the SPDC for growing opium
- To promote knowledge of children

**To the UNODC:**

- To pressure the SPDC on drug production issues in Burma and to collect taxes from poppy field and drugs producers.
- To pressure the SPDC to promote awareness trainings drug abusers in Burma.

# **The Price is Getting Very High: The Reasons Behind the Lack of Education for Children in Kutkai Township, Northern Shan State, Burma**

By William Wallace

## **Introduction**

The quality of Burma's education has declined over the last three decades due to the SPDC's failed policies. The military regime uses 70 percent of the country's budget for itself. The SPDC does not focus on education and health care programs. The SPDC only provides 1.4 percent of the whole country's budget for education, crippling the system.<sup>257</sup>

According to a UNICEF report, 39 percent of the children in Burma are lacking education. The dropout rate is very high, especially in the rural areas. Although the government has announced 84 percent of the population is educated in Burma, in reality many people are illiterate. The literacy rate in remote areas is less than 10 percent. According to a 2004 United Nations Office on Drug and Crime (UNODC) report on the 'Wa' area of Shan State, 96 per cent of the population cannot read and write.<sup>258</sup>

Children under the age of 18 make up approximately 40% of the population. The military junta claims that it provides free public education for students up until the age of 16,<sup>259</sup> but there are many education problems in Burma. There are not enough teachers and schools, there is limited access to education, and the cost of school supplies is rising. These problems are happening everywhere in Burma.

This research focuses on a small region of the northern Shan State called Kutkai Township. The deteriorating education system in Burma is affecting the children from this area. They are increasingly uneducated. The United Nations Convention on the Rights of the Child explains that children should get a free primary education but many children in the region cannot access primary education. Instead, they are forced to suffer from the effects of a political and economic crisis.

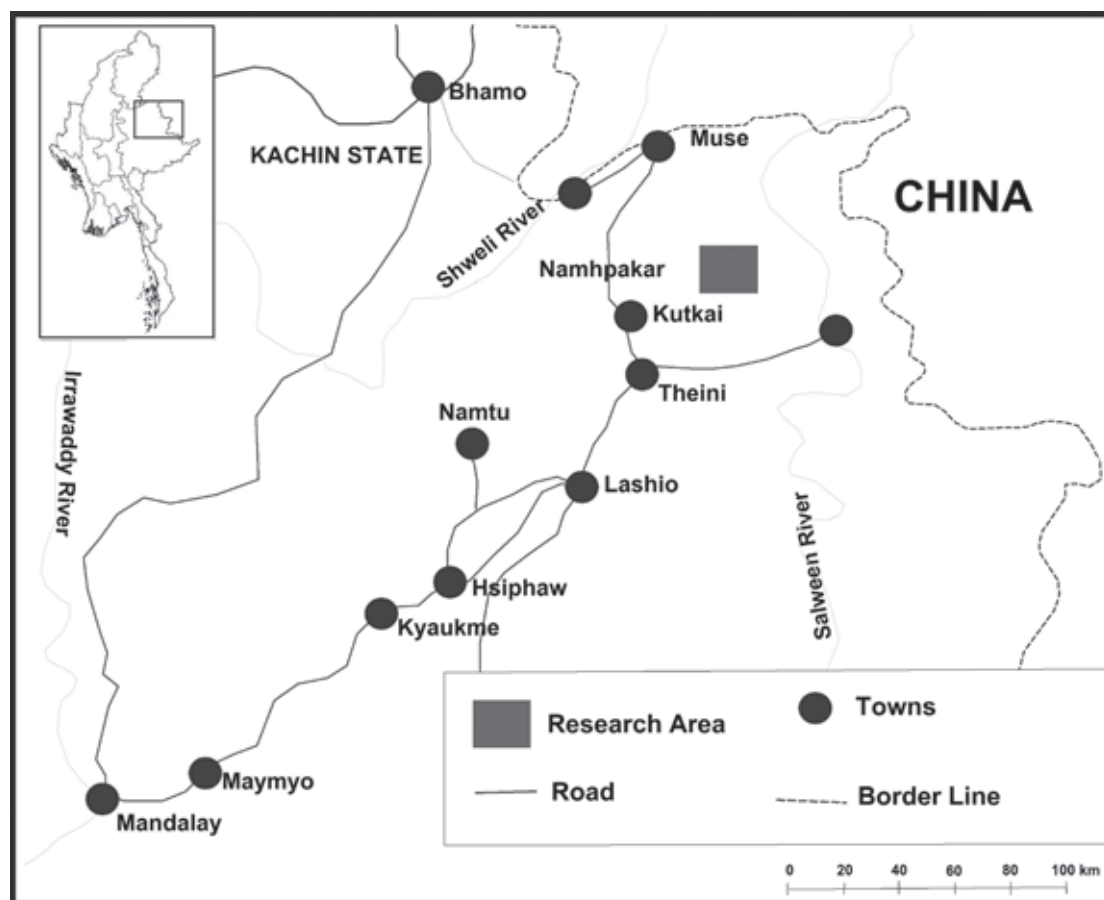
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<sup>257</sup> [www.nhecburma.org/report.htm](http://www.nhecburma.org/report.htm), School Education Research Journal (2005) Vol. 1, p. 1.

<sup>258</sup> Ibid., page 2.

<sup>259</sup> [www.aseanmp.org](http://www.aseanmp.org); Situation Update, Child Rights in Burma.





This report puts forward the claim that the education situation in made worse by human rights abuses committed by both SPDC and ceasefire groups and specifically the recruitment of child soldiers.

This research examines the current education situation in three villages. This report includes information obtained from fieldwork at these sites. Data was collected by interviews with teachers, students, students' parents, a headmistress of a school, a village head, child soldiers, religious people and youth leaders.

There are five parts of this report. In part (1), I will provide some basic background information about the focus area including its political, economic, and educational history. In Part (2) I will describe the current education, political and economic situation there. In part (3) I will present the reasons for the lack of education for local children. In part (4) I will draw conclusions and explain why this problem is critical. Finally, in part (5), I will put recommendations forward to the government, armed groups, teachers, students, parents, and the international communities as for how to change the situation for the better.

## Background Information

This area has only a Satellite Middle School. The fact that it is a satellite middle school means that it is not a permanent middle school and that there is a main middle school in a bigger village or town that it is officially connected to. There is a significant student population and accordingly it should have at least one permanent middle school.

The political situation is very complicated. The Kachin Independence Army (KIA) has been fighting for independence since 1962. The KIA reached a ceasefire with the SPDC in 1993. The KIA and the SPDC both have military camps in one of these villages. Not only are these two armed-groups in the area, but the Kachin Defense Army (KDA) and Thar Moe Nge militia camps are also there. The Kachin Defense Army seceded from Kachin Independence Army in 1992 and then signed a ceasefire with the SPDC. Each of these four armed-groups control what they can and the situation is uneasy.

The economic situation is also precarious. There are no regional products and there is not enough farmland. Before 2001, the people from this region planted poppies. The military and ceasefire group's partnership banned poppy growing in this region in 2001. Armed-groups control all drug distribution and production. Only the people who are a relative of someone in an armed group can sell drugs; these people distribute drugs throughout the region to make money. Given this arrangement, the number of drug users continues to increase at the same time that other products to grow and/or sell are lacking.

Schools in are built by the K.I.A and the SPDC sends teachers for them. The K.I.A sends one or two teachers and not more than this number each year. Sometimes the SPDC will call back the teachers that they have sent to be transfers to new locations. Under these conditions children's education suffers. Widespread fear and human rights abuses are evident. Little is known about these



*Satellite Middle School. (Photo by Wallace).*

human rights abuses because the location of this region is isolated and far from the urban areas. There is little communication and transportation to other villages. As a result, the education system is in decline.

## **The Current Education Situation**

According to a recent report of the UN special rapporteur for Burma on the situation of human rights in Burma, 968,000 children do not attend primary school in Burma. While this figure includes children in a number of areas, it presumably also includes displaced children. In contrast, the Burmese government statistics report that 97.58 percent of primary school aged children are enrolled in school.<sup>260</sup>

There are three schools in my research area, the Satellite Middle School, and two primary schools. One of the three villages is small; it has 519 households and the population is 3,976 people. One-third of the population is children (about 1,290 people), but only 620 children can access education. About 670 children are left without access to education in that village. Last year 53 students dropped out of school for many reasons including recruitment to be a child soldier or work as forced labor, prohibitive school costs, child labor, forced taxes, parental attitudes and drug abuse. The status of an additional 12 students is unsure for the coming school year. The primary school class of this school had more than 551 students last year. However, there are only 119 students attending middle school classes, meaning that many students drop out rather than continuing their studies.

One primary school had 43 students last year. This school provides grade one to five with two permanent teachers and one part-time teacher. There are 16 children in the community who lack education. Last year 11 children could not continue to go school after they finished grade five from this school.

There is one more village. This village has a primary school with 18 students in this school. There are 10 students in grade one, 3 students in grade two and 5 students in grade three in this school. This school has only a single room and one teacher. In this village there are 4 children who cannot access education.

About 690 children hunger for education in the entire region. The amount of students attending school has been increasing since the World Food Program (WFP) began providing food for primary students. There were fewer children who

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<sup>260</sup> 'Human rights situations that require the Council's attention', Report of the Special Rapporteur on the Situation of Human Rights in Myanmar.



*Primary School. (Photo by Wallace).*

could access education before the World Food Program provided food for students. Now, parents are trying to send their young children to school to get them food from the WFP. At the schools there are not enough facilities and classrooms due to an increase in enrolled students. It is difficult for the teachers to control so many students of such different ages. Most students are over five years old and some are over ten years old in primary classes. After primary school a lot of students cannot continue to middle school education.

## **Reasons Students Cannot Continue Education**

### **Recruitment of Child Soldiers**

Burma has one of the largest numbers of child soldiers of any country in the world. Although the minimum age for conscription is 18, Human Rights Watch has estimated that children may account for 35 to 40 percent of new recruits into the Burmese national army – making children 70,000 or more Burma's estimated 350,000 soldiers.

Children under the age of 18 are also present in armed opposition groups. According to some estimates the combined non-state armies including the Kachin Independence Army and other ceasefires groups contain between 6,000 and 7,000



*KIA soldiers, children. (Photo by Wallace).*

soldiers under the age of eighteen. This includes groups that forcibly recruit, but are not currently fighting in Kachin and Shan State.<sup>261</sup>

The KIA and the KDA are also continuing voluntary and forced recruitment of both girls and boys younger than 18. Both groups take children from schools and force them into recruitment centers. The children have a few others choices for employment and there is no national social welfare program to secure their family's survival in their homeland.

There are two ceasefire group education centers close to this region, one belongs to the KDA and the other to the KIA. Many poor children join these two education centers to access education.

The armed groups recruit children by exploiting their educational needs and age. If a child is recruited by an armed-group the child will drop out school and join the army. The child's psychology will change very easily at that vulnerable age. Recruitment into an armed group is the worst possible scenario for a child's future, the child will be badly affected. Both KIA and KDA receive children for schooling from their parents. Most parents are very poor and it is difficult for them to support their children to go school and therefore they send their children to these education centers to access education. In reality, the KIA and KDA put the children into recruitment training if the children failed the examination. And if the children are old and tall enough to take recruitment they put the children into recruitment training to be a soldier.

The Kachin Independence Army and the Kachin Defense Army collect people twice a year in the region to give training by force. They collect children who are big and tall enough to take recruitment, such as those who are 9 or 10 years old. If they do not get enough people they forced to call even the younger children from the school.

<sup>261</sup> 'Child soldiers: CRC Country Briefs', Pre sectionals Working Group, 36th session, 2004.



***"During last October holiday, a K.I.A commander and his colleague asked me to collect some students for their recruitment. But I told him I did not allow this. I don't want my students to be a soldier. I complained to them and begged them not to arrest the students to put in the recruitment training. I told them that you can collect the people who are not my student or some one else."***<sup>262</sup>

- A school teacher

One parent reported that her daughter was arrested by KIA to be put in the recruitment center last month. Her daughter is 17 years old and recently finished 11<sup>th</sup> grade:

***"My daughter is taking recruitment in the KIA training camp now. KIA arrested her as soon as she arrived from the school two weeks ago after her ten standard examinations."***<sup>263</sup>

One child who was forcibly recruited said: ***"While I slept next to my grandmother KIA soldiers arrested me and took me to the training camp. At that time I was only 9 years old and was attending grade five in the primary School."***<sup>264</sup>

Every ceasefire group collects people during the holidays because some parents send their children to town to go school. They want their children to get an education and to have a good life. If they do not send their children to town they know armed groups will arrest their children to be soldier. Many children are living away from their family to evade being taken as a soldier. Students come back to their family during summer holiday. Both KIA and KDA collect the students while they visit their parents during holiday.

## **Forced Labor**

The government of Burma has acceded to a number of international labor organization (ILO) conventions, including the forced labor convention of 1930. Forced labor is defined by the international labor organization in forced labor convention No. 29: "For purpose of this convention the term forced or compulsory labor shall mean all work or service which is exacted from any person under the menace of nay penalty and for which the said person has not offered himself voluntarily."

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<sup>262</sup> Interview 1.

<sup>263</sup> Interview 7.

<sup>264</sup> Interview with youth.

The Universal Declaration of Human Rights Article 4 says that, “No one shall be held in slavery or servitude; slavery and the slavery trade shall be prohibited in all their forms.”<sup>265</sup>

The Burmese government’s own law states that “The ministry of home affairs of the Burma government of the Union of Myanmar, under the direction of the State Peace and Development Council, hereby directs that the following amendment shall be made to Order No.1/99 dated 14<sup>th</sup> May 1999 as requisition of forced labor is illegal and is an offence under the existing laws of the Union of Myanmar. Local authorities, members of the armed forces, police and other public service personnel shall not requisition work as a service except emergency arises due to fire, flood, storm, earthquake, epidemic disease, war, famine and epizootic disease that pose an imminent danger to the general public and community.”<sup>266</sup>

Burma ratified the International labor organization (ILO) convention prohibiting forced labor in 1995, and is currently being investigated by the ILO commission of inquiry under Article 26.<sup>267</sup>

The Burmese government’s and the other armed-groups’ use of forced labor is continuing on a widespread scale in Burma and is accompanied by massive violations of other human rights. Men and women of all ages are forced to work against their will, including children and elderly people. The SPDC calls such as labor as donated (*loh ah pay*) with the full of consent of civilians for good of the nation. Forced labor is when a person forced to work for the military or another armed group. Donated labor is when people are requested and choose to work for a religious leader or village head. Sometimes religious people, local authorities and local people argue that forced labor is a traditional practice using civilian labor in constructing temples or palaces in Burmese society. Yet, in the rural areas people are forced to grow food, build infrastructure and carry equipment for the military.<sup>268</sup>

Forced labor and donated labor (*loh ah pay*) are quite different. Forced labor is demand by the military armed-groups and if the villagers do not attend the military will punish them. Villagers are put in jail and fined about 2500 kyat a day.

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<sup>265</sup> ‘Slave Labor in Burma: An Examination of the SLORC’s Forced Labor Policies’ (1996) No. 9, page 3.

<sup>266</sup> Union of Myanmar Ministry of Home Affairs, prohibiting requisition of forced labor, p. 11.

<sup>267</sup> ‘All Quiet on the Western Front’, page 13.

<sup>268</sup> [www.apheda.org.au/campaigns/burmacampaign/resources/1067568160\\_29942.html](http://www.apheda.org.au/campaigns/burmacampaign/resources/1067568160_29942.html)

Loh ah pay is requested by a religious leader or village head to build a temple, church, orphanage or widow's house. Both forced labor and donated labor are unpaid but when someone chooses to do donated labor they are provided food, drink and tools.

Most people from this research area are subjected to forced labor and other human rights abuses or live under the constant threat of being subjected to them because Battalion 312 and K.I.A have bases in the center of one of the villages. Both SPDC and KIA demand forced labor everyday. Villagers have to build the military camp buildings and three layers of fence around the camp once a year with their own bamboo and equipment. They often have to clean up the military camp and ceasefire groups' camp too. Both the SPDC and the ceasefire groups do not pay for forcibly using the villagers' labor.

The military and ceasefire groups also use forced labor by setting up a duty list for each day. Each household has to perform duty for the military and armed-groups. Both the SPDC and ceasefire groups make pieces of wood to pass around to almost every household as a sign that it is their turn to take duty for a day. There are about 519 households in the village, but not every household needs to take on the duty. If someone gets a high position in an armed-group or works for the government, their family is free of performing forced labor unlike other families. The poor families, uneducated and powerless families suffer most in this system.

A person who is performing forced labor must go to the military camp at 8 am in the morning and they need to spend the whole day there no matter what until 4pm. The laborer has to bring his or her own tools and food. The SPDC, KIA or KDA never pays money to villager for using their labor. The SPDC orders forced



*KIA forced labor: road repairs. (Photo by Wallace).*

laborers to grow vegetables in the camp compound and also to deliver letters from one village to another village. Other forced labor duties include cleaning the camp compound, carrying firewood, and carrying water both for showering and cooking.

In 2006 the military began construction on a Buddhist pagoda in the village. Local people were used as forced labors for this pagoda's construction. The villagers were not able to object to their order, though all the villagers are not Buddhist. Every household and each person has to carry rock, water, sand and other equipment for pagoda building. Each household has to go 2 days and has to pay 700 kyat.

***"Although we are not Buddhist we have to pay money to build pagoda starting in 2006. This pagoda building project is by order of the military. We have to carry water because the building site is on the mountain. We have to carry block, sand and equipment for building. Whether we are Buddhist or not, we must pay money and labor to build this pagoda."***<sup>269</sup>

It is very difficult for the villages to earn money for their family in this situation. The military and armed groups are sucking the property of the villagers by many ways. This is a big problem for the villagers. So their economic situation will not get raised up to get comfortable life. How can they support their children to go school, if they can not earn money? If the villagers have their own transportation; Such as a motorbike, bull cart, and car they are assigned daily work transporting goods for the Military. If the parents cannot earn money and cannot get enough food they cannot send their children to school. If the parents do not have enough time to work in their field or earn money, then the children must help instead of going to school. Also if the parents are busy, then the children must go for forced labor and not go to school.

## **Child Labor**

The Convention on the Rights of the Child provides that "children under eighteen have a right to be protected from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development."

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<sup>269</sup> Interview 1.

Although there are a lot of laws to protect children, according to the International Labor Organization (ILO) it is estimated that 218 million children between the ages of five and seven work in developing countries including Burma. Despite that the military government signed the child rights convention, they continue using child labor directly or indirectly consistently. Given that the government has failed their responsibilities to their people, many children have been child laborers in this region. A lot of children have left school to work for food for their families. Many children take compulsory duty for their family such as public work and forced labor. Forced labor is demanded by the SPDC and ceasefire groups. Public work is demanded by village heads for the village. As for single parents, they face more difficulties than other families. These parents cannot earn enough themselves to support their children going to school. Once children are old enough to work in the field, their parent takes them out of the school so that they can help with the cattle and farming.

One parent said that she was very upset about living there because of numerous taxes and forced labor. She and her husband are not in good health to work hard. Given this situation, they can only send their eldest son to perform forced labor and public work. Their son is only 17 years old. The family is depending only on this son to get food and to fulfill compulsory work such as forced labor and public work for the village.

***“Our family is depending on our older son who feeds our family and helps his father in farm since he drops out the school when he was attending grade (4) last a few years ago. So he doesn’t know how to write or read. But he can support our family even though he is teenaged. He can go for public work and forced labor for our family. Neither his father nor me can go for forced labor.”<sup>270</sup>***

A lot of children have left school to work for food or to take compulsory duty for their family. Most children have to work in the fields with their parents instead of going school. The children have to look after their younger sisters or younger brothers while their parents go to farm. The children have to do house work instead of homework such as cooking, carrying water and carrying firewood for their family. The children do not have extra time to study their lessons outside to school. For these reasons, although the children go to school, they cannot write and read well.

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<sup>270</sup> Interview 2.



## Prohibitive School Costs

The Convention of the Rights of the Child's Article 28 says that "State parties should recognize the rights of the child to education with a view towards achieving this right progressively and on the basis of equal opportunity, they shall, in particular; set up primary education that is compulsory and available free to all and encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child and take appropriate measures such as the introduction of free education and offering financial assistance in case of need and so on."<sup>271</sup>

There are many laws to promote children's education and to protect children's rights in the Convention of the Rights on the Child. Burma signed The Convention on the Rights of the Child on July 15, 1991. Yet, the Burmese government is still ignoring the rights of children. Burma should follow and take responsibilities for the international conventions to which they have agreed, and the Burmese government is obligated to provide free education for primary school students. Burma's government is not interested in investing in the country's children. In Burma most remote areas lack investment in education for primary school age children and there is widespread poverty. Despite a compulsory education law, almost 40 percent of children never enroll in school, and only 25 to 35 percent complete the 5-year primary school course. Many families cannot afford to pay the numerous fees for even a primary school education.<sup>272</sup>

The SPDC announces every year that it is illegal to collect money from students while they are enrolling in school. Although primary education is supposed to be free for every child the government does not provide enough salary for the teachers or for school facilities. The SPDC provides each teacher 27000 kyat a month for their salary. If the number of students increases, then the school committee collects additional money from the students at the beginning of the school year. The estimated cost per student is 3,500 kyat per month in this region. Students must pay for expenses such as compound cleaning, text books, uniforms, school construction, stationery and enrollment. The enrollment fee is 3000 kyat per primary student – it is quite expensive and it makes the students' parents quite upset.

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<sup>271</sup> Convention on the Rights of the Child, Article 28.

<sup>272</sup> 'Report on labor practices in Burma'. US Department of Labor / Bureau of International Labor Affairs, page 88.

***"The teachers and school committee say every year that they will not collect from money student enroll. But after that they start to collect money for numerous fees for the school in reality. So that we feel up set to enroll the children school."***<sup>273</sup>

Burma is in an economic crisis and even stationery prices are every expensive. A textbook costs about 6000 kyat for a middle school student. A uniform costs at least 5000 kyat. One writing book costs 250 kyat. For textbooks and uniforms, parents have to spend more than 12,000 kyat per one student. The cost is terribly high for parents who have four or five children. If parents do not have enough income to pay, some of their children have to drop out for a year or longer. Some parents have more than five school age children. Most families are self-employed subsistence farmers and must sell their subsistence products, such as rice or chicken, to raise the income to buy these items. For the above reasons a lot of school age children are lacking education in the region. The drop-out rate is unbelievably high, increasing year by year. Most middle students have started to find jobs instead of going to school in the city. School fees sometimes make it impossible for a student to go school.

***"I just worry for the future of my five children and our ability to send them school. The price is getting very high. I cannot make that much money for my children. I have five children. Their brains are good enough to get an education but I cannot afford to send all of them to school. Our family is very poor, too poor to send all of them to school. I can only send them to school until they get to grade 4 in this school."***<sup>274</sup>

## **Economic & Extortion Taxes**

Before the military and Kachin Independence Army agreed on a ceasefire, at the end of 1992, the military forcibly relocated the people from nine villages to one of these three villages. The following year the military and Kachin Independence Army also signed a ceasefire. After these developments, both the military and Kachin Defense Army (KDA) based their camp in the middle of the village. Many people left their plantation lands and properties due to the military's relocation to there in 1992.

Then Kachin Independence Army (KIA), Kachin Defense Army (KDA) and Pyi Thu Sit (militia) also based their camps in this village with the SPDC military

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<sup>273</sup> Interview 2.

<sup>274</sup> Interview 8.

camp. They all collect money and food from the villagers as their rations. But the military does demand money and food since they agreed to a ceasefire with the opposition armed group. Now the other three groups – the KIA, KDA and militia armed groups are collecting money, salt and rice as a tax.

At this time the political and economic situation is very complicated and it is difficult for the villages to make money and have food. The villagers could grow poppy until 2001. After 2001 the villager cannot grow and sell poppy for their income. Most people had made money from working on poppy plantations.

The military and ceasefire groups banned growing the poppy plant without providing a substitution crop. This is a problem for the people because the poppy plantation is the main livelihood. The people faced a sudden change in their livelihood. They cannot make money from other jobs. The people from this region have faced big problems getting food and money to send their children to school. The villagers' economic security and livelihood was broken down immediately. In this economic situation some people have faced starvation for many years. They still don't have another job substitute for growing poppy to get food and to make money for their survival.

***"We are facing economic crises more and more than before. Not only are there the expensive food prices but also have to pay numerous high taxes to each armed group. We are facing problems getting food everyday; we have to do forced labor and public work two or three times per month. Although we do not want to live in this village anymore we do not have any idea where to move to evade such abuses as taxes and forced labors."***<sup>275</sup>

The majority of people are deeper in poverty but a few people who deal with the armed-groups and military are more comfortable than before because they trade heroin and smuggle everything such as cattle and timber from this region. Smugglers do not need to pay taxes to the military and other groups. Ordinary people, however, the people who do not deal with the military or armed-groups and trade cattle need to pay high taxes. Sometimes the groups seize their cattle fine them a large amount of money for trading cattle. Meanwhile, the armed groups' partners are distributing drugs in the village openly.

Each household pays two baskets of rice to the armed groups. One basket of rice is equal to 48,000 kyat and 5 viss of salt is equal to 6000 kyat in payment of tax. Local

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<sup>275</sup> Interview 2.

people call these taxes war funds. If the parents did not need to pay taxes they could support their children to go school instead.

***“Even though we do not have a good job to make money for our family we could be in a comfortable life if we did not need to pay tax. But now we need to pay numerous taxes to each armed groups every year. Sometimes I feel that we are feeding these armed groups instead of supporting our children to send them to school. Because we have to pay whatever they demand from us, not only food, money and our labor, but also even our children have to go to them to be their soldier.”<sup>276</sup>***

Ceasefire groups set up the law for the villages. Every household in this region has to pay tax to them, if they evade tax or refuse they have to send their children to armed-groups. They can also seize properties such as farmland, houses and cattle.

***“We can not live in this region if one person from our family is not involved in armed group as a soldier. If not, they demand our children three times. After that they confiscate our properties. Although we do not want to be here the reason that we are in this village is that we do not have any idea to move somewhere else. As a result we are feeding four armed groups instead of sending our children to school regularly.”<sup>277</sup>***

If there was no taxation in this region, the children could go to school. Parents have to expend their money on armed-groups instead of sending their children to school.

## **Parental Attitudes**

According to the Convention of the Rights of the Child Article 18, the government has responsibilities to support the parent to send their children to school, and the parent has a responsibility to send their children to school regularly.<sup>278</sup> Most parents from this region are not encouraging education for their children. In the parent’s thinking, the parent is satisfied if the children can farm for the family. The parents think doing farm work to get food is better than go to school for their children. They know if they send their children to school they will have to spend a lot of money for each year.

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<sup>276</sup> Interview 7.

<sup>277</sup> Interview 7.

<sup>278</sup> Convention on the Rights of the Child, Article 18.

Some parents said that if their children can write and read it is enough for their life. They do not know that it is in their child's best interest to send them to school. The parents only focus on current problems such as how to get food and money for the family. They do not send their children to school when the child is getting strong enough to do farm work. If the children drop out school so early in school age, they will not know the value of education. When they have children they will also not encourage their children's education. This lack of education continues through the generations.

## Drug Abuse

The United Nations Office on Drug and Crime (UNODC) and the military had reduced the opium growth 73 percent in 2002. Although Burma has managed to reduce opium cultivation, widespread poverty, porous borders, limited control over the border areas and lawlessness all stimulate a thriving unrecorded cross-border economy.<sup>279</sup> In 2002 the opium ban in the region had a significantly detrimental effect on the local economy and well being of the local population. Drug producers bribe armed-groups and the military to produce heroin and methamphetamines in this region. The military and armed-group's officers are getting a lot of money from these drug producers and distributors. Drug issues are the most difficult to solve for the people from this region and for their local leader. A lot of families have spread out and divorced due to heroin. The children are becoming the real drug victims in the families.

Since 2002 there have been no more opium plantations in the region. In last decade, many business- men based in this region have grown opium and produced heroin. After 2002 the SPDC and ceasefire groups arrested a lot of individual drug traders and producers. But some economic groups who cooperate with the ceasefire groups and the SPDC were still producing heroin until 2005. After 2005 there has been no more heroin production. However, there are more heroin users than before the heroin producers left. Ceasefire groups provide security for the drug producers to trade drugs and to produce. So it's very difficult to ban absolutely all drug trading. One youth said that the military allowed drugs in his village:

***"We do not notice that the military uses drugs as a weapon to make ethnic people weak. But, we all know well why the military does not ban both drug use and distribution in this village. There are more than 30 people using drugs regularly."***<sup>280</sup>

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<sup>279</sup> 'Poisoned Flowers', page 12.

<sup>280</sup> Interview 10.



The villages' head and the women organizations placed a ban on drugs and arrested the drug distributors. They try to send the drug sellers to the police but the drug sellers bribe the military commanders from ka la ya 45 and 312 (Infantry Battalion). The military commander ordered the women leaders to release the drug sellers.

***"We have experience. The women's organization of this village organized people to arrest the drug sellers because drug problem is affects women's daily life. First they tried to send the drug sellers but the military commander and militia ordered us to release their people."***<sup>281</sup>

Some children's parents are using drugs. If their parent does not have the money for drugs, the children have to make money for their father instead of going school. Moreover, many children drop out of school due to their parent's addiction to drugs. If one person is using drugs in the family, the first victim of drugs is the children and women. The government has a responsibility to take action on drug sellers but they ignore this issue. We can see very clearly that the military has pushed the ethnic people towards drug use so that they would lose power. The military does not care how about how children lack education in the region. The military creates ways for the ethnic children to have less opportunity to get education.

## Conclusion

This report explained how children are suffering from a lack of access to education in the region. The children's parents have to spend money for taxes instead of sending their children to school. Additionally, despite that parents are already struggling to find food for their families, they have to go do forced labor and public work twice a month. If parents cannot earn enough money for their children's schooling, the children have to drop out of school. Making matters worse, parents are working in the military camp instead of working in the fields to get food for their family and to send their children to school. If the parent is not able to get food and not able to work for the family, the children will not be able to go school. The parents cannot afford to buy school supplies for their children.

When children are as young as nine or ten years old, the parents worry about their children being taken for conscription. The armed-groups demand the children

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<sup>281</sup> Interview 13.

from the parents to provide recruitment for child soldiers. The military forces people to work for their camps and they use the peoples' properties as they like. All of this contributes the children's lack of education in the region.

The government has a responsibility to provide free education for primary school aged children. The government had failed their responsibility to educate the youth. There are not enough teachers, not enough classrooms and there are not high enough teacher salaries. The government works against the best interest of the country. Education should always be promoted: There must be education for all the children in all areas of the country, including remote ones.

## **Recommendations**

### **To the SPDC and ceasefire groups:**

- Stop using forced labor.
- Stop the plural ruling system.
- Stop practicing recruitment of youth under eighteen.
- Provide enough teachers and give them adequate salaries.
- To promote a permanent middle school.
- Protect Human Rights.
- Protect the Rights of the Child.

### **To the International Community:**

- Investigate human rights abuses by both the SPDC and ceasefire groups.
- Push the government to stop abusing child's rights.
- Push the government to stop using forced labor.
- Push ceasefire groups to stop using child soldiers.

### **To the teachers of Burma:**

- Do not discriminate against ethnic children.
- Respect the hours of school and teach a full day.

### **To parents in Burma:**

- Send all children under eighteen to school.
- Do not force children to drop out school.
- Give children time to study.
- Plan the children's future.
- Encourage the children to go school.

# The Impact of the UN Resettlement Program for Karenni People in Camps #1 and #2 on the Thai-Burma Border

By Mar Ry

## Thai-Burma Border Map of the Karenni Refugee Camps





*Life in Karenni refugee camps. (Photo by Mar Ry).*

## Introduction

The UN resettlement program is good for those who leave. The problems, however, are for those who remain in the camp. Because of the UN resettlement program or initiative the current situation in the camp is awful. The program has had a severe impact on camp management and services. The departure of skilled, educated and experienced camp program and service providers has generated concern about how best to mitigate the negative impacts on service delivery to the remaining camp population.

Thailand is one of the worst places for refugees in the world.<sup>282</sup> There are two Karenni refugee camps on the Thai-Burma border with a total population of 23,838.<sup>283</sup> The Karenni refugee camp 1 is located in Mae Hong Son territory and Karenni refugee camp 2 is located in Khum Yum territory. It is 4 or 5 KM away from Thai-Burma border. Karenni refugees sheltering on the Thai-Burma border moved there in search of safer accommodation.

All the Karenni refugees in Thailand are considered illegal immigrants by the Thai authorities and are vulnerable to arrest and deportation at any time if they are outside the camps. For these reasons, the freedom of movement for the refugees is very restricted. They cannot leave but there are no opportunities for most people inside the camp. Some of the Karenni refugees have lived in the camp for more than 20 years. Moreover, they have no hope to go back to Burma because human rights abuses are continuing and the political situation in Burma is still unstable.

<sup>282</sup> Bangkok Post ('Thailand ranked as one of the worst places'), 20 June 2008.

<sup>283</sup> Karenni Refugee Main Committee (pamphlet).

According to the UNHCR, there are three durable solutions for refugees: repatriation, integration, and resettlement.<sup>284</sup> It is not possible for Karenni refugees to be repatriated in Burma due to civil war and human rights abuses. They cannot integrate and become citizens of Thailand as the Thai authority has not signed or ratified the convention related to the refugees. Thailand refuses to recognize their status and will not allow them to stay. The third option is third country resettlement. Since 2005, with the agreement of the Thai government, the UNHCR started to resettle Karenni refugees in some Western countries. The process is happening very fast and many Karenni refugees are excited to get a new life and renewed hope in third countries. The ongoing resettlement from camps in Thailand is giving Karenni refugees a chance at a durable solution for the first time.

This report proceeds as follows: The first part explains the Karenni refugee background and current the situation in camp. The second part outlines what the UN program is and how it affects Karenni society. The third part examines who has responsibility for the Karenni refugees. Field work for this report was done in Karenni refugee camps 1 and 2 along the Thai-Burma border in the Mae Hong Son province. The information was collected through individual interview with UNHCR representative, camp leaders, youth, and local people and Karenni people who are already resettled in third countries. Altogether Thirty people were interviewed for this report.

## **Background**

The Karenni State is located in Eastern Burma. Since the Burmese military regime occupied it in 1948, the Karenni people have been fighting to regain their lost independence. As a result more than 20,000 Karenni people have fled to neighboring Thailand where they live as refugees in the northwestern Mae Hong Son Province. They currently live in two refugee camps: Camp No. 1 and No. 2#.

For more than 20 years, Karenni refugees from Burma have been fleeing to Thailand to seek refuge from the practices of human rights abuse, forced labor, arbitrary arrest and detention, torture and extrajudicial killing carried out by the authoritarian regime in Burma. Some of the refugees have lived in the camp for more than 20 years. Twenty years is a long time in anyone's life. It is a very long time to be a refugee. There is nothing to celebrate when tens of thousands people have had their lives uprooted and still face a very uncertain future.

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<sup>284</sup> Interview with UNHCR representative (Interview 10).





*Karenni refugee camp. (Photo by Mar Ry).*

Refugee camps are not natural place to live. Basic human rights and freedoms are not guaranteed there. The Karenni people cannot study, work or travel outside the camp. Refugees have lost everything in their homeland and carry sad and painful memories. Camp life is tedious and standard of living in is very basic indeed. And yet, for over decades refugees from Burma have managed to live in dignity and hope along this border. They have maintained their communities; they have managed their own affairs and take care of each other. Refugees build all their houses and public building in the camps, dig all the ditches and water wells, teach in the schools, serve as nurses, health workers and home visitors. With a limited space and few resources the refugee do more than survive - they live. Therefore, many people contribute the lives of the refugees.

In the camps there are camp committees, section leader's women and other community organizations who take on the huge responsibilities for the refugees, usually support or appreciation. And then there are teachers, health workers, home visitors, security patrols and for TBBC storekeepers and distribution teams how quietly and responsible carry out their duties month in, month out, year out also for very little reward.

As the resettlement program gathers momentum and as people prepare to depart for a new life in third countries — for many people resettlement offer renew hope,

opportunities and a permanent solution away from prolong encampment. A whole new generation has grown up confined within camps and people are naturally hopeful and curious about the opportunities for life in third country.

There are some reasons why Karenni refugees are resettling. One reason is at present camp residents are restricted in their movements. Another reason why Karenni youth want to resettle is because they want to gain more educational opportunities. Other people want to resettle because they want to be free of the difficult situation in the refugee camps and in Burma. As the UNHCR reminds the Karenni refugees in its information brochure for refugees, resettlement is a permanent solution.

## **The UNHCR Resettlement Program**

A refugee, as defined by the refugee is a person who is outside of and unable or unwilling to avail himself/herself of the protection of the home country because of persecution or fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. They are forced to leave suddenly and therefore have few possessions.



*An American representative explains the UN resettlement program to Karenni people. (Photo by Mar Ry).*

The refugee resettlement program is a federally-funded program that provides cash assistance, medical assistance, health screening, and social services to refugees. Resettlement is one of three durable solutions for refugees:

***"Our mission is to help refugee to not be refugees forever. Being a refugee should be a temporary phase of their life. Traditionally, UNHCR puts forward three ways to help them to get normal life. Firstly is repatriation to their country of origin if conditions improve. The second is integration in the country of first asylum"***<sup>285</sup>

- UNHCR Representative to Thailand.

The UNHCR is the only agency with the specific mandate to protect refugees and help resolve refugee problems worldwide. When people are forced to flee because of war or prosecution, they turn to UNHCR for immediate assistance. If necessary, they help refugees settle in another country where they can start a new life. Resettlement in this context means transferring a refugee from his or her country of asylum to another country that has agreed to admit that person, to grant them long-term residence rights and the opportunity to become naturalized citizens.<sup>286</sup> Resettlement is usually in an industrialized country with the resources to provide the requisite support to ease the transition to a new country.

***"The UNHCR helps refugee people to gain more life guarantee in other countries. The UNHCR tries do the best thing for refugee people."***<sup>287</sup> - Karenni Youth

The resettlement program was introduced into Karenni refugee camp 1 and 2 in 2005. In April 2006, Karenni refugees began being resettled in New Zealand and Finland. In 2006 to 2008, 870 Karenni refugees resettled to New Zealand, Finland, Australia, Sweden, Norway, Canada and the USA. Karenni people will continue to resettle in Australia and Finland. The following chart shows the resettlement of Karenni refugees from camps 1 and 2 between 2008 and 2008:

No.	Country	< 5	>5	Total
1	New Zealand	9	65	74
2	Australia	19	162	181
3	Canada	0	8	8
4	Sweden	10	40	50
5	Finland	84	438	522
6	American	3	23	26
7	Norway	3	6	9
	<b>All total</b>	<b>128</b>	<b>742</b>	<b>870</b>

*The update of resettlement in camp 1 and 2 as of 20/3/ 2008.*<sup>288</sup>

<sup>285</sup> Interview 10, UNHCR representative.

<sup>286</sup> 'Green Voices of Youth' (2007), ERI.

<sup>287</sup> Interview 3 ( Karenni youth).

<sup>288</sup> Karenni Refugee Main Committee, pamphlet.



## Impacts of the Resettlement Program

A whole new generation has grown up confined within camps and people are naturally hopeful and curious about the opportunities for life in a third country. Some people have to live in the camp over 20 years. They lived in crowded houses and ate only what NGOs supported for the refugees.

***"The UN resettlement program is good for youth to continue their education. Living in the camp difficult and you cannot go out side the camp. There are only two camps but it is difficult to communicate with each other. The UN resettlement program is the best for youth to look forward and to go outside the camp."***<sup>289</sup>

- Karenni Youth

The resettlement program is a door to see the world and change refugee lives. It is a good chance for the youth to gain more education opportunities and have access to higher education. People will have more security and life guaranteed for their future. The resettlement program is now gathering momentum as thousands of



*Karenni refugees interested in the UN resettlement program. (Photo by Mar Ry).*

<sup>289</sup> Interview 18, youth in Karenni Refugee Camp 2.

refugees apply for resettlement and prepare to depart for a completely new life in third countries. They can create what they want and have freedom of movement.

***“After the UN resettlement program people minds are changed and have raring to go. And start to know how to find their best way and how to plan their future life. Their minds are become wide and excited to change their thought.”<sup>290</sup>***

- Parent in Karenni Camp

Karenni refugee people in the camp are like birds in a cage. They cannot go outside the camp and are unaware of the reality of the outside world. Therefore, a resettled life is better for them now. This is an exciting opportunity for those individuals and families selected. They have more human rights in third countries. The resettlement is helping to resolve the overall refugee predicament.

***Refugees go to third countries with the realistic prospect of naturalization as citizens of that country. Resettlement offers safety, security, opportunity, new skills, schooling and basic human rights protection.”<sup>291</sup>***

- UNHCR Representative to Thailand.

Resettlement to a third country is one of the solutions for Karenni refugees. The resettlement provides people with hope for a new life.

## **Negative Impacts on Those Remaining**

The UN resettlement program affects Karenni society both positively and negatively. Since the UN resettlement program was introduced into the Karenni refugee camp in 2005, with the agreement of the Thai government, the UNHCR started to resettle Karenni refugee camps a long Thai-Burma border to some western countries. The process is happening very fast and many Karenni refugees are very excited to go and prepare to depart for a new life and renewed hope in third countries.

Before resettlement became an option on the border- the Karenni refugees had a long-standing dream of returning home. But the event of resettlement marks a break from this dream.

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<sup>290</sup> Interview 8, parent who wants to resettle.

<sup>291</sup> Interview 10, UNHCR representative.



The Thai government has allowed for the resettlement of Karenni refugees, giving them a chance at a durable solution for the first time. But while resettlement is a positive development for those chosen, there remains concern for the fate of those who have not yet been resettled. Most of people in the Karenni refugee camps are concerned about what will happen for them.

Resettlement has led to a disproportionate number of skilled workers leaving certain camps. The largest group to leave is teachers, followed by health workers and those in leadership roles. International and local NGOs working in the camp have found it difficult to replace staff, especially medics and teachers.

Most of people in the camp want to resettle and constantly discuss the UN resettlement program. The youth especially want to resettle as they cannot even leave the camp. The only way they see that they can be more free is through resettlement. Most of youth in the camp see renewed hope, opportunities and a permanent solution away from prolonged encampment. Examples of youth opinions are:

***"I am interested to go because nothing to change for me to stay in the camp. I have been in refugee camp over 15 years also can not go back. I do not have life guarantee and no rights in the camp."***<sup>292</sup>

- Karenni Youth

***"After the UN resettlement program especially youth did not want to study and most of the services interesting to resettle. The process makes people excited and most service less responsibility for their community. I also have unstable situation and I sign out from teacher."***<sup>293</sup>

- Karenni Youth

Another negative impact of the resettlement program is a break down in the social fabric of the community, breakdown of the cohesion of family life. Some couples have asked for divorced papers. Some couples did not have problems or conflicts before the program started, but now they are in conflict. According to the UNHCR, the situation in camp is unstable. Our leaders also did not have decision making and no one interfere who want to apply and resettle in third countries.

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<sup>292</sup> Interview 4, youth in Karenni Refugee Camp 1.

<sup>293</sup> Interview 3.

Today a new mood of resettlement fever pervades the camps, generating hope and anticipation but also concerns about separation from community and homeland. Since the Burmese military regime occupied it in 1948, the Karenni people have been fighting to regain their lost independence. The Karenni National Progressive Party (KNPP) do not want to give up on their struggle. If the people are resettled internationally then it maybe difficult to maintain solidarity against the SPDC. People fear for the worst:

***"I have concerned if most people left, people who remain in the camp what will happen for us? Will force us to go back or stay in Thailand. Have many concern and depression."***<sup>294</sup>

- Parent Remaining in Camp

***"We are remaining in the camp, we have many concern about our security, our livelihood. What will happen and people will continue support us or not? I do know not anything about the situation but I have many concerns."***<sup>295</sup>

- Parent Remaining in the Camp

## **Educational Impact**

***"The UN resettlement programs process impacts the youth, students, and teachers. Some students have become less interested in studying and most teachers have hoped to resettle including me. The result is an unstable situation for education."***<sup>296</sup>

- Karenni High School Teacher

The UN resettlement program has in fact worsened education in the camp. Some of the experienced teachers and educators left, so new teachers are needed. There are thousand of students in the Karenni refugee camps. There are not enough teachers for students. It is difficult to replace the teachers because the salary of teacher in the camp is very low. Even if a replacement teachers, many of them may not stay for long before they apply for resettlement.<sup>297</sup>

The loss of teachers also has to impact on the students. Some new teachers do not have teaching experience and have not finished University. Some students are less interested to study and also some of parents are not encouraging their children to

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<sup>294</sup> Interview 20, parent.

<sup>295</sup> Interview 26, parent.

<sup>296</sup> Interview 6, high school teacher in Camp 1.

<sup>297</sup> Interview 5, Secretary, Karenni Refugee Camp 1.

study. Instead, they focus only on resettlement. These are the problems that the resettlement program creates in the education system for the community that is left behind.

***"I see some of students had already interviewed and finished medical checking but they do not know yet when will resettle in third countries. Some students have thought and are interested to resettle so they are not interesting to study anymore in the current situation. They are just waiting for the date to go in third countries."***<sup>298</sup>

Some of students have already interviewed and medical checking but they do not know when they will go. One of the students who are waiting for to go said the following quote:

***"I had already interviewed and finished to medical checking but I do not know exactly when will go. I am so embarrassed and excited. In my thought I only know have to resettle in third country."***<sup>299</sup>

- Karenni Youth

## **Health Impact**

Resettlement also presents other dilemmas, such as the short and intermediate impacts on the remaining camp populations. The impact of the departure of disproportionate numbers of the most educated skilled and experienced staff from camp services, programs and leadership. All stakeholders report concerns about the loss of these skilled staff, especially from the key sectors of health. Half of the medics are scheduled to depart for resettlement, presenting short-term problems for health programs struggling to keep up with training of replacements as well as longer-term concerns about finding sufficient staff from an already limited pool of the educated and skilled camp population.<sup>300</sup>

***"Health services workers are interest to apply because they will likely be chosen. Some other services are less interest to work. Those with good experience for work really want to go. I am concerned that if we have one kind of disease come in our community, we do not have enough experienced medics to deal with the situation."***<sup>301</sup>

- Health Worker

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<sup>298</sup> Interview 17, teacher, Camp 2.

<sup>299</sup> Interview 19, youth in Camp 2 with access to resettlement.

<sup>300</sup> 'In the shadows of the Thai Burma Border: East Asia's Foremost Refugee Crisis'.

<sup>301</sup> Interview 14.

Some of medics and experience service providers have already resettled. The proportion of educated workers in the camps is so small that this is expected to have a major impact on camp management, community services and assistance projects supported by NGOs. International and local NGOs working in the camps have found it difficult to replace staff, especially medics and nurses.

***"Before the UN resettlement program in our health department we had policy, if a medic have finished the medical training, should work in community five years. But now we can not control them any more. We change the policy if finished training, have to work two years. We try to explain them to understand our current situation. We request them to do the best until they left."***<sup>302</sup>

- Health Care Coordinator

Some community-based organizations (CBOs) in the camp maintain that resettling countries have initiated little dialogue with them, which has created misgivings about the resettlement process. Also our leaders in the camp do not have decision making for this process and can not forbid who want to resettle.

## **Interference by Thai Government**

Despite the good intentions of the resettlement program, the Thai authority delays and interferes with those who want to resettle in third countries. The authorities refused to let Kayah (long neck) to resettle in third countries. Because the long necks are very popular among tourist and have not lived in the largely sealed off refugee camps, a fact the Thai authorities are now using to suggest they are economic refugees rather than political ones. Some of lady took off their coils in anger. Some people want to resettle including their ring. They don't want to take off that is their culture. Long Neck (Kayah) women who take off coils said the following:

***"When I stay here in the village, they make money from tourists, and I don't like that. I don't want to earn money from other people. I want to get my own education, work by myself and own by myself. I take off my rings so they will let me go to third country."***<sup>303</sup>

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<sup>302</sup> Ibid.

<sup>303</sup> Thailand 'Long Neck' women (Advertisement, 12 January 2008).

The Thai government interferes with people confirmed for resettlement by the UNHCR as well. Some of families have been approved but the Thai authorities do not permit them.

***May 29, 2008 is the last day of my visa to arrive. Some of my friend have already left. We remain four families including my family. I have to leave on December 2007 or January 2008 because of that reason, but I have not left. I have to resettle in Australia. I started to apply the UN resettlement program in 2006. I have to wait over two years to resettle until now.***"<sup>304</sup>

- Family Accepted for Resettlement

Why the Thai authority not allow some people to resettle because of technical registration matters. Some people have registered with the UN as living in camp 2 but they have been living in camp 1#. So they denied them resettlement.

***"I got the news and accept the letter from the UNHCR and MOI (Ministry of the Interior). On May 15, 2007 is the date to go. But the Thai authority did not sign for me. I felt so upset and got depressed. They informed me that I am registered in camp #2. Because of that they do not allow my family to go. And than I request back to stay in camp 2 and the UN said they will try for me. But I have waited one year with no information. When knew the date I have to go, I sold all my properties and gave other. What should I do? Everything is gone. No home.***"<sup>305</sup>

Another reason is the case happened on December 16, 2007 the Thai authorities and local people in camp 1 had conflict each other. One of Karenni students was killed by the Thai authorities. Some students became angry and destroyed the Thai authority camp. The Thai authorities want to know who participated and lead the problems. They do not allow the people to resettle and to go outside the camp. Some people scheduled for resettlement must now wait. The UNHCR is not independent of the Thai Authority, requiring permission to do anything.

In fact, most countries still want to keep their doors open to Karenni refugees, but the Thai authorities are increasingly limiting the opportunities for the Karenni. The Thai authorities should allow for resettlement.

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<sup>304</sup> Interview 2, a family who has access to resettlement.

<sup>305</sup> Interview 9, a family who has access to resettlement.



***"The Thai authority should not forbid us to resettle. They do not want refugee to stay their country any more so should give refugee chance to resettle in other countries. Thai authority should have humanitarian."***<sup>306</sup>

Some people who love their country they do not want to resettle in other countries and do not want to stay in Thailand the whole life. But they can not go back in Burma because the political situation is unstable. So they do not know exactly what should do and what will happen for them in the future. The leadership is gone and the hope for Karenni repatriation is dispersing.

***"Because of the UN resettlement program, we can not promote repatriation as a goal. Because we got short time to lobby the public and cannot forbid the people who want to resettle. We face problems to go back in Burma and not easy to continue stay in Thailand."***<sup>307</sup>

## **Responsibility for Refugees**

### **SPDC**

The human rights abuses by the SPDC are the main cause of refugees fleeing Burma. The SPDC do not protect, promote or fulfill the human rights of the ethnic group. The SPDC forces people to relocate. The result is a refugee flow to other countries. The failure of the SPDC causes the problems that Thailand and the international community must now deal with. Amnesty International notes:

***"The rights of refugees and basic human rights are inextricably linked. Today's human rights abuses are tomorrow's refugee movements."***<sup>308</sup>

### **Thai Government Obligations**

Thailand has not ratified the 1951 Refugee convention and does not recognize the status of refugees. As a result, asylum seekers are not distinguished from other immigrants, legal or illegal. The Thai government asserts that it applies humanitarian conditions and observes the 1951 Convention in practice. Thailand is a state party to the International Covenant on Civil and Political Rights, and to its First, but not Second, Optional Protocol.<sup>309</sup>

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<sup>306</sup> Interview 4, a youth who wants to go.

<sup>307</sup> Interview 15, KNPP leader.

<sup>308</sup> Amnesty International Publications ( United Kingdom).

<sup>309</sup> [www.reliefweb.int/rw/RWB.NSF/db900SID/EKOI\\_75D873?Open Document](http://www.reliefweb.int/rw/RWB.NSF/db900SID/EKOI_75D873?Open Document)

**ICCPR article 12 (1) everyone lawfully within the territory of a state shall, within that territory, have the rights to liberty of movement and freedom to choose his residence:** Everyone staying in Thailand has the right to freedom of movement and to choose residence including Burmese refugees on the Thai-Burma border. No need to forbid refugees wanting to go and resettle in third countries.



Thai authority gate outside Karenni refugee camp 1.

**UDHR article 13 (1) everyone has the right to freedom of movement and residence within the borders of each state:** Under the UDHR article 13 (1) explain and show Thailand is also member of the UHDR and have to follow what they done and should assist everyone who stay in Thailand. Therefore, the Thai authority has an obligation for everyone who stays in Thailand. They have to give everyone right to freedom of movement. But freedom of movement outside the camp is limited for the refugees.

**UDHR article 15 (1) everyone has the right to a nationality:** Everyone who stays in Thailand should have right to a nationality. The Thai government should freely allow for Burmese refugee people to resettle in third countries. The Thai government also has obligation to protect people who stay in Thailand

**The UNHCR obligations:** The UN set up a body that would, as much as possible, operate independently. The office of the United Nations High Commissioner for Refugees (UNHCR) started work on January 1, 1951, and was given a mandate to operate for three years. It was to work independently but with all the authority. This would enable it to work with governments to ensure fair treatment and international protection for all refugees.<sup>310</sup>

The UNHCR must take steps to insure that detained Burmese refugees who identify themselves to the agency have access to international protection and will never be forcibly returned. UNHCR should make more frequent visits to the border to directly assess conditions there. Local NGOs also have responsibility for refugee and have to participate with the UNHCR and creation of workable framework and practices to enhance refugees' protection.

<sup>310</sup> United Nations High Commissioner For Refugees (Jean Trier).

## Conclusion

Refugee camps are not natural places to live in. Refugee camps do not have the freedom to study, work, and travel. Refugees have lost everything in their homelands and carry with them sad and painful memories. Camp life is tedious and the standard of living in this camp is very basic indeed. And yet, for more than twenty years refugees from Burma have managed to live with hope along Thai-Burma border. In reality the situation in the camp is very restricted and is not a normal life. Without charity the refugee camps are unsustainable. The refugee camps are in remote border areas where there are many armed elements. The refugees are vulnerable and abuses inevitably occur. Over the years the refugees have faced many emergencies including armed attacks on refugee camps and natural disasters such as flooding.

What will happen if Karenni people continue living in the camp without any change? Most people in the camp are illiterate and cannot do anything for themselves and always need someone's help. The youth's development in the camp is stunted through a lack of contact with the outside world. They are unaware of the daily political, economic, and social situations unfolding around them. Without change, generation after generation will be unlikely to realize its potential.

The best option is repatriation to their land in Burma. But for the Burmese refugees in Thailand, repatriation is not viable due to insecurity and violence continuing in Burma. Thailand remains unwilling to facilitate local integration in the form of legal status and residency rights. UNHCR resettlement can play a positive role in opening up possibilities to improve local conditions for the remaining refugees, such as areas of livelihood and education. The UN resettlement program is a progressive step by the UNHCR to address the entrenched refugee situation in Thailand. But there are still serious concerns for those people who remain in the camp. The camp situation is unstable. People are less and less interested to work in their community and communal unity is eroding.

According to the Bangkok Post the UN refugee agency (UNHCR) has recognized an improvement in Thailand's refugee policy, the U.S Committee for Refugee and Immigrants (USCRI) viewed that refugee rights were still not well-protected here. The UNHCR, however, shared NGO concerns that no major progress has been made in development of self-reliance, and access to the labor market and opportunities for higher education, which are still limited.<sup>311</sup> Permanent camps are not an acceptable option.

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<sup>311</sup> Bangkok Post ('Thailand ranked as one of worst places'), 20 June 2008.

## **Recommendations**

### **SPDC**

- Burma authorities must end the abuses which have forced the refugees to flee to Thailand.
- Stop the civil war and take the reconciliation with the ethnic groups.

### **Thai Government**

- Grant the refugee increased freedom of movement, more job opportunities outside the camps.
- Allow UNHCR, international and local NGOs to inform and update refugees on the resettlement process.
- Ensure that all Burma refugees wishing to apply for asylum have the practical means to do so and are not barred from making such application by Thai local authorities.

### **UNHCR**

- Ensure the resettlement process of Karenni refugees is transparent
- Ensure that impacts on the local community are taken into consideration.
- Encourage the Thai government to allow increased freedom of movement for Burma refugee in Thailand.
- Enhance UNHCR's protection capacity in the refugee camps in order to help ensure that refugees in the camp receive adequate protection and assistance, and access to UNHCR.

### **Karenni leaders and Karenni people**

- Coordinate with UNHCR to make the program a better process.
- Advocate so the public understands process and have critical thinking about it.

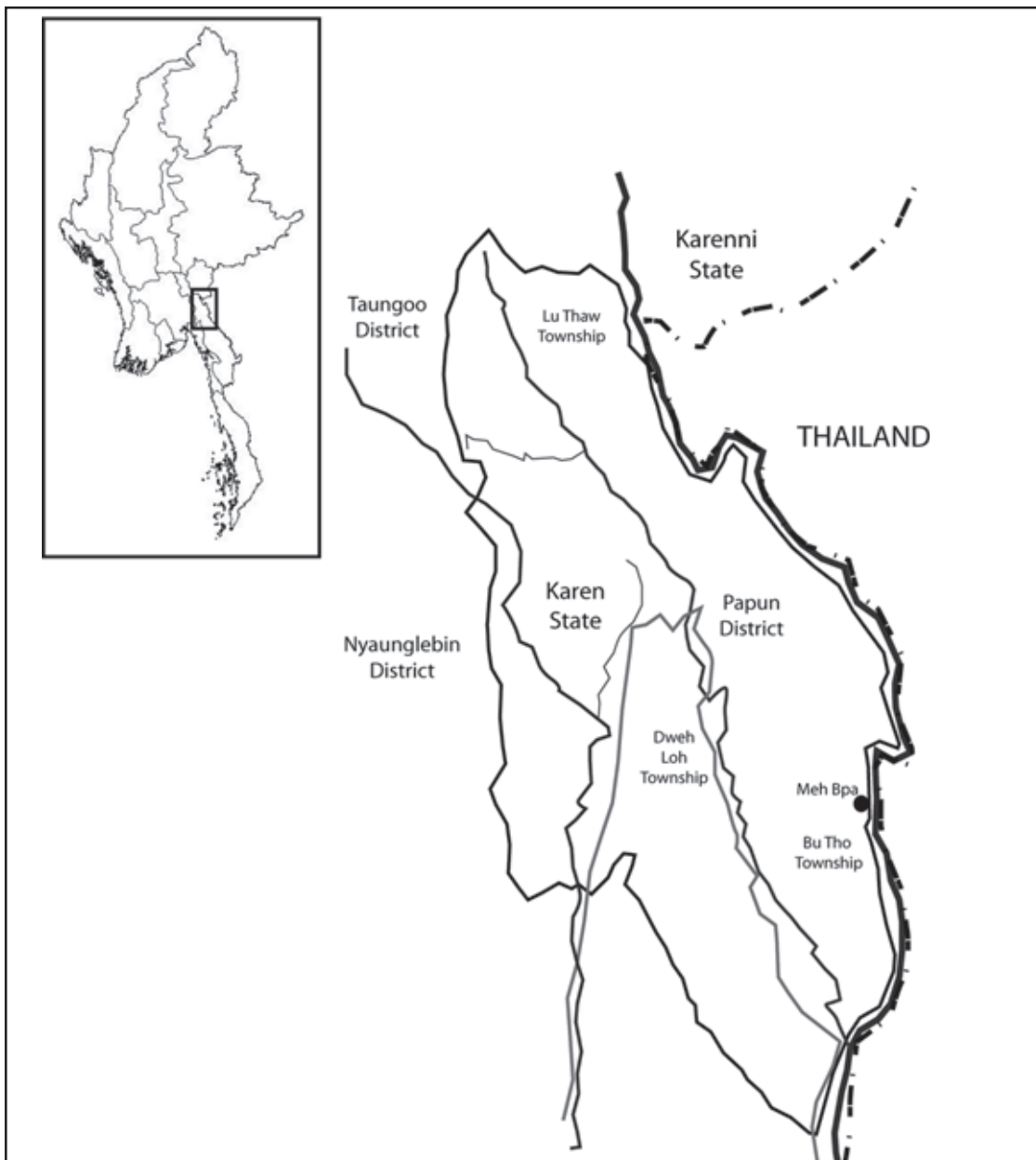
### **Karenni people already resettled to third counties**

- Encourage people who remain in the camps.
- Express the Karenni situation to other countries.
- Maintain national responsibility wherever you stay and go.

# **‘Hungry for Education’: Villagers Living in Ceasefire Controlled Areas Struggle To Educate Their Children in Boo Tho Township, Papun District**

By Day Day

**Map of Meh Bpa Area, Bu Tho Township, in Papun District**





## Introduction

Historically, people living in rural areas of Burma place little value on formal education. Most people believe that with or without formal education, people can live and are able to eat. Access to education in Burma is often impossible for those people who live in the rural and mountainous areas. Given the political situation, ethnic conflict and that the country has been ruled by a military dictatorship for almost half of the century, very little attention has been paid to education. A major portion of the revenue villagers in the Meh Bpa area get is given to the military for their expenses and only a small percentage is available to use for education. It is common in Burma for schools to be found in big towns or cities. In the remote areas of the country, however, the schools are very small and unstable. These schools are only able to survive because the community works hard to establish and maintain them.

## Summary

This report explains the struggle for education in the Meh Bpa area of Butho Township, Papun District. People struggle for education even in this conflict area because they feel that without education it is even more difficult to earn a living. In this report, the education situation in Meh Bpa will be explained in five parts.

The first part of the report provides the background of Meh Bpa and describes its location, natural resources and the people. In part two, the civil war between the DKBA and KNU in the Meh Bpa area is described. The third part describes how conflict affects education and includes forced relocation, security and poverty. In the fourth part, the effects of lack of education on families, health and occupation are looked at. The final part looks at how people try to struggle for an education even though they have hardships. It includes the reasons for their struggle for an education and the way the Karen Teacher Working Group (KTWG) supports the schools with stationery and teachers' salaries.

## Methodology

The research focuses on how villagers currently try to struggle and plan for the education of their children. Information was collected on the internet before field work was done. Field work was done in the Meh Bpa area of Butho Township, Papun District. Three villages in the area were visited. Village heads and villagers were interviewed about the school, the occupational background of the villagers and relocations that happened because of the conflict between the KNU and the

DKBA. One of the activists from Meh Bpa village was also interviewed about the past political situation and the current situation concerning the education policy and the plans for a primary school. The secretary of the KTWG was also interviewed about the group's activities, policy, purpose and plans for the future, especially about the Meh Bpa area. Information was also obtained from the staff of the Karen Organization for Relief and Development (KORD). An activist from Papun District also helped with a lot of information about the situation in the district including the political link to dams along the Salween River and information on villagers' occupations and forced relocation.

## Background of Education in Burma

According to Universal Declaration of Human Rights in article 25(1), *"Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit."*

Section 20 of the 1993 Law of the Child says, *"Every child shall have the right to free basic primary education in state and that the Ministry of Education shall implement a system of free and compulsory primary education... The Ministry of Education shall implement arrangements for children, who are unable for various reasons, to attend schools opened by the state."* Burma signed the Convention on the Rights of the Child (CRC) in August 1991.

In reality there is no free education and the SPDC extorts money and building supplies for the schools from the local community. In some communities the schools are founded by Buddhist monasteries, other religious groups or privately funded by villagers.<sup>312</sup>

In rural or conflict areas, villagers themselves have to build the schools and hire teachers at their own expense. In some rural areas there is only one primary school for five villages. In some conflict or border areas there is no school and the only choice for the poor is the monastery schools which only give a primary education. Even where there are schools, there are not enough teachers or stationery. The students have to use slates and chalk, but this is also not enough for their studies.<sup>313</sup>

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<sup>312</sup> [http://burmalibrary.org/docs4/HRDU2006\\_CD/education.html](http://burmalibrary.org/docs4/HRDU2006_CD/education.html)

<sup>313</sup> [http://www.bnionline.net/index.php?option=com\\_content&task=view&id=1606&Itemid=8](http://www.bnionline.net/index.php?option=com_content&task=view&id=1606&Itemid=8)

Some areas under the control of the KNU are supported by the KNU Education Department.

When the students finish primary school, it is often impossible to continue to secondary school because they need to help to provide for their families. In some placed under the control of the SPDC, students in secondary school have to face forced labor and other abuses.<sup>314</sup>

According to Article 27 of the International Covenant on Civil and Political Rights, *“In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.”*

Burma did not sign this article and there is no right or respect for teaching minority languages. It is discouraged and in many cases forcibly prevented. Even in areas where there is a Karen community and all the Karen are under the control of the SPDC of a ceasefire group, they are limited in their ability to study the Karen language and all the lessons must be conducted in Burmese.<sup>315</sup> However, in some places under the control of the KNU or DKBA they can study the Karen language but only on weekends and in summer classes. In DKBA areas they study Karen in some schools and in KNU schools they always study Karen.

## **Background of Meh Bpa Area**

Papun District is called Mu Traw in Karen. It shares a border with Karenni State in the north, to the west with Pegu Division and Mon State and in the east with Thailand’s Mae Hong Son province. The KNU administration divides the district into three townships; Luthaw, Dwehlo and Butho in accordance with the three mountains ranges running through Papun District from north to south. The Butho range forms the major part of the western bank of the Salween River on the Karen State border.<sup>316</sup> The Meh Bpa area is in Butho Township, Papun District. It is also near the Hat Gyi upper dam project site on the Salween River. This township is situated along the Thai- Burma border where the Salween River flows and to the

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<sup>314</sup> [http://burmalibrary.org/docs4/HRDU2006\\_CD/education.html](http://burmalibrary.org/docs4/HRDU2006_CD/education.html)

<sup>315</sup> [http://burmalibrary.org/docs4/HRDU2006\\_CD/education.html](http://burmalibrary.org/docs4/HRDU2006_CD/education.html)

<sup>316</sup> ‘Damming at Gunpoint’, Karen Rivers Watch, November 2004, page 30.

south is Pa'an Township.<sup>317</sup> To the SPDC, Meh Bpa is located in Papun Township of Karen State.

Most of the people of Meh Bpa are Sgaw Karen and they all are Buddhist. Most of them are farmers who use shifting cultivation, and mostly grow food for their own consumption.<sup>318</sup> Before the Burmese government introduced the Four Cuts policy in 1979 in Papun District the people who lived there farmed peacefully and with security. Their hearts were in the land they had inherited from their parents and grandparents. The land was good for cultivation and there was good weather and clean water. The Four Cuts are aimed at cutting off support for the insurgents by depriving them of supplies, funding, intelligence and recruits.

However, after the time of 1979, Burma soldiers came and spread their camps through out the Papun district because Burma military introduce their four cut is policy and became fighting with KNU to control and occupy this district. In addition, after the fall of Manerplaw in 1995 the conflict between DKBA and KNU started and the villagers had to face fear and hardships in their lives until now.<sup>319</sup>

## **Conflict in the Meh Bpa Area**

In May 1989, the Burmese military regime formed the Development of Border Areas and National Races Committee (DBANR), and it began carrying out its Border Area Development (BAD) program. Their purpose is to sell natural resources to neighboring countries. This program also focuses on large infrastructure projects in ethnic areas. Most of the budget is for roads and bridges and little is directed to health and education. These projects have only been agreed with the ceasefire groups and not with the KNU.<sup>320</sup>

During 1994, a Buddhist monk, U Thuzana, separated from the KNU and formed the Democratic Karen Buddhist Army (DKBA). This resulted in the fall of Manerplaw in 1995. Afterward, most of the villagers in Meh Bpa were relocated to the DKBA headquarters at Myaing Gyi Ngu town, near Ka Ma Maung.

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<sup>317</sup> <http://209.85.175.104/search?q=cache:1H5QWYS5xSQJ:www.freewebs.com/krw+reports>

<sup>318</sup> Interviews 1 11.

<sup>319</sup> The plight of Internally Displaced Karen in the Mu Traw District of Burma', Karen IDPs Report, Committee for Internally Displaced Karen People, Friedrich Naumann Foundation, December 2000, page 3. [http://burmalibrary.org/docs3/CIDKP\\_Mutraw2000.ocr.pdf](http://burmalibrary.org/docs3/CIDKP_Mutraw2000.ocr.pdf)

<sup>320</sup> 'Damming at Gunpoint', page 21.

The SPDC and the DKBA are very interested in logging in the Meh Bpa area. Logging has been done in the area since the British colonial time. Logs were floated downstream on the Salween River. In 1983 the KNU began to sell logging concessions to Thai companies on the Salween River bank. The KNU was able to earn money from them. The SPDC wanted to occupy and control this area to control the logging.

Another reason why the SPDC wants to control the area is for the construction of hydropower dams on the Salween River. From 1992 onwards, the SPDC started to spread their military camp in a step by step campaign to control the Papun area near the Salween River. This is also the reason why the military created the civil war between the DKBA and the KNU.

## **Impacts of Conflict on Education**

All of the villages in Butho Township were relocated during 1996 due to the conflict between the DKBA and KNU. Villages under the control of the DKBA had to relocate to Myaing Gyi Ngu. Later, after DKBA had more control, most of the villagers in the Meh Bpa area were allowed to go back to their own villages. Some, however, were not allowed to go back.

In Meh Bpa area there was a monastery school in Meh Ker Kyaw village until 10<sup>th</sup> standard and a primary school in Ger Kee Htu village. After the civil war started, there were no more schools. The school in Ger Kee Htu village was destroyed. This was because most of the villagers were forced to relocate. There was no support for them after they came back to their villages. They had to start their farms and there were no animals or material to build their fields. They were unable to think about a school, they could only think about how to survive from day to day.

In 2005-07, the DKBA came and built a primary school for the villagers which had a few teachers for the many children in the Meh Bpa area. However, they really only wanted to do logging. After they began logging they were no longer interested in sustainably running the school.

## **Lack of Education**

Without education, parents cannot manage the health of their families. They cannot guarantee nutritious food, discipline their children in the right way and do not have any thought on how to create a healthy environment. Their economic



situation also cannot improve because their fields are not worked well. They also have no knowledge about politics and must live as their leaders dictate.

## Impacts on Families

Most of the teenagers are getting married early without any preparation and have many children

Most of the children they cannot go to school, so they spend their time helping their parents in the fields or taking care of younger brothers or sisters. They do not get much parental care.

Children need to have nutritious food for good health from their parents. However, they cannot get it because their parents are uneducated about health and which foods are nutritious for their families. They do not know how to wash the food, prepare it properly and do not cover it to protect it from flies.

Most of the villagers have boils and skin diseases because of unclean and inadequate water. In addition, they do not have toilets. Many of the children get cholera and the old people get diarrhea. Many people also get malaria because they do not use mosquito nets.

Parents who are educated can support their children and help with lessons and homework. Uneducated parents cannot help even though their children try hard in their studies. One old woman had only a 3<sup>rd</sup> standard education, so she could

check her daughter's 2<sup>nd</sup> standard homework and do it together with her daughter. She can read and write Karen, Burmese, English a little and could help in mathematics a bit. However, she had forgotten many things and some of the lessons had changed so it was difficult for her to help her daughter. She wanted her daughter to continue studying, but she did not know what to do.



*Young lady with her baby. Another child has to take care of her younger brother instead of her parents.  
(Photo by Day Day).*

## Economy & Politics

There are many natural resources in the Meh Bpa are the people could use to improve their lives. Due to a lack of education, however, they do not know what to do for economic growth and most of what they produce is used for domestic consumption.



*Mountain cultivation field near the Salween River. (Photo by Day Day).*

They have a rich land to grow foods on. They can get 60 baskets (one basket 46lbs). In reality, they get only 40 or 50 baskets from their fields. Their yield is lower because there is not training or people to advise or guide them on how to work their fields.

## Continued Struggle

There has not been a school since the British colonial times. The people did not have a strong interest in education or knowledge of why education is important. They believed that they could live and have enough to eat even without education. When the school was built in Meh Bpa from 2005-07, they started to become more broadminded about education and encourage their children to attend the school. Unfortunately, this school only ran for two years because there was no teacher and it did not receive any support from the DKBA leaders. The DKBA also did not allow them to get help from any other organization. They now have to build up the school themselves and make their own plans for education.

## School Plans

A meeting was held between three village heads, an activist and a leader from the KNU in Bu Tho township to organize the school. They decided to try to make a connection with the Karen Teacher Working Group (KTWG) to support the school.



*School at Meh Bpa. (Photo by Day Day).*

They all agreed that although the village was under the control of the DKBA, it was under the control of the KNU in regards to education.<sup>321</sup>

They decided that if there was a primary school in their village the children could attend secondary school in Meh La Oo refugee camp after they finished their studies. They felt that the education under the KNU was better than under the DKBA or SPDC because of the

lack of teachers, salaries and school fees.<sup>322</sup> The DKBA leaders have decided to allow them to accept the help of outside organizations like the KTWG.

## **Karen Teacher Working Group**

The KTWG works together with the Karen Education Department (KED). The organization was founded in 1997 and their objectives are: (1) Karen schools should always be organized and supported at the community level under the guidance of the Karen Education Department. (2) Poverty caused by war has made it impossible for communities to provide for teachers and students. They supported all seven KNU districts of Karen State under KNU control. Their goal is to help teachers meet their basic living needs, allowing them to remain in their positions as teachers. They will support Meh Bpa village for stationary and a teacher's salary. However they could not find a teacher because that area is under DKBA control and they are worried about the teacher's security.<sup>323</sup>

## **Conclusion**

In Burma, education is still limited in access not only in the Meh Bpa area of Papun district but in all the rural areas. Only people who live in towns or cities and have parents who have some money can get a good education. Since the time of General Ne Win in 1962 till now, education in Burma has become worse. Since the SPDC came to power they have only focused on primary education.

<sup>321</sup> Interviews 5 and 10 12.

<sup>322</sup> Interviews 1,5, and 10 11.

<sup>323</sup> Interview 13, Secretary of KTWG.

Students have no rights to give their suggestion, opinions, or to choose interesting subjects and have to read difficult books and do not understand the meaning of their lessons especially for the ethnic people because most of the subjects are in Burmese.

Most of the people in conflict areas have limited access to education. Some of the villages have to depend on monasteries and in some areas there are five villages with only one primary school with a few teachers and not enough stationery. Even most of the rural people have a difficult struggle with education. They continue to find ways to get education because they believe that without it their lives will be more and more difficult.

It is the time for the opposition groups and NGO's to think about this and try to help the people who hunger for education. All of our ethnic leaders need to promote our people to become educated and to maintain their traditions and culture.

## **Recommendations**

### **To the State Peace and Development Council**

- Respect and follow International Human Rights law (UDHR) and the Convention on the Rights of the Child (CRC).
- Maintain free education in all places with unbiased educational programmers all over Burma and reopen all universities unconditionally.
- Allow NGO activities in education in education in every place.

### **To the international community**

- Pressure the SPDC to respect and follow the UDHR and CRC law.

### **To the International or Local NGO's**

- Give more support for education in Burma not just only inside urban areas but also to the rural people and also including in conflict areas.
- Do not only support training for teachers but also include enough stationary and enough teachers' salary.
- Make follow up visits to all the project areas and evaluate the weaknesses of the projects.

# Negative Impacts of Jade Mining on Women in Hpakant, Kachin State

By Cindy

## Map of Kachin State





## Introduction

Jade mining in the Hpakant district of the Kachin State has had negative impacts on women's rights. The profits from the jade mining are not used for local development and are instead taken by private companies who work with the State Peace and development Council (SPDC). Women's issues are not considered important and are put second behind economic growth and private profits.

As a result of jade mining's development, women have suffered social problems and human rights abuses. As a result of mining activities, the local community has suffered loss of livelihoods and land. They depended on hunting and farming. Many of their husbands are not miners so they do not work in the mines and benefit from their development. Consequently, women have had to earn an income for the family.

Most women are trying hard to work everyday. Despite their domestic work and family responsibilities, they feel disempowered. Most men insist that women can't do anything and are dependent on their husband. They don't want their wives to earn an income and the wives generally agree. The jade mine operations are forcing women to go against their traditional roles. This has caused relationship problems as women feel powerless against their husbands.

Burma has signed the UN convention on the political rights of Women (1952)<sup>324</sup> and in 1997<sup>325</sup>, Burma ratified the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) but the SPDC has failed to implement policy according to their international obligations. They don't provide support or promote the rights of women, including health, education and employment, around the jade mining area in the Hpakant district in the Kachin State.

This report is based on research conducted in Hpakant in Kachin State as well as books and documents. Interviews were conducted with local people including women; jade mine workers, youth, church leaders, businessmen. The report proceeds as follows: In part I land confiscation and the loss of livelihoods in Hpakant are examined. The SPDC and the mining companies have confiscated local people's lands, farm, field and villages forcing relocation of some communities. People

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<sup>324</sup> 'Burma and the Role of Women', Alternative ASEAN Network on Burma (ALTSEAN BURMA), September 1997, page 1.

<sup>325</sup> 'Gathering Strength (Women from Burma on their Rights)', Brenda Belak, January 2002, Images Asia, page 11.

have not received adequate compensation from either the companies or the SPDC. The close cooperation of the mining companies with the SPDC has ensured that they have many privileges and operate above the rule of law. In part II the report examines the negative affects of these operations on women's human rights. This includes the violation of health rights in dealing with HIV+AIDS, narcotics and prostitution. This is a major problem for women in Hpakant where - due to the jade mining operations - drugs, prostitution and HIV+AIDS are prevalent.

## **Background Information**

World famous jade is extracted from the Hpakant region of the Kachin State in Northern Burma. The Hpakant is 60 miles from Myitkyina city the capital of Kachin State. Hpakant is very peaceful with many forests, mountains, farms, and rich natural resources. Most of people are ethnic Kachin. They lead simple lives as hunters or farmers before the arrival of large scale jade mining operations.

Local people mined jade by hand until 1989. They did not use machines, only traditional crowbar-like iron posts, iron hooks, and spades, etc. But in February 1994, the Kachin Independence Army (KIA) entered into a ceasefire with the State Peace and Development Council (SPDC). This began a cycle of human and environmental abuse. The SPDC built the infrastructure for jade mining development. Their development projects are not for the benefit of local people. Instead, it benefits the military and government leaders. During Hpet Sat period between 1994 and 1999, local and Chinese investments mined with small machines. After 2000 the big companies arrived with large scale mining agendas. The Chinese investment cooperates with the SPDC to increase exploitation of local resources. Local people have lost their livelihoods.

## **Land Confiscation & Loss of Livelihood**

Women's participation in decision is important in any development project. "Seeking to ensure their access may raise such issues as title to land, and credit and banking facilities, as well as the provision of information and advice about new technology and technical training. In projects not dealing directly with women, it may be important to avoid any aggravation of their situation in this respect."<sup>326</sup> Women do not participate in jade mining projects in Hpakant. The SPDC did not consult women during the decision making process. The purpose of development is to consolidate economic and political power, not local human development.

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<sup>326</sup> 'Women and Human Rights' (1993) Katarina Tomasevski, Zed Books Ltd.



Myanmar (Burma) Ministry of Minerals and mining companies cooperate in operating Lung Khan jade mining sites. (Photo by Cindy).

The problem of land confiscation started in 1994 when Chinese companies and local investors arrived in the Hpakant area. Land confiscation increased after 2000. The local people had to relocate their villages and houses for the jade mining operations. The jade mining companies who cooperate with SPDC are confiscating the land without justification or compensation. Women and children are disproportionately affected by land confiscation. They find it difficult

to live in strange places and impossible to get new jobs. Women are having difficulty to survive due to the negative impact of jade mining.

One of women said, ***“My house was moved to other place on July 2006 because of jade mining. I’m not happy now; the weather is so hot and all of trees and mountains are gone. I have no job and I’m doing domestic work every day. My husband’s income is unstable. He is not a miner and does not work at the mine.”***<sup>327</sup>

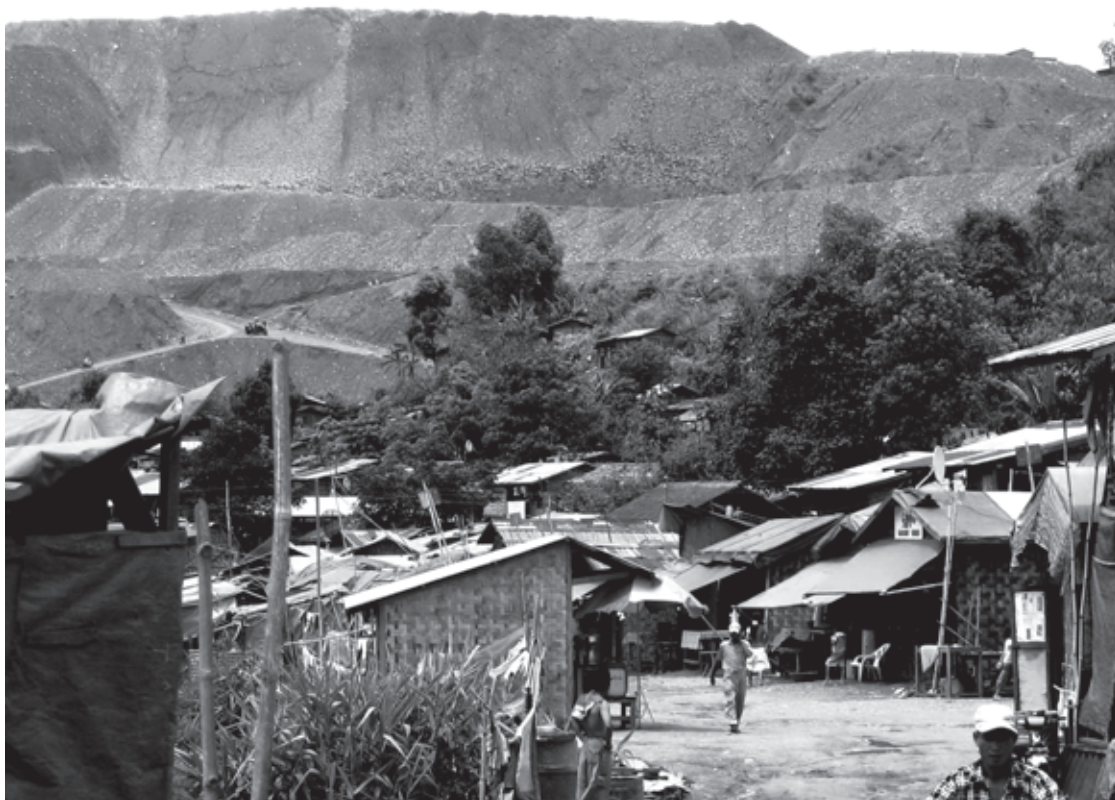
The SPDC is violating the land rights of people in the region. The Universal Declaration of Human Rights states in Article 17 that: “(1) everyone has the right to own property alone as well as in association with others. (2) No one shall be arbitrarily deprived of his property.”<sup>328</sup> Likewise, the International Covenant on Economic Social and Cultural Rights (ICESCR): Article 11 explains that, “Everyone has the right to an adequate standard of living for himself and his family, including adequate food, clothing and housing. Everyone has the right to be free from hunger”<sup>329</sup>.

International law experts Trimble and Carter explain that, “The Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures,

<sup>327</sup> Interview 12.

<sup>328</sup> Universal Declaration of Human Rights, Article 17, [www.udhr.org/UDHR/default.htm](http://www.udhr.org/UDHR/default.htm)

<sup>329</sup> International Covenant on Economic, Social and Cultural Rights ( ICESCR).



Jade mining area. (Photo by Cindy).

national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.”<sup>330</sup> The UDHR applies to all 193 members of the United Nations, including Burma. Burma should respect, promote and protect the rights contained in the Universal Declaration of Human Rights and also The International Covenant on Economic Social and Cultural Rights (ICESCR).

Burma has signed and ratified the Convention on the elimination of discrimination against women (CEDAW). Countries that have ratified or acceded to the Convention are legally bound to put its provisions into practice. They are also committed to submit national reports, at least every four years, on measures they have taken to comply with their treaty obligations. By accepting the Convention, States commit themselves to undertake a series of measures to end discrimination against women in all forms, including:

<sup>330</sup> Universal Declaration of Human rights, 10 December 1948, UNGA Res. 217 (III), 1948.

to incorporate the principle of equality of men and women in their legal system, abolish all discriminatory laws and adopt appropriate ones prohibiting discrimination against women;  
to establish tribunals and other public institutions to ensure the effective protection of women against discrimination; and  
to ensure elimination of all acts of discrimination against women by persons, organizations or enterprises.

Article 3 of CEDAW states that, “States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.”

Nevertheless, the evidence presented in this report points to the fact that the SPDC don’t follow their obligations under CEDAW and they are violating human rights in general.

Local people have lost their lands, farms and houses because of the cooperation between the companies and the SPDC. The men are working finding jade in the tailings from the mining sites. This is unreliable and dangerous work. Sometime they can’t locate the jade and therefore receive no income which, means they can’t eat. This causes a variety of local problems. Previously, women lived in harmony with the forest and lived a sustainable and subsistence existence. By contrast, women now find it difficult to live this way. They can no longer find firewood, water and other food from the forest because of jade mining activities. To make matters worse, the jade mine companies don’t accept women as employees. There is no plan for women’s employment or skills training in the region. The SPDC has failed its responsibility and is violating women’s human rights.

Women’s husbands can no longer support their family and therefore women must take on additional responsibility. Before the extensive jade mining began, women were able to cultivate their fields. One local women said, “I grew enough vegetables and fruit on my farm for our family and neighbors before. But now I can’t farm because the SPDC confiscated our land. My husband is not a miner so I haven’t any income. I have been facing a problem to support my children’s education.”<sup>331</sup>

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<sup>331</sup> Interview 19.





*Women carry pig feed from the forest. (Photo by Cindy).*

The loss of livelihoods has negative impacts on young women especially as they can no longer concentrate on their education. One eighteen year old women explained: “Now I can’t study because my father died my mother is sick. I must do all our housework and work as a house keeper for others to earn 30,000 per month. I am so tired.”<sup>332</sup> She has no chance for education. She is cooking washing, cleaning, in other houses in Hpakant for her livelihood.

There is also discrimination against women. Their culture does not accept that they must work to provide a livelihood. One of the local women explained that she must do domestic work everyday. Her friends insist women should not be working and question her.<sup>333</sup> Moreover, the jade mining companies discriminate against women and think women can’t do anything. The SPDC has not taken responsibility to protect women’s rights. As a result, instead of helping develop the Hpakant area and ensure better lives for women there, livelihoods have been lost while the profits from jade mining increase. The SPDC are getting reaping the proceeds of economic growth and increasing control while local people’s human rights are violated.

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<sup>332</sup> Interview 22.

<sup>333</sup> Interview 7.



*Women going to a stream to wash clothes and men going to the mine area to find jade. (Photo by Cindy).*

## Impacts on Women

Local women have taken up many positions in the local economy. They work in local commerce, as domestic workers, maids cooks, prostitutes, drugs dealers etc. Their lack of education and skills makes it difficult to get better jobs to support their family. This tiring and stressful lifestyle has impacted local women's health. Some of prostitutes explained, "We don't want to do this job but we haven't chance to do other jobs and this job is easy to get money."

The jade mining companies (A CHYO TU Companies) use many huge dangerous machines. Many people have died from landslides and dynamite explosions in Hpakant. There is a little safety equipment or training for the workers. Jade mining causes pollution in local air and rivers that affects pregnant women and children. They cannot get clean water for cooking, drinking and cleaning. In fact, they are facing water scarcity crises.<sup>334</sup>

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<sup>334</sup> Interviews 1 and 4.

## HIV+AIDS

“The HIV+AIDS epidemic is most intense in Burma’s northeast, which suffers the combined effects of HIV spread both by intravenous heroin use and sexual transmission.”<sup>335</sup> HIV+AIDS rates are the highest in Kachin State in Burma. Because Kachin State has rich nature resources the SPDC gives to permission for jade and gold mining. These attract workers from many places. The mining areas have many black markets like a drugs, trafficking and prostitution. Many get HIV+AIDS because they don’t know how to protect themselves. “Yeah, HIV+AIDS are very (prevalent), even in Myitkyina or Hpakant. We can’t do anything for those who are suffering from the AIDS: we just encourage and pray for them”<sup>336</sup> Most of towns have hospitals but they have very expensive and clinical also not enough for patient. Poor people didn’t cured because they don’t pay money for cure. The SPDC don’t care about HIV+AIDS patient and not aloud for them.

Many women are infected from their husband in Hpakant jade mine area in Kachin State. If ten in pregnant seven women have HIV +. This cause is very dangerous for Kachin community and generation. “My husband was jade business man and he supports many workers for dig jade. My husband has many time of sexual with prostitution and I also couldn’t refuse for sex. I didn’t think about HIV+AIDS will become in my body. My husband died in 2003 that HIV+AIDS at that time I already have HIV disease. I really want to die and depress for that. All of my relatives are didn’t want to friendship and afraid to me. I don’t want to alive but I have 6 children I have to do for support their education and livelihood. I haven’t any income some time my children and me are couldn’t eat food. We have to request my relatives for help food. I couldn’t support for my children education and all of things”<sup>337</sup> Another miner said he had a lot of sex with sex workers in the Hpakant and also three wives. Now he has HIV and has passed it on to his wives.<sup>338</sup> The SPDC has not taken responsibility for HIV+AIDS education or prevention.

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<sup>335</sup> ‘Burma: A Country in Crisis’ (1998) The Burma Project, a program of the Open Society Institute, page 23.

<sup>336</sup> [www.projectmaje.org/intg0301.htm](http://www.projectmaje.org/intg0301.htm)

<sup>337</sup> Interview 20.

<sup>338</sup> *Green Voices Of Youth*, spread of HIV from returning mine workers, husband to spouse, page 126.

## Drugs

The working conditions of jade mining push some to use drugs. They are finding jade during the night in order to survive. One man explained that: “My job is finding (Yemasay) the whole night. I use drugs to help me do work.”<sup>339</sup> One Pastor said: “Number 4 (heroin) narcotic, the white opium, that is popular in our place, they are using that one continuously. As far as I know, the military officers are the source of that opium, because they order people to do. I saw them in the Hpakant jade mining restricted area carrying opium in big trucks. They will just sit one of the officials at the head of their cars so no one can question it. As long as you are giving money, you can do whatever you like. There is no law in Burma. Only money what the Burmese military want they do. There is no law”<sup>340</sup>

The Hpakant area has a lot of drug users as drugs are easy to get. The authorities give to permits to sell it. Drugs sellers and authorities cooperate to distribute drugs for profit. Women have no other livelihood and turn to selling drugs and using drugs. Some of sex worker use drugs for their jobs because they have a lots of customers. The SPDC isn't preventing drug use, providing rehabilitation or education. They want to kill by drugs in Hpakant because this place is ethnic area. Complicity and corruption have resulted in declining living standards and abuses of human rights.

## Prostitution

Women become prostitutes because their families have income problems due to unfair development and jade mining activities. There is little chance for education so they do not have to chance to improve their life and their skills. Most of girls are doing prostitution they are under 25. Many do not want to do it but it is easy to get money that way. Some mothers even force their daughters into prostitution.

“In Burma if you give money to the police they will go away. So jade mine workers can do as they like as long as they are providing money, they can use prostitution or narcotics”<sup>341</sup>.

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<sup>339</sup> Interview 17.

<sup>340</sup> [www.projectmaje.org/intg0301.htm](http://www.projectmaje.org/intg0301.htm)

<sup>341</sup> [www.projectmaje.org/intg0301.htm](http://www.projectmaje.org/intg0301.htm)



The problem of prostitution is caused by the cooperation between the jade mining companies and SPDC. The combination of land confiscation, loss of livelihoods and a lack of education impacts negatively on women. These women are not employed by the companies and must earn an income which puts their health in danger. The SPDC has provided no other alternatives and has failed in its responsibilities.

## **Conclusion**

The women who live in Hpakant jade mining area are unhappy, poor, unemployed, uneducated and discriminated against in the community. The focus in the Hpakant' is exclusively on jade mining projects. In Hpakant all the land is used for jade mining and granted to Chinese companies that cooperate with the SPDC. This land has been confiscated causing the loss of local livelihoods. This, in turn, results in the social problems outlined in this report: prostitution, drugs and underemployment because women can't get good jobs in Hpakant jade mine area. Women are not included in the development process. They haven't enough knowledge and education skills and are discriminated against in the community. The end result is drug addiction and HIV AIDS.

The SPDC take responsibility for human development in the area. They should implement the CEDAW and UDHR. The evidence suggests the SPDC don't care about international law the human rights of its people. The SPDC shows little regard for women's issues and their rights. It appears that the SPDC is only interested in money and power.

## **Recommendations**

### **To NGOs, UN and International Community**

- Pressure the SPDC to democratize and stop human rights violations in Kachin State.
- Put pressure on Chinese investment in Burma to consider human rights in any mega development project.
- Pressure the SPDC to implement the CEDAW Convention.

### **To State Peace and Development Council**

- Allow local people, especially women, to participate in decisions about the development of their natural resources.
- Stop the jade mine projects in Kachin State unless operations contribute to local human development.



- Fully implement the CEDAW.
- Fully respect the Universal Declaration of Human Rights.
- End all human rights abuses in Kachin State.
- Regulate Chinese investment and any foreign investment.
- To stop discrimination against women.

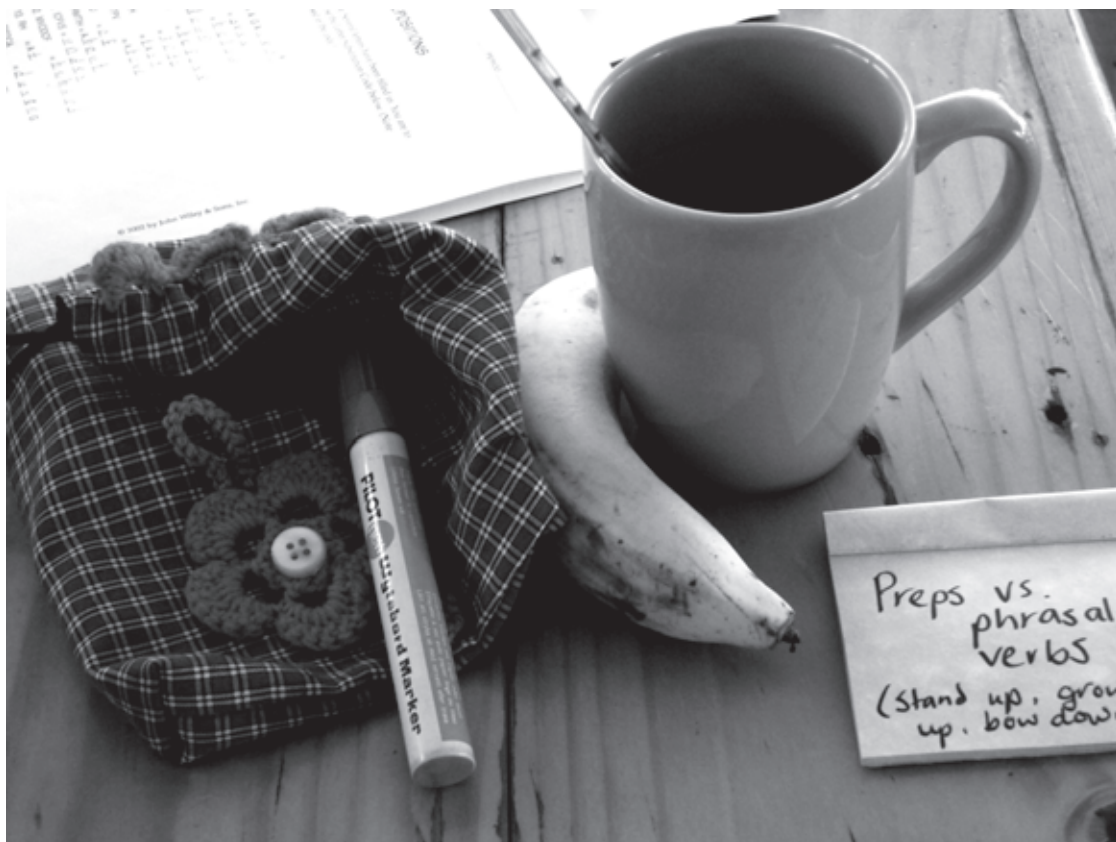
### **To Chinese Businessmen and other Foreign Businessmen**

- Do not be complicit in human rights abuses by the SPDC on local's land, farm and villages.
- Respect CEDAW and International law.
- Respect the livelihood of local people.
- Pressure the SPDC to comply with human rights law.

### **To the local community**

- Demand the SPDC to respect its obligations under CEDAW.
- Demand the SPDC to respect UDHR.

# Food Security



# The Food Security Crisis for People Living in Toungoo District

By Dawn Flower

## Map of Karen State



## Terms & Abbreviations

<b>SPDC</b>	State Peace and Development Council; military junta ruling Burma
<b>Village Tract</b>	An administrative unit of 5 to 20 villages in a local area, often centered on a large village
<b>IB</b>	Infantry Battalion (SPDC); supposed to be about 500 soldiers strong but at present most SPDC battalions number under 200
<b>LIB</b>	Light Infantry Battalion (SPDC); supposed to be about 500 soldiers strong but at present most SPDC battalions number under 200
<b>Camp</b>	Army base or outpost; these range from remote hill posts of 10 soldiers to Battalion HQ camps of several hundred soldiers
<b>KNU</b>	Karen National Union; main Karen opposition group
<b>Viss</b>	Unit of weight measure; one viss = 1.6 kilograms or 3.5 pounds
<b>Pyi</b>	Volume measure equivalent to 8 small condensed milk tins; about 2 kg. or 4.4 lbs. of rice
<b>kyat</b>	Burmese currency; US\$1=6 kyat at official rate, 1200+ kyat at current market rate
<b>Paddy</b>	Rice grain still in the husk
<b>Rice</b>	Rice grain after pounding or milling, with the husk removed and ready to cook
<b>Basket</b>	Unit of weight measure: one basket is 21 kg. or 46 lbs. of paddy and 25 kg or 55 lbs. of rice
<b>Arm spans</b>	Unit of length measure: one arm span = 2 feet or 5.4 meters
<b>Up land</b>	The mountain area
<b>Low land</b>	The lower area
<b>Kaw Thoo Lei</b>	The country without evil
<b>White Zone</b>	The SPDC control area
<b>Clean up</b>	To clean up the car road is to cut the brush and vines along the car road
<b>Black Zone</b>	Area not controlled by the SPDC
<b>Brown Zone</b>	Also known as “mixed area” or “the administration.” This area is inside of the ceasefire area and is under both SPDC and KNU control. Villagers have to pay taxes to both the KNU and the SPDC.

## Introduction

The State Peace and Development Council's (SPDC) efforts to eliminate the Karen National Union (KNU) opposition group has had a negative impact on the food security of the villagers in Toungoo District. This report will show how the military government in Burma abuses ethnic minority groups such as the Karen people in Toungoo District. This report focuses on the effects of the conflict on the people residing in Toungoo District. After the SPDC defeated the KNU, they increased security, built their military camps, and fixed old car roads or built up new car roads to transport their military supplies. This meant the destruction and relocation of villages, forcing the villagers to flee. The consequences for the villagers are that the villagers do not have time to work on their farms. This has negatively impacted food security, and directly caused food scarcity, economic problems, and health and nutrition problems.

The report puts forward, based on information gained from interviews with affected people, that part of the reason for this oppression is that the SPDC wanted to destroy the minority opposition KNU group and to isolate the KNU soldiers from the Karen civilians. For this reason, the villages, which the SPDC considers to be KNU strongholds, were targeted and destroyed. The SPDC built their camps in the villages or between two Karen villages. The SPDC uses the villagers for forced labor. They confiscate the villagers' animals, food and property. The villagers who live in the upland SPDC controlled area have been forced to move to relocation sites without any future plans for them. By 2005, with the numbers of internally displaced people increasing, the situation became intolerable. The SPDC didn't only burn villages; they also burned the forest in order to destroy the villagers' hiding and storage places. This systematic oppression destroyed the villagers' livelihoods, farms, gardens, and animals, and cut off trade between the lowland area and upland area.

The SPDC's destruction of property led directly to food security problems. Whenever the SPDC came to the upland mountain area (a black zone) they burned down houses, gardens, and paddy barns, killed animals and destroyed whatever they saw. In so doing, they took away not only the villagers' property - they also took away the villagers food resources, security, and nutrition. In the past, the villagers got nutritious food from their land, and local community fields provided food security. In the past the villagers could work freely and they could go to farm on time so the fields were not damaged by wildlife. They did not use fertilizers for growing and every year the fields provided good fruits and vegetables. When the local people's fields were lost they also lost the vitamins in their bodies. The



people in Toungoo District are primarily subsistence farmers. They depend on their cardamom, betel nut and animals, and do not have access to or knowledge about economic opportunities. Their fields and gardens are the only sustainable development they need. Because of the SPDC's human rights abuses, the people of Toungoo District do not have adequate food, and food security has been completely destroyed.

The documentation in this report was collected through a series of interviews with the victims themselves. The researcher wrote this report so that readers, local NGOs and international community organizations will have sympathy and empathy for the people of Burma, work to find ways to solve these problems, and immediately pressure the SPDC to stop all human rights abuses. The information was collected by individual interviews with 35 victims, organization leaders, children, and women who were suffering from food security problems. Interviewees were people who were living in the SPDC controlled area, the people who were living in the mountain upland area (KNU controlled area), and the people who were living between the SPDC and KNU controlled areas of Toungoo District. The research was done in Ee Htu Hta Internally Displaced Persons (IDP) camp near the Salween River.

## **Background**

Many of the people who are living in Toungoo District are from the Maw Nay Bwa and Pa Ku subgroups of the Karen ethnic group. They speak different dialects but their cultures are very similar. The Karen Office of Relief and Development's (KORD) staff who document human rights abuses estimate that 193 villages, 9,126 households and 48,256 people are located in Toungoo District. Since the time of their grandparents they have lived in that area, established their livelihoods, and enjoyed peace and justice. They are mostly Christians, but some are animists and Buddhists.

The Karen in Toungoo District primarily live in upland mountain areas, but some also live in lowland areas. The people living in upland mountain areas cultivate rice fields, have gardens, hunt and fish in the streams. They all depend on the forests and streams for ordinary life and meals. They depend on betel nuts, cardamom, and some people collect dog fruit if it is in season. Some people have 5 acre fields and some have plantations of more than 10 to 20 acres. In the rainy season they grow vegetables, fruits, and ground nuts in the flat fields. They also have domestic animals such as pigs, chickens, and some buffalos that fulfill many needs. They sell and buy food and other things such as fish paste, dried fish and

cooking oil from the lowland area. The villagers can earn money this way, and they estimate that they can make 300,000 kyat each year, and that some could earn up to 1,000,000 to 2,000,000 kyat each year. This provides economic and food security and they do not need to worry for their families.

Since they have farms and domestic animals they do not need to buy so much food at the markets and they only needed to buy some things such as salt, fish paste, petrol and sometimes cooking oil. They mostly depend on the forest for medicines, household supplies, and food.

The people who are living in the lowland areas depend on wet fields and some catch fish during the rainy season and make fish paste. Some grow peanuts or beans in the summer season. They raise domestic animals such as pigs, chickens, bullocks, buffalos and sometimes sell them to make money.

The people in the lowland and upland areas have a good relationship. They have strong community gardens and trading relationships. They do not need to pay excess taxes and everyone can buy cheap foods. The villagers have strong societies and help each other. Everyone can eat enough good and nutritious food.

The situation changed drastically in 1995 for the livelihoods of the villagers. The SPDC regime restricted communications and trading between the lowland and upland areas. The people in the mountain area often had to flee to the forest to escape SPDC violence, so their livelihood was not normal as before.

When the SPDC came up to the upland mountain area, they burnt the villagers' houses, cut down coconut and betel nut trees, burnt up cardamom gardens and paddy barns, and when they left the village they planted landmines to deter the villagers from returning. The SPDC abused the villagers' rights and the property destruction had a negative impact on food security. In the past the villagers had been able to get money from cardamom seeds and betel nut, and got good fruit from their fields. Protein came from their domestic meat. Because they could no longer eat meat and fruit they suffered protein and vitamin deficiencies.

The people in the lowland areas are now unable to eat good fruit from the mountain areas because the SPDC cut off their trading relationship. If they have enough money, they can buy food from markets, but the vegetables from the markets have been grown with chemical fertilizers and therefore are not as delicious and have fewer vitamins.

The people in the lowland area face similar problems to the mountain people. Both the lowland people and the mountain people have food security problems. However, only the lowland people have to perform forced labor such as portering, building up military camps, and cutting brushes or vines along the car road. They are also forced to give their domestic animals and other household items such as cookware and tools to the military battalions. Each of these things has a negative effect on the villagers' food security. When they go work as porter they lose their precious time that they need to work in the fields, and the wildlife sometimes destroys their crops while they are away. Sometimes the villagers have been tortured during forced labor and sometimes when they get sick the SPDC does not take care of them. When the villagers go to porter they cannot eat and have to carry heavy things or weapons. Some people have died during portering and some have disappeared. Some returned from portering thin or sick, and some were injured. These human rights abuses not only left the villagers without time and resources to work on their fields, but also left many people too weak, sick, or injured to work when they returned from forced labor.

According to the report entitled *The Right to Food Denied* by Burma Issues, "there is currently a situation of food security and scarcity in Burma because of military operations such as crop destruction, forced relocation and displacement, land confiscation, extortion, unofficial taxes, and forced labor."<sup>342</sup>

Due to SPDC operations, the villagers in Toungoo District have lost food and economic resources. The number of internally displaced people increases year by year and when displaced people move to another place or village, it has a negative effect on the host villagers because they have to share their food. This is another direct and negative impact on food security.

The IDP population increased seriously after the SPDC began military operations. "In 2006-07 newly displaced civilians in Than Daung Township were estimated to number 12,900 people. In 2007 there were 13,000 IDPs in hiding sites and 1,200 in relocation sites. The SPDC also had shot and killed 32 villagers who were innocent and 7 people were killed by the SPDC landmines."<sup>343</sup> From early 2008 until April 3, 3 people were killed and 3 people injured by the SPDC landmines.

The SPDC has continued to increase their troops, sending more troops into Toungoo District and also keeping more on operations. "In 2006-07 the military troops who

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<sup>342</sup> [www.burmaissues.org/en/food/htm](http://www.burmaissues.org/en/food/htm)

<sup>343</sup> Karen Relief Report 2006 2007.

were continuing and still operating in Toungoo district were division, Southern Military Command, military command headquarters, light infantry battalions and infantry battalions with a total of 46 battalions.”<sup>344</sup>

## **Food Scarcity Due to Forced Labor**

Forced labor contributes to a loss of food security by leaving the villagers insufficient time to work on their fields, or taking them away so that they were unable to prevent animals from destroying their crops. Often, forced labor left villagers too weak, sick, or injured to work when they returned. In addition, villagers are often taken for forced labor when they are on their way back from buying food from other villages. When this happens, the SPDC confiscates the food they are carrying, further contributing to food scarcity. Finally, when adults, especially women, are taken for forced labor and children are left behind, there is no one to care for and provide food for the children.

Because the SPDC control the area, they impose security restrictions and threaten the villagers in many ways. The villagers who are living in these white zone areas are forced by the SPDC to work for military construction projects and to cultivate cash crops for the military. The SPDC forces villagers to cut the brush and vines along the car roads without any payment when they are repairing the roads. Some villagers have been killed by SPDC landmines and some have been tortured during the forced labor.

The SPDC force elderly people, women, and children to work together. Some have to work for the military camp, carrying water, cooking, cutting wood for fires and building fences around the military camps. They also force the villagers to make festival ceremonies with the villagers’ own food. When the villagers get sick the SPDC does not take care of them and does not give them any food, water, or rest. If the villagers do not go for forced labor they have to give however much money the SPDC wants and the villagers cannot argue. They order the village headmen to find one person to work from each house. Because of the forced labor, the villagers do not have enough time to work on their own fields. This means that they cannot provide enough food for their families, leading to health problems.

***“During 2007 the SPDC forced 296 people and 19 cars to work for them without payment or food.”<sup>345</sup>***

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<sup>344</sup> Ibid.

<sup>345</sup> Ibid.

## Portering

The villagers who are living in the SPDC-controlled lowland areas have to go porter 4 or 5 times a year. Sometimes they have to go for only 1 day, but sometimes they have to go for an entire month. Because the villagers had to go porter they lost the valuable time that they need to work in their fields. Sometimes, because the



SPDC soldiers forcing villagers to be porters.  
(Photo by KHRG).

villagers were away, the wild animals destroyed the rice in the fields and when the villagers came back they saw only their damaged crops. When the harvest time arrives they get only a little rice and it is not adequate for the family anymore.

***"In May 2007, SPDC Division 66 forced me to carry their rice and I had to carry a heavy rice load that weighed 15 viss and they recorded my name and took my photo before I went."***<sup>346</sup>

The SPDC troops not only ordered the village headmen to find porters. They also had bad behavior when they saw the villagers traveling or buying other foods such as dry fish, fish paste, salt, or bread from another place or market. When they saw them on the road they took all of the villagers' belongings and forced the villagers to porter. Some people were very old and some people were very young but the SPDC didn't care about their ages. The villagers who went to porter couldn't eat well and had to go on long travels. Because they couldn't eat enough they had low energy and insufficient protein. Therefore, even food that the villagers bought didn't go to their families. Rather, it was confiscated by the SPDC. This caused the entire family to suffer from insufficient protein. This is another way that forced labor contributed to a lack of food security.

***"On 18<sup>th</sup> of April 2000 SPDC Division 44 arrested me when I came back from Kler La and they took all of my things. They forced me to porter and tied my hand with my friends. They tied 5 people together with 1 rope and when they had fighting they forced us to lie down and it was difficult to sit down."***<sup>347</sup>

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<sup>346</sup> Interview 6, 41 years old.

<sup>347</sup> Interview 7, 27 years old.



The SPDC troops abused and tortured the villagers during portering time. They didn't give them enough food or take care of porters when they got sick. When the porters asked for medicines or foods they swore at porters, and sometimes slapped porters' faces. They intimidate the women and they sometimes rape the women and shame them. The women were the ones who took care of children and the house, and prepared food for the family. Some women were widows so when they went to porter no one was there to take care of their children. Therefore, sometimes their children couldn't eat normally and could get diarrhea or vomit. Sometimes widows had to porter for an entire month and when they came back their children were sick and thinner.

***"I lived in my village and I had to porter and do other forced labor all the time, so I couldn't make money anymore. When my children got sick I couldn't give them good nutritious food and medicines and now my children and I together lost vitamins in our bodies."***<sup>348</sup>

– a widow

The link between women and food security is very important, especially for children. When only the fathers go porter the mothers are left behind to take care of the children. She can cook for them, and when her rice is nearly finished they collect green vegetables with vitamins and cook porridge, and the children can get protein in their bodies. If the father is already doing forced labor and the mother must also go as a porter for one month, there is no one to look after the children and their nutrition and health will suffer.

***"The SPDC arrested me with my friends named Saw —, 39 years old, from Thaw Kaw Saw village, Saw —, 50 years old, from Mae Wa Kaw village, Saw —, 16 years old, from Thaw Kaw Saw village when we came back for Kler La village. I saw the troops slap my friends' faces, kick their bellies, hit their faces with their fists, and kick their buttocks and one of my friends fell down and was unconscious. After that they took all of our things and forced us to porter. While I went they grabbed my hand to try to separate me from my friends but I also grabbed my friends' hands when they did that. They did that three or four times but I didn't follow them."***<sup>349</sup>

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<sup>348</sup> Interview 35, 30 years old.

<sup>349</sup> Interview 13, 36 years old.

## Messengers & Night Sentries

The SPDC troops forced the villagers to work as messengers and sentries at night. They did not ignore children and the elderly: even the oldest people over 70 years old and the children under 13 had to go. Four people had to go each day and night. When the villagers were messengers, they had to carry their own food, to dig holes, collect fire wood, and carry water. Some times the SPDC troops ordered messengers to collect chicken and pork from the villagers without paying them. When the villagers were absent they had to hire others to work for them. However, some were widows and some were orphans who could not pay anyone else, so they had to go themselves. Like portering, being forced to work as messengers and night guards also has a negative impact on food security because it takes away the time they need to work on their farms. If they stay to work on their farms and pay someone else to go work for them, they are unable to buy the extra food they needed. When they are forced to give domestic animals to the SPDC they are unable to get enough protein.

***"The villagers had to be messengers or night sentries at the military camp. If they didn't go they had to pay 1,000 kyat per day and 1,500 kyat per night. When the military major or commander came the villagers had to guard and sentry alongside the car road. The villagers had to do this without payment."*** <sup>350</sup>

## Road Building

When the military government fixes or constructs new car roads they use the villagers as tools. They force the villagers to cut brush along the car roads. In addition to taking people away from their farms and families like other forced labor, building roads presents the added danger of deliberate exposure to landmines. The villagers are forced to walk in front of bulldozers to protect the bulldozers from land mines. This is extremely dangerous since if the landmines explode, the villagers die. When villagers step on the land mines the SPDC troops do not take any responsibility. When they are injured, they have to go to the hospital which is very expensive, leaving insufficient money to feed their families. People injured by landmines are left disabled, and they cannot survive, be healthy, or get protein in their bodies anymore. Thus, landmines also contribute to food security by killing some members of families, and leaving others disabled. Hospital stays for people injured by land mines are an added financial strain.

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<sup>350</sup> Interview 16, 74 years old.

***"The SPDC troops from IB 75 with strength of 60 soldiers forced me to cut brush and vines along the car road. While I did it I had to sleep in their camp and I had to carry water and cook for them in the morning and the evening after I finished my work. I had to clean for three days and I was also afraid that landmines would explode."***<sup>351</sup>



*Villagers forced to make a road by the SPDC. (Photo by KHRG).*

Many children were forced to carry stones and sand for the road. Sometimes it affects their studies and their health. Children do not have time to go to their fields or gardens, where they can learn what good food is and where nutritious food comes from. Some children, after enduring much forced labor, develop changed ideas and they do not want to go to school. They do not want to think about their futures because they do not see any relief from a life of forced labor and poverty. These children do not know how to make money and cannot buy good food. Thus, forced labor causes children's food security and education to suffer. A lack of education will almost certainly contribute to continuing food insecurity in the future.

***"In 2005 April, SPDC Battalion 73 ordered me and other villagers including women, men, children, and the elderly, to carry stones for the car road. When I went I saw the oldest person was 70 years old, the youngest was 12 years old and we had to carry our own food. I saw in all that there were a total of 90 people there and two or three of the soldiers came and checked us each time."***<sup>352</sup>

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<sup>351</sup> Interview 11, 38 years old.

<sup>352</sup> Interview 15, 19 years old.

## Building Military Camps

According to my research the SPDC troops built their camps in indigenous villages or between two villages. The local people who are living in those villages are forced to build military battalion frontline camps, cut down bushes or vines, fell trees, uproot shrubs, make fences, dig holes. The commanders order each household to send one person to work on these projects.

***"In my village I saw the military troops build their camps in six places. These were Htee Lo, Play Sher Lo, Tar Ba Kee, Htee Nya Pay, Moo Moo Kee, Yie Sha and the troops who were living in there were IB- 40, 20, 30. I had to build it four or five times each year."***<sup>353</sup>

The military built more of their camps and forced labor, extortion and unofficial taxes increased. As forced labor increased, the villagers were faced with more food insecurity. For example, if a villager in the relocation sites does daily hire work he/she gets 500 kyat each day. The money they get day by day is just barely enough for his/her family. There is none left over to save after fulfilling basic needs. Therefore, if he/she has to go to forced labor for five or ten days, he/she will lose 500 kyat each day and his/her family will not be able to eat and can starve.

***"SPDC Battalion 48 based in Sha Shi Bo ordered me to build their military camp and I had to collect bamboo from the forest. It was so hard to get and carry that. When I took it to the military camp they forced me to dig holes and I started from 8 AM to 11 AM without taking a rest. When my hand hurt I asked them if my friends could change with but they didn't allow me. I had to build their camp two times and other times my wife went or my children, sometimes I hired someone else."***<sup>354</sup>

The military government has already signed the Convention on the Rights of the Child, Adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989, entry into force 2 September 1990, in accordance with article 49.<sup>355</sup> However, right now, many children in Burma are enduring forced labor and no action is taken or punishment given to the SPDC. When children worked as forced laborers they couldn't take any rests and the SPDC didn't give them food. Sometimes they had to work in the rain and

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<sup>353</sup> Interview 10, 55 years old.

<sup>354</sup> Interview 20, 36 years old.

<sup>355</sup> [www.unhcr.ch/html/menu3/b/k2crc.htm](http://www.unhcr.ch/html/menu3/b/k2crc.htm)

sometimes when the sun was hot. Sometimes the children got sick and when they came back from the work they had to go directly to the hospital. The parents in Toungoo district are ordinary farmers and don't have the means to save money for emergency spending. While their children were in the hospital they had to sell some domestic animals or paddy for daily food. This would just cover hospital or medicine costs. Some parents developed debt and when the harvest time came they would repay it. Because they repaid their debts with paddy, they were left with inadequate food.

***"On January 2007 I had to build up the military camp. All of those were older and I saw the people the same age as me was in there. I estimated that oldest could be 55 years old and the youngest, 12, could be me and one of my friends. I had to carry bamboo in the forest that would take 3 hours there and back on foot. I carried the bamboo that weighed 7 viss ( 1 viss = 1.6 Kilo). When I got to the soldiers' camp I had to carry water because I couldn't build a fence around the camp. The unit was battalion – 48 with strength of 20 soldiers based in Htee Nie Lu."***<sup>356</sup>

## **Property & Livelihood Destruction**

Since the villagers depend upon their farms and animals for food, the destruction of their property has a direct and negative impact on food security. The military regime wants to destroy the KNU opposition group and force the upland villagers to move to relocation sites. The villagers and the KNU opposition group depend on each other. They figure that when the upland villagers move to the lowland areas they can exercise more control and they can increase their militarization. Next they can destroy the KNU opposition group secretly because once their livelihoods are destroyed, the villagers are not able to support the KNU at all.

When the SPDC come up to the upland areas they destroy all the belongings of the villagers. When they enter the villages they kill animals and burn up villages and when they leave they plant landmines to deter the villagers from returning home. They wanted to kill the villagers and find the villagers in their forest hiding places. It is not only to find the villagers; they are also looking for villagers' hidden food stores. Many villagers cannot eat when this happens and most of the children, women, and the elderly have seen big problems.

The SPDC also destroy cultivation fields, cut down betel nut trees and coconut trees and burned up everything in the gardens. Good fruit comes from the local

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<sup>356</sup> Interview 21, 12 years old.



communities' plantations and delicious, nutritious foods came from that area. It is not expensive and has a good taste. The people are very happy when they get to harvest time. After they collect all the fruits, vegetables and meats, they have a festival together. However, after the SPDC destroyed the villagers livelihoods the villagers' lives are far away from peace and justice.

***"In 2006 the SPDC burned up my paddy barn including 10 baskets of paddy. At that time the wood I had prepared for building a house, which cost 45,000 kyat was all burned up. My betel nut garden was also burned."***<sup>357</sup>

According to KORD's relief documentation, "in 2006-07 the SPDC destroyed 610 cultivation fields, 25 wet fields, 49,000 baskets of paddy, 922 baskets of rice, 775 viss of betel nut, 8,220 viss of cardamom seed , 1 motorcycle, 1 solar panel, 1 video machine, 2 cars , 1 bullock cart, and 41 villages."<sup>358</sup>



*Rice destroyed by SPDC troops. (Photo by KHRG).*

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<sup>357</sup> Interview 4, 30 years old.

<sup>358</sup> KORD Relief Report 2006 2007.

The situation has very seriously changed since 2006. The SPDC treated the villagers badly and some villagers had to flee to the forest for the whole year, so there were no more domestic animals in the village. In April 2008, the SPDC Southern Military Commander ordered his soldiers to keep operating everywhere, to burn up forests such as the villagers' hiding place and when they see villagers they must kill them all without limitations, even the children and oldest.

***"The SPDC burned up my hidden cache including 60 tins of paddy, rice, betel nut, clothes and pots."***<sup>359</sup>

## **Destruction of Fields**

Between 2006 and now the SPDC burned the forest in Toungoo more often, especially alongside the car road in order to clear out the landmines planted by opposition groups and also so that opposition groups or villagers crossing the car road can be seen by the SPDC more easily. On the 5<sup>th</sup> of April, 2008 they started burning the forest the cardamom, betel nut, durian plantations and hidden food caches of villages east of the Day Lo River such as Thay Ya Yu village, Ler Ker Der Kho village and west of the Day Lo such as Ker Weh village, Ler Gi Kho Der Kho village, Ler Gi Kho Der Kah village, Htee Bu Khee Der Kah village and Htee Bu Khee Der Kah were burnt up.

***"This year on 5<sup>th</sup> April of 2008 the SPDC troops burned up the forest including six villages."***<sup>360</sup>

Before they SPDC soldiers enter the forest they fire mortars to kill opposition group members. They also fire mortars into the villages and sometimes the shells hit houses and a few villagers have been injured.

The information obtained from interviewees was that many rice fields have been destroyed all the time. Some rice fields are not damaged only by the SPDC but also by wildlife because the villagers have to flee and cannot look after them. When the villagers return they see that it is too late to fix their lost crops. This also had a negative impact on food security.

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<sup>359</sup> Interview 1.

<sup>360</sup> Ibid.

***"When I harvested paddy with my family the SPDC troops shot at us. One woman died and one got injured. After that the SPDC troops broke down fences and let the animals enter my fields. There were seven fields destroyed in the same way."***<sup>361</sup>

## **Destruction of Animals**

When the SPDC enters villages the villagers have to flee to the forest. When they flee they cannot bring with them every household item, and they can only bring some important clothes and foods. If they know whether the situation will be good or bad they can eat some domestic animals such as chickens right away. Domestic animals such as pigs or other large animals cannot be eaten because there is not enough time. No one wants to buy meat when this happens because they are not able to store it when they have to hide in the forest. One woman was arrested by SPDC Infantry Battalion 20 and Divisions 66 and 55 headed by Commander Maing Thang and Major Pra Chan. She said, "When I went with them I saw the SPDC troops did many bad things to the villagers. When they entered the village and they shot and killed pigs, bulls, and buffalos but they didn't eat them. They kill freely like that without any pity. When they left the village they planted landmines to deter the villagers from returning."<sup>362</sup>

***"When the SPDC troops entered my village they shot and killed four bullocks and three buffalos that belonged to the villagers."***<sup>363</sup>

## **Destruction of Households**

There have been many people who have become poor because of the SPDC's violence to the villagers. The people interviewed for this report were facing problems when the SPDC took away their households or destroyed them. They had to build their new lives without any resources and it was too difficult. The SPDC often burnt villagers' houses and stole people's gold



*Villager's house burned by SPDC troops.  
(Photo by KHRG).*

<sup>361</sup> Interview 18, 27 years old.

<sup>362</sup> Interview 21, 41 years old.

<sup>363</sup> Interview 16, 27 years old.

rings, necklaces, or earrings so they did not have anything to sell and no way to buy food. All of their precious things went to the SPDC's plan so they couldn't do anything in their future lives.

***"In 2006 SPDC Division 66 burned down my house and things made of wood including household things such as pots, plates, blankets, and rice."***<sup>364</sup>

## **Restrictions on Communications & Transportation**

The SPDC's restriction of communications and transportation has a negative impact on food security because villagers are often not allowed to tend their fields outside the village, or to go and watch over their fields so that they wouldn't be damaged by wildlife, or to go to markets to buy extra food. When they were allowed to go, the SPDC required expensive letters of recommendation, which left the villagers with less money to buy supplementary food. These restrictions also prevented the lowland and upland areas from trading with one another, which has a further negative impact on food security.

Starting from 2005 and continuing until now, the villagers who living in the brown and white areas are restricted by the SPDC. The villagers who have cars or motorcycles are not allowed by the SPDC to go to the city from their village. If people leave the city illegally and the SPDC sees him/her they put the person directly in jail and they confiscate all of their things.

***"In May 2007 they arrested the villagers in the relocation sites. Saw —, 15 years old, from Taw Goo, Saw — age 28 from Taw Goo were arrested and put in prison when they were looking after their bullocks. Saw —, age 24 from Ta Yar Lu, Saw —, age 50, his wife Naw —, age 48, his sons Saw —, age 25, Saw —, age 14, his daughter Naw — age 18 were arrested and put in prison when they went to the field. They had to stay in the prison for 3 years. Naw —, -18 years old was pregnant and she had to give birth in the prison. The 2 teenage children were sent to Toungoo prison. They were all farmers and weren't doing anything wrong, but the SPDC sneakily arrested them when they went to their fields. The reason was that those villagers didn't have passes when they were arrested. The others villagers gave a lot of money to the SPDC to get them out of prison but they would not allow them to go back to their home."***<sup>365</sup>

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<sup>364</sup> Interview 33, 25 years old.

<sup>365</sup> Interview 2, 42 years old.

When the villagers in the SPDC controlled areas go to the city they have to take with them a testimonial and one letter of recommendation obtained from the village headman, who is appointed by the SPDC. These cost 100 kyat, and sometimes 500 kyat. When the villagers pass through the checkpoints the officers in charge interrogate him/her and if they see contraband such as batteries, flashlights, clothes, or medicines they arrest them directly without any questions. Some villagers are very poor and cannot buy letters of recommendation all the time, which means that they cannot collect vegetables and find food outside the village. The villagers do not have enough gardens or markets in the village to get enough food for every meal. They depend on their fields outside the villages, so when they cannot buy letters of recommendation they are unable to look after their fields and the plants can be damaged by wildlife. When harvest time comes the villagers can't collect good fruits and paddy.

***"When I went to Nah Yaw I had to bring with me a testimonial and I had to pay 100 kyat and sometimes I had to pay 500 kyat. I could buy only food and they limited it so that one 1 person can carry one viss of fish paste. If we carry more than that they say, 'You will give it to KNU.'"*** <sup>366</sup>

The villagers have to build fences around the villages and they cannot go out wherever they want. The SPDC troops also plant landmines to deter the KNU or villagers in the upland mountain area from coming. After they build the fence the villagers have to be messengers and night sentries.

***"In 2007 in my village, SPDC Infantry Battalion 48 forced the villagers to build a fence around the village and their camp. The villagers had to fence in three lines around. In the village fence they build two gates, just for entry and exit. They are opened from 6 o'clock in the morning until 6 o'clock in the evening."*** <sup>367</sup>

The SPDC troops have bad behavior: when they see the villagers go with travel passes they give troubles to the villagers. According to the interviews in Lay Tie village the villagers took travel passes with them before they went out but when the other troops saw them they asked 1,000 kyat to get permission to go.

***"SPDC Battalion 73 headed by Officer Taing Oo disturbed me when I sold my betel nut to Toungoo city. He extorted from me one pack (1 pack = 3 big tins) worth 3,000 kyat. At that time I had six packs and I couldn't give him any because they are too expensive for me and in my purse I had only 3,000 kyat for traveling cost."***

<sup>366</sup> Interview 24, 48 years old.

<sup>367</sup> Interview 10, 55 years old.



***He told me, 'if you know someone in this area, go and ask for help.' I told him I didn't know anyone, and then he couldn't make a decision and took my money in my purse. He also said, 'If someone asks you, don't speak about this.'"***<sup>368</sup>

## **Restricted Trade from Lowland to Upland**

In 2007 the SPDC was restricting trade and collecting the number of family members in each house. The villagers in the mixed area have to take photos and sign their names for the SPDC. They were making sure that the village population does not decrease or increase. One commander ordered that if he saw guests in the village he would punish the villagers. The villagers do not have a chance to go to the upland mountain area. They cannot collect vegetables from the forest anymore. They have a small opportunity to go to the wet rice fields but they have a travel pass with them. When they go to the fields they can only take with them a knife and pack of rice. They have to go in the morning and come back in the evening. If the villagers tell the SPDC that the wildlife will destroy their paddy the soldiers allow them to sleep in the field huts but only one person and one or two buffalos can stay. During the time they sleep in the field hut they cannot use a flashlight. His or her family has to prepare a pack of rice and send it to him or her every day. Many people in the lowland areas in Than Daung Township have to eat only porridge. The porridge is eaten when there is almost no more rice. When the villagers' rice is nearly gone they cook it with a lot of water and some vegetables to make it last longer. This just barely controls their stomachs and prevents starvation.

***"When I lived in the relocation area I had to eat porridge several times because the SPDC troops didn't allow me to go out and work in the farm full time."***<sup>369</sup>

Due to the SPDC taking action like that the villagers in the mountain area cannot go and buy food. When they go they are scared of landmines, and if the SPDC see them they shoot to kill them immediately. Due to the SPDC's actions the villagers in the mountain area hiding sites have lost their ability to trade and cannot get enough food day by day. Thus, food scarcity and hunger have increased due to the SPDC cutting off local community trade.

***"This is a true experience; Saw Tha Say was 54 years old when he hung himself because he couldn't eat."***<sup>370</sup>

<sup>368</sup> Interview 20, 35 years old.

<sup>369</sup> Interview 3, 39 years old.

<sup>370</sup> Interview 32, 35 years old.

## Cutting Off Communications

Many people, especially those who are living in SPDC controlled areas are faced with the problems associated with revolution and political resistance. Some have families living in the mountain areas and they are communicating with each other. In the villages the SPDC is using spies to observe the situation. If the opposition groups or guests enter the village the spies send messages to the SPDC commander immediately. When the officers hears about the situation he enters the village with his troops and checks which house the visitors have gone to. When they find out they arrest the owner who is then tortured and put in jail. Sometimes if the soldiers receive got seriously bad information from the spies, the owner of the house is killed. Before they take the people out of the house they enter the house and search for valuable property such as money or gold rings. After stealing those things, they burn the house. This not only affects the one who was sent to jail, it also affects the whole family's livelihood and the village economy. When the SPDC get information like that they restrict the whole family and they always check them, so those families do not have any freedom. The villagers and the KNU lose communication. The SPDC is trying to oppress them in many ways.

***"On September 15, 2006, the SPDC ordered us to go and take photos as rebel KNU. When we went they gave us red cloth [to wear as headbands]. On the red cloth they wrote down Rebel KNU. They recorded everyone's names with house numbers. They took 10 people in each picture. They also recorded one leader in each picture to make sure that when they came and checked the leader had to collect their members. I had to pay 1,000 kyat for one picture. In my house my family had to eat porridge. I had to feed the SPDC first and ignore my family's problems."***<sup>371</sup>

The village head men have to solve conflicts between villagers and the SPDC troops several times. If the situation became bad they had to negotiate with the SPDC troops. Sometimes the village headmen had to collect money from the villagers for corruption to pay the SPDC. Sometimes the village headmen were tortured if they could not collect enough money. Most of the men who were over 20 have to flee from the village in fear but the problems do not finish when they hide. The SPDC troops cause trouble for the left behind families. Applied to the food security issue, when the father of the house is hiding in the forest, he cannot work in the field. Another problem is that when the father flees to the forest, he is unable to have a job so his family will have to send money or food secretly to him. All of those problems have a negative impact on food security.

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<sup>371</sup> Interview 20, 35 years old.

***"I was the village head starting from 1995 till 2006. The SPDC also used violence against me because they heard I had contact with the KNU. On March 17<sup>th</sup> 2006 Major Soe Win of SPDC Battalion 48 wanted to arrest me so I couldn't stay in my village anymore. When he came to arrest me he entered my friend's house and asked about me. When my son in-law told me about that I fled immediately and he didn't see me. When I escaped in the forest I had to be afraid of poison snakes. My friends Saw Pyeh Soe, age 40, Saw Shway Thay, age 60, Saw Wah Say, age 40, Saw Sher Tay, age 32, and Saw Loe Htoo, age 46, have been killed by poisonous snakes biting them. When we lived in my village I had to do forced labor always and the SPDC wanted to kill us and when we fled to the forest we had to work in the dark without flashlights, so the poisonous snakes became our enemies."***<sup>372</sup>

## **Food Scarcity Due to Confiscation**

As the SPDC increases their troops they also need more vehicles to carry their troops. They are also building many military base camps and constructing car roads for transportation. While they are constructing the camps and the roads they do not care about the natural environment, or about local people and their property. They build their camps wherever they want and do not ask permission from the villagers. Sometimes they cut down all of the betel nut trees and coconut trees for posts without payment. They confiscate the villagers' land without any compensation. They forcibly ask money, animals and household possessions without warning. They forcibly ask for bamboo and wood for construction with limited time.

***"Land confiscation not only violates the political, social, and economic rights of ethnic people throughout Burma, but also has had severe environmental, economic, and social impacts. The Burmese Army is the primary conductor of the land seizures throughout Burma, often under the guidance of the Myanmar Agricultural Produce Training."***<sup>373</sup>

According to a KORD relief report, the SPDC demanded money from the villagers. In total they took 4,739,000 kyat, 4 buffalos, 4 goats, 5 pigs, 65 chickens, 6,550 poles of bamboo, 300 shingles of leaves for roofs, 650 wood poles, and 4 acres of land."<sup>374</sup> The confiscation of land destroyed the villagers' livelihood that depended upon farming. The extortion of animals destroyed the villagers' main source of protein.

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<sup>372</sup> Interview 24, 58 years old.

<sup>373</sup> 'Natural Light', NEED Report, page 16.

<sup>374</sup> KORD Relief Report 2006 2007.

## Confiscation of Animals

Especially in the villages which are in the SPDC controlled areas, the village headmen have to collect chicken, pork and sometimes goats without money. The SPDC Light Infantry Battalion and Infantry Battalion front lines troops come and set up their camps in the villages and extort villagers' domestic animals two or three times a week so the villagers have a serious problem with regard to their domestic animals. The extortion started in 1997 and continues now, so the villagers are poor and lack their domestic animals. Some people do not want to raise animals because they think that if they raise animals, they will only go into the SPDC hands. Some villagers cannot eat meat for five or six months and their health suffers. They do not look good and their skin complexion is not smooth.

***"When my husband went to porter the SPDC troops based in my village came and asked me for chicken. At that time I told them I didn't have any, but they were not satisfied and shot my chicken under my house. At that time they got three chickens and I estimated that one chicken would be 2 kilos."*** <sup>375</sup>

## Confiscation of Household Possessions

The SPDC construction of car roads and their front lines camp has had a negative impact on the local people who are living in Tantabin Township. Many houses lost possessions and land, and many people became displaced people. For example, one villager has only one knife to cut brush in his flat field. When the SPDC takes it away, he can't use it, and the brush in the flat field gets taller than the rice and the rice dies. When the rice is dead, the villager has to borrow rice from other people. The next time, if the SPDC does the same thing again, that villager will not get adequate food.

***"In 2006, SPDC Light Infantry Battalion 48 entered my village when one couple was having a happy wedding. Immediately they entered and searched the house of the person holding the wedding party and took 1 battery."*** <sup>376</sup>

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<sup>375</sup> Interview 8, 38 years old.

<sup>376</sup> Interview 20, 35 years old.

## Confiscation of Land & Construction on Land

In Tantabin Township the villagers in many areas such as Sha Kyi area, Ta Pyin area, Thay Char Say area, Myaw Yaw Thay area, Nah Yaw area, Lay Tie area, Chaw Jar area, Nie Ta Goe area, Lae Ka Lay area, Aye Kyaw area, Sway Ta Saw area, Peh Kaw Day area, Sha Shi Bo area, Yie Sha area, Zie Pyu Goe area, Pyie Khah area, Taw Ma Aye area, Taw Goe area were faced with food security problems because of the SPDC development projects. In 1998 the SPDC built a dam on the Per Tha Taw River. They opened the water gates in August every year without giving warning to the villagers. When they let the water out it flooded the area for one month. Flooding the fields in August destroyed the people's crop for the year, making it very difficult for them to find food.

***"I had 7 acres of wet paddy farm and 4 acres was destroyed by flooding so I didn't have enough money for my family."***<sup>377</sup>

Many villagers in Yie Sha had to move from their homes and leave behind their land and gardens. The SPDC troops built their camps and a helicopter landing field, and immediately took the villagers' houses and land without any compensation. The construction on the land construction takes away food resources from the villagers, because the forest is the villagers' life and the land provides the villagers' food.

***"I had an experience in my village in 2007. The troops forced 10 families to move and they destroyed 9 wood houses and built their military office. One house they didn't destroy because that house's roof was made of zinc, so they used that house as a store room."***<sup>378</sup>

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<sup>377</sup> Interview 24, 58 years old.

<sup>378</sup> Interview 10, 55 years old.



## Forced Relocation

The junta tries to destroy the villagers in many ways. Many villages in Tantabin and Than Daung Township have been burned and the villagers relocated. When the SPDC troops force the villagers to move they also mandate the date villagers must leave, and often give very little warning. When the villagers move they cannot carry everything. Their domestic animals and some household items are left behind. When they enter the relocation site they do not have any land and they have to work for hire too, day by day. They cannot earn enough food for the next morning and they also have poor nutrition and insufficient protein. Many villagers are faced with problems such as heavy debts. Other problems are, they have to do forced labor for the military commanders several times a year, so they lose their precious time for hired work. With no land to farm and forced labor preventing people from making money by working, families are unable to get enough food.

### Situation in Relocation Sites

When the villagers live in relocation sites they can't go anywhere. The villagers look like the fish in the pot with no hope. In the research many villagers expressed their awful experiences when they lived in relocation sites. The villagers are always concerned about their food and their lives are in the SPDC's palm. A saying goes, if we leave the village, we will be poor for 3 months, if we leave the country, we will be poor for 3 years (this sentence means, if you leave your village by force or because of bad things happening, you cannot carry all of your household possessions, but if you leave your country you have to leave your land, which is your food resource).

Many villagers in Toungoo District had to leave their villages because of the SPDC forced relocation. If they do not leave, they will be shot and killed. When they leave they cannot carry everything and the main food like rice is left behind. They do not have a chance to go back and take it, because the SPDC eats it without giving the villagers any compensation, so when the villagers enter the relocation sites they do not have any food. They have to do forced labor and they do not see any way to provide good food for their families.

***"When I lived in relocation sites I couldn't go out and I depended on my clan and my neighbors. When they had less food and couldn't help me I had to eat porridge."***<sup>379</sup>

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<sup>379</sup> Interview 3, 39 years old.

## Immediate Outcomes

Starting in 2005 and continuing now, the villagers in Toungoo District have lost their valuable things that they depended on and they are becoming poorer. They all are internally displaced people and the main problems that continues on to the next generation are poor health and debt. They cannot provide nutritious food for their children and they cannot support their children's education. Many children can't go to school and have to struggle for their lives with their parents.

They do not have a chance to make money to buy food either. Some people ask their neighbors for food, and if their neighbors cannot give them anything they have to eat rice porridge. Rice porridge is a mixture of rice, water and vegetables to make the rice last longer. It does not have enough nutrition and the people have to share one person's serving of rice amongst several families.

## Health Impacts

The situation right now is that the villagers suffer health problems. This is caused by hiding in the forest when the weather changes. Sometimes rains too much and sometimes it is too hot. They do not have enough clothes or mosquito nets to protect them in the night time. They cannot eat normally like before and sometimes they cannot cook. Especially children, women, and the elderly have fared worse than others.

All the people in Toungoo District have to face things like this but many people get illnesses for other reasons. Many unlucky villagers are arrested, tortured, raped, or killed. For those reasons some have mental health problems and some have permanent physical injuries. Those horrible injuries are still affecting their livelihood and survival. It also affects their ability to find food.

***"On 15<sup>th</sup> July 2000 the SPDC Guerrilla Retaliation Unit 124 saw a landmine explode in the Tha Daw area, so they arrested the village headmen and women, men, teachers – in total 100 people including me. They checked everybody and forced us to find 1 gun and 1 walkie talkie from the KNU. At that time I promised them I would find it for them. They kept us in that office for 5 hours without drink or food, so when they gave me peanuts I thought they were being kind but when I ate them they slapped my face, and then they sent us back home. Three days later they again arrested me because I couldn't find the gun and walkie talkie as they ordered. They tied our hands behind our backs and took me to their office. They said that in the night time around 12 or 1 AM they would check us. About 12***

*o'clock they checked me, and during the interrogation they tortured me, tied my hands and hung me on a tree. They questioned me for 1 hour. When they released me I couldn't move my hands and they had been broken 6 of my teeth. I also couldn't eat anymore and they sent word to my family to come and take care of me. I also saw my friends Saw —, 30 years old from Pa Weh village, Saw —, 30 years old from Ler Ker Der Kha village, Saw —, 35 years old from Pa Weh, and Saw —, 30 years old from Ler Ker Der Kha village. They all had to face the same things as me. The SPDC did this because they didn't believe me, and they also said they were very happy when they tortured us because we belong to the KNU. The current situation right now is that I am still suffering from the harm and I cannot survive anymore.*"<sup>380</sup>

## Debt

According to the interviews almost all the villagers in Toungoo District lost economic and sustainable livelihoods. The current situation right now is that they do not have a chance to find economic security and go back to their homeland. They are becoming displaced people and cannot imagine where they will go tomorrow. Many villagers have debts because the SPDC extorts property, confiscates land, destroys livelihoods, extracts unofficial taxes, and cuts communication and trading.

*"In 2007 I had a heavy debt of 100,000 kyat. If I cannot pay it back soon the company will take my land and whatever they want."*<sup>381</sup>

## Conclusion

There is a food security crisis for the people living in Toungoo District because the military junta is increasing their troops and security since 2005. The military junta wants to control every area but they are not able to because Toungoo also has an opposition group to protect the villagers' livelihoods. The SPDC needs to eliminate the KNU and create strong security in order to establish their camps.

They use their strong power to abuse the local people's rights in Toungoo District and to ignore the Universal Declaration of Human Rights. The military government is a member of the United Nations and also has signed the International Labor Organizations, (ILO), Convention on the Eradication of Discrimination

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<sup>380</sup> Interview 22, 56 years old.

<sup>381</sup> Ibid.

Against Women (CEDAW), Child Rights and Environmental conventions but they do not implement them and there have been no positive consequences for their country and the local people. The SPDC ignores all of those conventions that they already signed and they have not done any of the promised implementation.

The people in Toungoo District cannot cope with the SPDC strategy. When the military junta enters Toungoo District they demand forced labor, confiscate land and property and crack down on communications between villagers and the KNU. They set fire to the forest, causing a negative impact on the environment, and the villagers cannot depend on the forest or the gardens. They take away food sources and precious time from the villagers. The villagers have to move to relocation sites or hiding place without any guarantees for the next morning. The latest consequence for the villagers is high debt. Villagers are also becoming disabled, orphans, widows, and widowers.

The current situation right now is that the villagers cannot imagine where they will go tomorrow and where they can find sustainable livelihood. They are almost hopeless and the children do not know what education is, or how to get peace and justice. They cannot stand by themselves and do not know how to solve their problems. A very sorrowful thing that that a villager in the IDP camp said was, "We are expressing our suffering, but we only show our injuries and bad experiences to each other. We don't have any power to sue or persuade the military. When NGOs or international groups hear or read about our bad experiences what do they think and what do they do to find opportunities for us?"

The villagers really hope the NGOs will try to become a gate for telling their experiences to the international community so that people will pressure the military government to stop the human rights abuses and to respect and promote human and environmental rights because our economy comes from the forest.

They want their livelihoods to be sustainable again and for their nutrition to be as good as it was before. The villagers in Toungoo District hope living in Kaw Thoo Lei will become as before the SPDC came.

The people are oppressed by the SPDC but they are strong and struggled to express their experiences. It is very sorrowful to hear their experiences. For that reason it is hoped that people reading this report, such as NGOs, the international community, and the SPDC will have empathy, sympathy, and particularly will negotiate and pressure the SPDC to stop all human rights abuses.

## Recommendations

### **To the State Peace and Development Council:**

- Stop violence against people living in Toungoo District.
- Withdraw the militarization from Toungoo District.
- Sign the Universal Declaration of Human Rights (UDHR) and enter it into binding force because they are a member of United Nations (UN).
- Implement Burma's Constitutional Law.
- Promote human rights in Burma.
- Stop forced labor in Burma.
- Evaluate economic policies and development project policies.
- Promote the indigenous people's livelihood.
- Evaluate an international principle of law that is relevant to food security and improve food security in Burma.
- Stop confiscation of the villagers' land.
- Evaluate state development projects.
- Stop burning the forest, this is the villagers' food resource.
- Stop forced child labor and follow the Article of Child Rights.
- Stop violence against women's identities and follow the Article of Women Rights.
- Put the right to food into practice to bring adequate food to the people in Toungoo District.
- Follow the articles of the International Labor Organization.

### **To the International community:**

- Pressure the SPDC to sign the International Convention on Civil and Political Rights (ICCPR) and the International Convention on Economic, Social and Culture Rights (ICESCR) and enter them into binding force.
- Pressure the SPDC to follow the Conventions they have already signed.
- Pressure the SPDC to stop forced labor in Burma.
- Pressure the SPDC to stop all human rights abuses in Burma.
- Pressure the SPDC to change the Constitutional Law that they already drafted without civilian participation.
- Stop lending money until the SPDC changes their policies.
- Stop investment and trade imports from Burma until policies change.
- Pressure the SPDC to not create policies without civilian participation.
- Pressure the SPDC to sign and ratify the International Principle of Law such as ICCPR and ICESCR article that are relevant to Food Security.
- Encourage the SPDC to create a sustainable economy and contribute adequate food for their country.



### **To the Non-government Organization:**

- Represent the local people, demand that the SPDC respect human rights and stop abusing the people in Toungoo District.
- Demand that the SPDC stop burning the forest because villagers depend on it.
- Demand that the SPDC stop their huge projects that are having a negative impact on the villagers' food security.
- Document all human rights abuses perpetrated by the SPDC and submit them to the international community.
- Visit the local area and discover what problems the local people face.
- Participate with the local people and try to help local people figure out how to solve their problems.

### **To the Local people:**

- Express your bad experiences yourselves.
- Try to find someone who you trust and believe to become your representative and speak out for you.
- Don't be depressed and keep standing up for your rights that are abused.
- Try to express your feelings, keep going and struggle for your life.
- Think about your future and make an effort for your generation.
- Participate with leaders and other organizations to solve your problems.

## **International Law**

Some international laws are relevant to food security. The SPDC regime has not signed these but it is a member of the United Nations, so it should respect and accept any law that is passed by the United Nations members. The International Covenant on Civil and Political Rights (ICCPR) and International Covenant on Economic, Social and Cultural Rights (ICESCR) are very relevant to this report. The villagers who are living in Toungoo District are also humans so they should have the same rights as other countries' people. The SPDC should sign those international laws and put them into practice so that there will be adequate food for the people in Toungoo District and the villagers in Toungoo will have an adequate standard of living.

**ICCPR Article 6:** The right to life and survival.

**ICESCP Article 6:** Everyone has the right to work, including the right to gain one's living at work that is freely chosen and accepted.

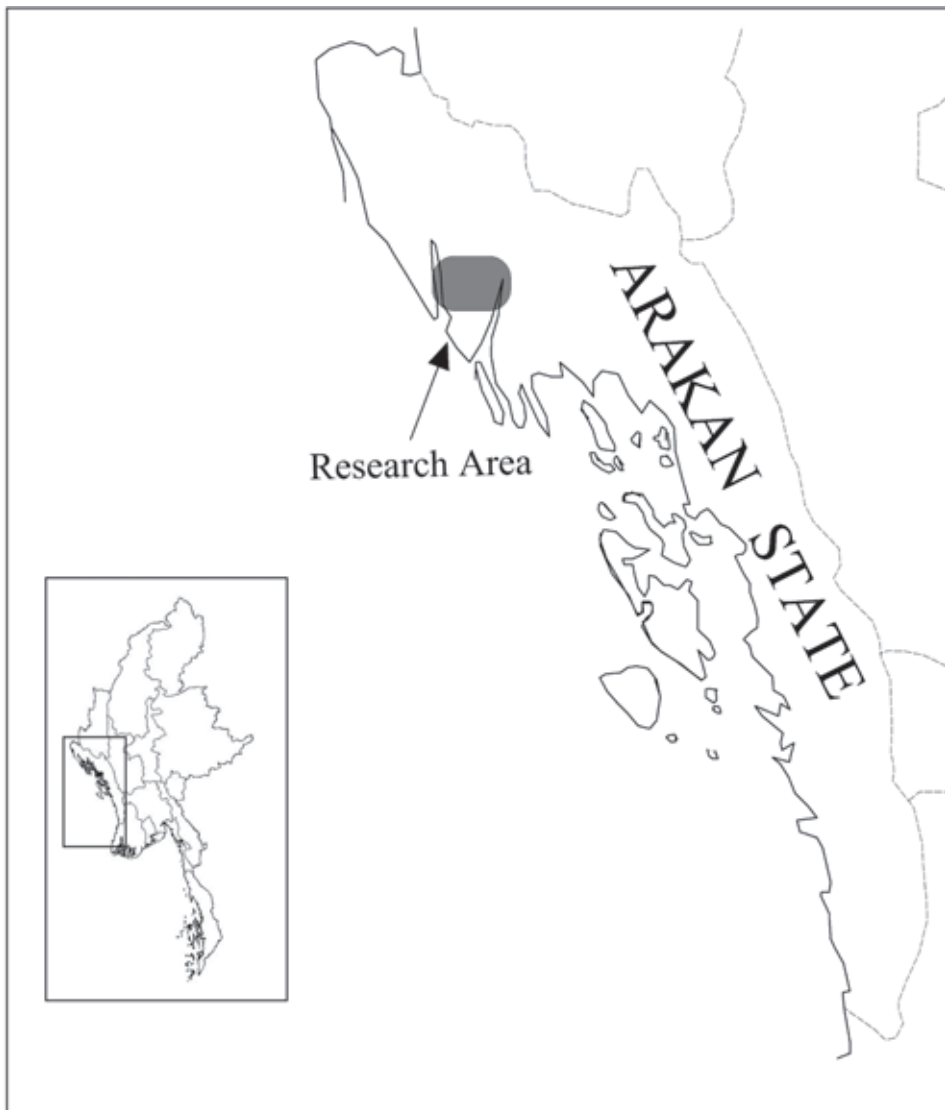
**Article 8:** Everyone has the right to form and join trade unions, the right to strike.

**Article 11:** Everyone has the right to an adequate standard of living for himself and his family, including adequate food, clothing and housing. Everyone has the right to be free from hunger.

# Causes of Food Insecurity in Rathidaung Township, Northern Arakan State

By Zaw Zaw

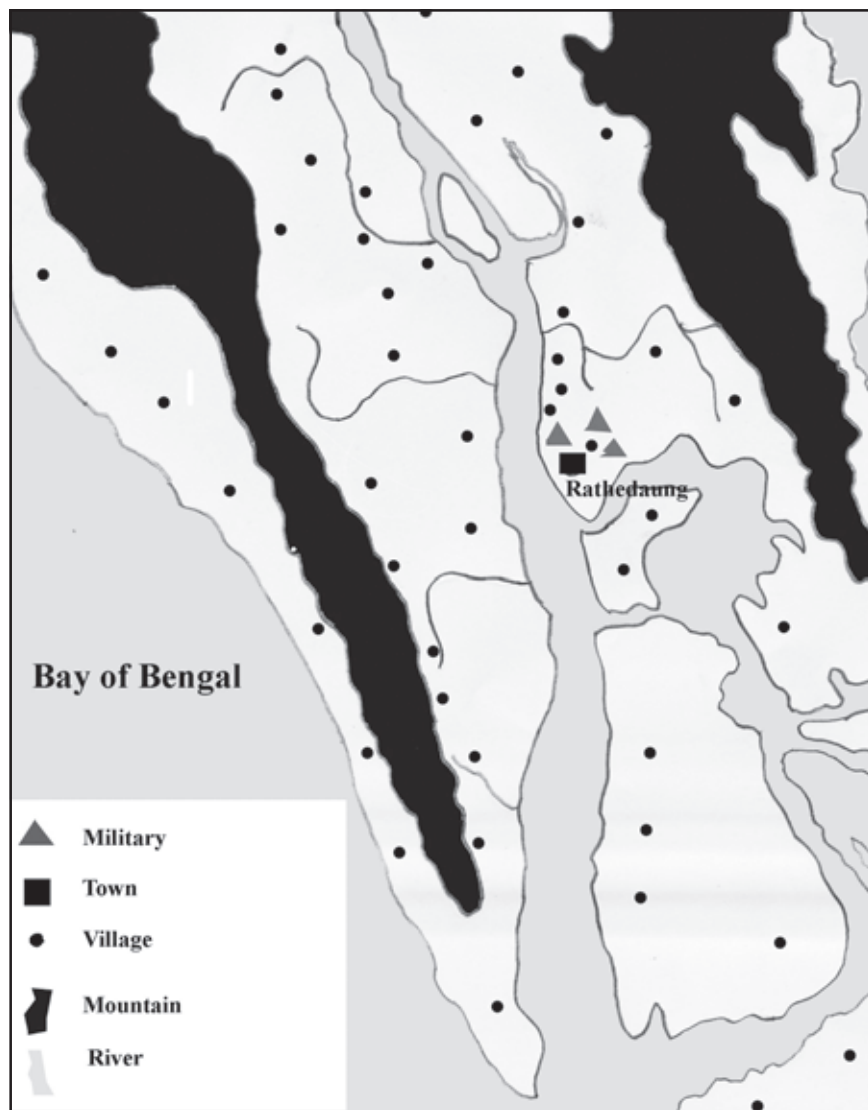
## Map of Arakan (Rakhaing) State, Burma



‘Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or any other lack of livelihood in circumstances beyond his control.’

(Article 25, (1), Universal Declaration of Human Rights)

### Map of Rathedaung Township, Arakan (Rakhaing) State



## Introduction

The policies of the SPDC, including land confiscation, forced labor and chemical fertilizer distribution are causing food insecurity in Rathedaung Township. This report examines the failed SPDC agricultural policy in Arakan State. The first section of the report deals with land confiscation. Land confiscation has been taking place throughout the country since the military seized the power in 1962. In 1972 the new constitution adopted by the ruler general Nay Win made the state the ultimate owner of the land. Since then there has been no legal protection of land rights for Burmese people.

Section two examines the consequences of forced labor on food security. Forced labor is common in Arakan State. Although Burma is a member of the ILO and ratified their membership in 1955, the SPDC forces farmers to work for their benefit in some areas. Especially in the rainy season, the farmers have to plough the farms for the military.

Section three of the report outlines the SPDC policy concerning chemical fertilization. The SPDC has forced farmers to use chemical fertilizers without providing training. The result has been destruction of the land causing increased local food insecurity. This report is based on research conducted in Rathidaung Township, Northern Arakan State. Fourteen people were interviewed including farmers and workers.



*This boy has to beg for food for his family from house in Arakan State. (Photo by Zaw Zaw).*

## Background of Arakan State

Arakan State is one of seven states in Burma, located on the Bay of Bengal. It is bordered by Bangladesh to the northeast, Chin State to the north, and the Irrawaddy, Maue and Pegu Divisions to the east. It has seventeen townships and the capital city is Sittwe. The State has an area of 36,778 square kilometers and population of 3,077,712.<sup>382</sup> The ethnic groups are Arakanese, Mro, Khami, Kaman, Dienet, Maramargri, and Thak. Most people are farmers and fishermen.

Arakan State is one of the most highly militarized states in Burma. According to Supply and Command, a report by the Shwe Gas Movement, since 1988 the number of battalions in Arakan State has increased from 3 to 43 battalions.<sup>383</sup> By looking at that fact, it can be imagined that farmers in Arakan State are facing serious livelihood problems. The local people are losing their farmland and other natural resources such as mangrove forests, bamboo, wood, brooks and rivers that provide their daily food and shelter. Before the military confiscated the land, the people got vegetables, fruits and crabs from the mangrove forests. Now the authorities don't allow the villagers to enter into mangrove forests. The people have to buy their food from the market. The vegetable and fish sellers also lost their jobs.

Rathidaung is one of the townships in Arakan State and it located 41.7 kilometers from Sittwe. According to Township Peace and Development Council's documentation, its total population is 156,240 people and there are 217 villages and 4 quarters. The people earn money by farming. Before 1993, farmers could work on their ancestral farms without fearing soldiers. They could produce enough rice for their family. They didn't need to go too much to work as forced labor for the military. Fishermen also could catch fish without paying high taxes. In 1993 three SPDC battalions arrived and confiscated the local farms without providing any compensation. Since then township people have had to work for the SPDC as forced labor. The SPDC's policy of forced labor has meant that people are facing a lack of livelihood and food insecurity.

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<sup>382</sup> Ministry of Information, 2007, page 110.

<sup>383</sup> 'Supply and Command', Shwe Gas Movement, July 2006.



## Land Confiscation

According to ND Burma (the Network for Human Rights Documentation-Burma) land confiscation is “An arbitrary and unlawful confiscation, deprivation, or destruction of housing, land, and/or other assets and material goods by State authorities, often times committed without permission and under menace of threat or penalty, that can lead to an inadequate standard of living, obstructions to improvements in living conditions, unlawful forced evictions and displacements, and other hardships.”<sup>384</sup>

According to this definition, there has been land confiscation widely occurring in Rathidaung Township since 1993. The local authorities confiscate land from the local people without compensation. The main reasons for land confiscation are militarization, military projects and road construction. Owners of the confiscated-land commonly get no payment for their land or inadequate compensation. The consequences are terrible for local farmers who face unemployment, loss of livelihood, food insecurity, debt, and unlawful imprisonment as well.

International human rights law expressly forbids land confiscation. The Universal Declaration of Human Rights in Article 17 explains:

**(1) Everyone has the right to own property alone as well as in association with others.**

**(2) No one shall be arbitrarily deprived of his property.**

According to international human rights law, the SPDC is abusing the human rights in Rathidaung Township. They confiscate the local people's properties such as rice farms, vegetable fields, pastures for cattle and natural resources without due process. As a consequence, people are suffering from a food shortage. The International Covenant on Economic, Social and Cultural Rights (ICESCR) Article: 11 (1) states that the state parties must recognize the rights of every person to an adequate standard of living for himself and his family, including adequate food, clothing and housing. The SPDC has not ratified this convention because they are abusing those rights. Nevertheless, they should respect the UDHR article (25) which states that “Everyone has the right to a standard of living adequate for himself and of his family, including food, clothing and housing.”

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<sup>384</sup> ND Burma.



*LIB 537 confiscates the garden from Taung Hla.  
(Photo by Zaw Zaw).*

## **Confiscation of Rice Farms**

In 1993, three SPDC battalions (LIB 536, 537 and 538) confiscated over 150 acres of paddy (rice) farms from local farmers without providing any compensation. They built some barracks in those areas and grew rice for the families of the military. After three years, they rented the land back to the original farm owners. The farmers have to give the military 28 tins of rice per acre per year. The farmers cannot get enough rice for their families by giving that high amount of rice. Although the farmers don't get enough rice for their families by renting farms from the militaries, they don't dare to surrender this job because that is their ancestral work.

***"I have no rice left for the rainy season by renting farms from the military. There are there points why I rent the farms from them. First, I don't have any other job. Second, if I don't rent the farms, they don't allow my cattle to enter into the military boundary. There is no pasture for my cattle and I have to sell them. These are my ancestral farms. I don't want to see other people work in my farms."***<sup>385</sup>

Agriculture is the main economy in Rathedaung Township. Rice is the common crop and the staple food. Before the authorities seized the local farmers' rice fields, they exchanged their rice for vegetables and they could send their children to school by selling rice. A local farmer explained their family condition before they lost their farms:

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<sup>385</sup> Interview 6.

***"I didn't need to be worried about rice for my family and also I could sell extra rice to make money. I could spend money for clothes, housing, health and my children's education. My family's economic situation was good."***<sup>386</sup>

It was common in Rathedaung Township for the farmers to only grow rice. When farmers lose their paddy farms, it leads directly to a food scarcity.

***"When they confiscated my farms, I couldn't sleep well every night. Looking for a new job was my only thought because I need money to buy rice and my children were studying. I didn't know which job would be suitable for me. At that time, my mind was not regular, I was like a mad person."***<sup>387</sup>

## **Confiscation of Pastures**

The farmers in Ratheduang Township use cattle and buffalo to plough their farms, they are very important for agriculture. Most farmers usually don't grow rice paddies in some acres of farms and keep it as pastures for cattle. But the local authorities don't want to see the pasture and forced the farmers to grown rice. If the farmers don't follow their order, the SPDC confiscates those pastures. The SPDC's goal is to grow paddies on all farms. Almost nine acres of green farms from Wor Thick village were confiscated by local authorities to grow cast-Nat plants.

The SPDC confiscated the fields and pastures in In Taung Hla village in 1993. Almost all of the village's pastures were lost. The farmers who had cattle faced problems. The SPDC military did not allow the cattle to enter into their area. If there is no pasture, there will not cattle. If there are no cattle, the farmers cannot plough their farms and grow rice. Cattle also are important as the maker of organic fertilizer in the farms through their waste.

***"In the hot season, they confiscated my farm. The first problem for me was losing pasture for my cattle. They didn't allow the cattle to enter their areas which they confiscated from us. So I had to sell some cattle with a low price."***<sup>388</sup>

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<sup>386</sup> Interview 5.

<sup>387</sup> Interview 5, farmer.

<sup>388</sup> Ibid.

If one buffalo or cow enters into the SPDC's area (the farms which are confiscated by the military), they order villagers to give 1,000 kyat for one buffalo as a punishment. Moreover, they beat the cattle owners.

***"Last year, in the rainy season, I was looking after my cattle. One of the cattle entered into their farms. The captain beat me."***<sup>389</sup>

Some farmers didn't want to face problems with the military so that they sold their cattle. The cattle are the second income for farmers because they sell extra cattle which are not needed to plough in order to buy food. Using cattle labor is their traditional and sustainable way of farming. That is the only way of farming for them because there is no engine to plough the farms for farmers.

## **Confiscation of Natural Resources**

In Rathiduang Township, the people in rural areas were very connected with mangrove forests. The mangrove forests provided their livelihoods. They picked the vegetables and fruits from it. They could catch the fish and crab from small brooks of the mangrove forests. Moreover the forest provided the local people with firewood, leaves for roofs and wood for shelter so they didn't need to spend money for those things. They got it all for free from mangrove forest.

After 1993, the SPDC confiscated the mangrove forest beside the May Yu River for shrimp farming (which is very popular in Arakan State). First they put red flats in the mangrove forest to signal that land was then owned by the SPDC military. Then, they rent those areas to the local businessmen.

Confiscation of natural resources affects the local people and causes them to be poorer, jobless and eventually migrant workers. After their lands are confiscated, the local people are not allowed to enter the mangrove forest. The businessmen cut the mangrove trees and sell them in the market as firewood. The authorities and the businessmen don't allow the local people to use the natural resources from mangrove forests. They sell all of the resources. Given this situation, local people have to spend more money for their daily lives than before. Rural people are facing food shortages.

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<sup>389</sup> Interview 9.

***"I had a shrimp farm beside my paddy farm. My shrimp farm was very popular in this area. It could produce a lot of shrimp prawn and fish. If they didn't confiscate it, now I will be a rich man."***<sup>390</sup>

- One of the local farmers from Taung Hla village



*A shrimp farm*

## **Confiscation of Gardens**

There are a lot of small hills in Rathidaung Township. The local people have grown gardens in those hills for many years. They grow mango trees, marian trees, plum trees and some vegetables. The local garden owners earned money by selling seasonal vegetables and fruits from those gardens. Today the SPDC is confiscating these local gardens to supply military families without proving any compensation. The SPDC's policy is to confiscate the land that they can and then they will rent the land back to the local people in order to get more money. They take half of income from the people. It is pure exploitation. The people cannot support their family by earning income from those gardens. On another hand, they don't have other jobs. They are worried because they may lose their job anytime.

***"They confiscated my garden, almost three acres, in 1994. At that time, I was faced with many problems because I didn't have any other job. After three years, they rented me my land. Later I realized that why they rented me that garden. They didn't get the money they expected because the soldiers and their families stole the fruits from the garden. I also now do not get enough money for my family because they still steal the fruits from the garden."***<sup>391</sup>

-One of the garden owners

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<sup>390</sup> Interview 8.

<sup>391</sup> Interview 13.



## Consequences of Land Confiscation

In Arakan State, agriculture is the most important livelihood; the agricultural land is the life of Arakan people. Mangrove forests are also important for the people because they are very connected with the livelihoods of the local people. After land confiscation, the Arakanese people, especially the farmers, are directly suffering from food shortages. By the SPDC confiscating farmland, not only have the farmers been affected but also the employees. Often times in large paddy farms, farmers have to hire laborers to work. When the land is confiscated by the SPDC, the laborers were out of work as well.

Land confiscation changed the livelihoods of farmers immediately. Some farmers have had to find new jobs that are not familiar to them. They often don't get enough money for their families. Some farmers rent the farms from the military but they don't get enough rice because of exploitation by SPDC military. They have to give two thirds of their rice production to the military.

As a result, the farmers are faced with debt year after. Husbands are forced to migrate to make money. This creates a condition in which the wives and children to famish. The children have to work for their food so they cannot go to school. The children do not get an education and are in poor health because of hard work.

***“After they confiscated my farm, I could not send my children to school. They had to help me to make money for daily food. One of my daughters died because of illness in 1996. I couldn't send her to hospital because I didn't have money. I tried to borrow money from other people but no one lent me.”<sup>392</sup>***

-A local father

### Forced Labor

Burma ratified ILO Convention No. 29 Concerning Force Labor in 1930, which defines forced labor in Article 2.1 as, “All work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.” According to this article, the people from Taung Hla village, Rathidaung Township are having their human rights violated by SPDC LIB 538. The LIB 538 forces the people to build the barracks and to plough their farms every year.

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<sup>392</sup> Interview 6.

## Building Military Barracks

Since 1993, the SPDC military has (LIB 538) forced the villagers from Taung Hla village to build military barracks without providing any wage. During three years, the farmers had to go forced labor many times to cut the trees, to build the barracks and to build the roads. No pay was given for such labor. This pushes many families deeper into poverty. Nowadays, they use the villagers for forced labor when they build the new barracks. Therefore, people cannot work their jobs.

## Farming for the Military

Every year the SPDC military forces the farmers from Taung Hla village to plough confiscated farms with their own food and tools. They exploit not only human labor but also animal labor. The farmers have to use their cattle to plough the farms.

In the rainy season, all farmers are very busy by working on their farms. This is the most important time for farmers. If farmers fail to work their crops on time, rice production will decrease significantly. The LIB 538, however, does not care about the well-being of the people or the farms – they force the farmers from Taung Hla village to plough their farms despite the dire consequences for their livelihoods. They also force the women from the village to clean the grass on the farms and plant the paddy plants.

***"I have gone many times as forced labor. We, men have to plough their farms without getting money. Women also have to clean the grass and grow the paddy plant in their farms."***<sup>393</sup>

-A local villager

According to one of my interviewees a man should earn 1,000 kyat a day and a woman should earn 800 kyat. The military does not provide any money for wages. It is a big problem for daily workers. They don't have money to buy rice. If there is no rice to cook in their home, how they will get food? How will their families survive?

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<sup>393</sup> Interview 8.

## Consequences of Forced Labor

Most of the farmers don't have enough rice for their family. If they cannot earn money by working in each day, they face debt for each day of wages. They have to work everyday for their daily food especially in the rainy season. But the military does not care and they force the local farmers to plough their farms. Given this, there is no rice in the villagers' homes to cook for dinner. They have to borrow rice from other people, but this is not a reliable way for them to get food.

The SPDC ratified the International Labor Organization's Convention Article 29 and therefore they announced that if any person is forced into labor, he or she can complain to the ILO. But at the present, the SPDC ignores the ILO convention. They continue use the farmers as forced labor in Rathidaung Township.

## Chemical Fertilizers & Rice Production

In Arakan State, most people support their families by farming. Arakan was one of the biggest rice production states in the past. However, farmers in Arakan State nowadays are facing serious livelihood-problems. According to the Natural Light Journal, in the last two decades most farmers have been forced to buy chemical fertilizers from the government, and its back-businessmen. But the government didn't give any training to the farmers in the methods of using chemical fertilizers. Given this lack of knowledge, chemical fertilizers have further destroyed the land in a short time period and left farmers in an even worse state of food shortage, joblessness, debt, and even long-term imprisonment.

According to one of my interviewees, some families have to satisfy their hunger with congee (surplus water that is drained off while rice is being cooked) in the rainy season. Some parents are not able to feed their children and let them beg for stuffs or food from other people.

Decreasing rice production is directly connected with food insecurity in Rathedaung Township. The rice production in Rathiduang Township is now very different that it was twenty years ago; It is almost 50% less now.

***"It is very different from ten years ago. Same that time, I got four hundred tins of rice from my farm but now I got only two hundred tins of rice."***<sup>394</sup>

- A local farmer

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<sup>394</sup> Interview 4.

The use of chemical fertilizers, the loss of traditional cultivation, the disappearance of traditional seeds and the lack of cattle for agriculture have all contributed to the decrease in rice production.

## Use of Chemical Fertilizers

According to the interviewees, the farmers don't know which fertilizer to use, how much to use or how long to use it for. Now the soil in the farms has been almost depleted. Chemical fertilizers not only nourish plants and microbes, but also may have harmful effects on the soil and its life.<sup>395</sup> Some plants and fish which were used for organic fertilizer are no longer available. Most of the farmers have to use chemical fertilizers to continue in their farms. There are three types of chemical fertilizers that are very popular in Arakan State; they are Urea, T Super and Three Cycles. They cost from 17,000 kyat to 40,000 kyat for one bag. If the use of chemical fertilizers is stopped in the farm, the rice production will decrease extremely. Now most farmers use depending on chemical fertilizer in the farm.

***"There is no organic fertilizer in my farm. If I don't use chemical fertilizer in my farm, my farm will not give me rice."***<sup>396</sup>

Farmers cannot buy enough chemical fertilizers because the price gets higher and higher year after year. On another hand, the soil has become depleted. So the farmers have to take loans (borrow) money from rich men with 20% interest or the farmers can borrow chemical fertilizers in the rainy season and they have to give 100 tins of rice for three bags of chemical fertilizers. If a person cannot give 100 tins of rice for three bags at that year, he must give 200 tins of rice the next year. That loan system pushes the farmers to starve.

## Method of Chemical Fertilizer Distribution

According to Natural Light Journal, in western Burma, military authorities as well as heads of trading companies generally import chemical fertilizer from Bangladesh to Shwe Min Gan harbor in Arakan State's capital city Sittwe. Despite Bangladeshi authorities' crack down on fertilizer smuggling to Burma, the illegal trade of fertilizers to Burma from Bangladesh is still widespread.<sup>397</sup>

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<sup>395</sup> [www.metafro.be/leisa/1990/6\\_3\\_8.pdf](http://www.metafro.be/leisa/1990/6_3_8.pdf)

<sup>396</sup> Interview 10.

<sup>397</sup> [www.narinjara.com/details.asp?id\\_1039](http://www.narinjara.com/details.asp?id_1039)

The fertilizers are received by closed committees in each township and these committees allow only specific “village representatives” to sell the product. The village representatives sell to the farmers with a loan system. In harvest time, the farmers have to give the village representatives 100 tins of rice for three chemical fertilizer bags. If some one cannot pay that amount of rice, they seized the farmers’ properties such as buffalo and farm fields.

## Loss of Traditional Cultivation

Over twenty years ago, the farmers used the traditional method of farming. The farmers lived on the farms for a long time. They used grinds (hand mills to husk grain) step by step until the rice was ready to eat so they could put the paddy husk in the farms. The husk became organic fertilizer the next year. They also put the buffalo on their farms



for a long time. The waste of buffalo is a very good organic fertilizer for paddy plants and this there is how they farmed traditionally. With these methods, they could produce enough rice for their families.

***“Over twenty years ago, I did not need to use chemical fertilizers in my farms. The soil was good. Paddy plants were good and rice production was also good. At that time, although I had to sell the rice to the government, I had enough rice for my family.”<sup>398</sup>***

The Burmese government forced the farmers to use chemical fertilizer. They told the farmers propaganda about how much chemical fertilizers were good in the farms by showing their good farms. Since this time, the farmers have been using chemical fertilizers and they have been careless in forgetting their traditional methods.

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<sup>398</sup> Interview 10.



Nowadays, the farmers don't follow the traditional methods of farming. They send the paddy to the rice mill. The paddy husk goes into the rivers and brooks. There is no paddy husk left to be used as organic fertilizer in the farms. The chemical fertilizers have become the main staple of rice production. The farmers need money to buy chemical fertilizers for their farms. They borrow the money from the businessmen with 20% interest. This forces the farmers to be faced with debt. If they used traditional methods of farming, they would not need to use chemical fertilizers.

After farmers use chemical fertilizers, there is no balance between rice production and costly chemical fertilizers. Farmers don't get enough rice for their families so they need more time to make money. They thought that traditional farming waste a lot of time so they surrendered traditional farming. The main reason why they surrendered traditional methods was that they didn't have enough rice for their families, but now they have even less.

***"I know if I use traditional method in rice production, the soil will be good. Now I get 200 tins from my farm. But of course, I need 300 rice tins for my family in a year. So I need more time to look for 100 tins of rice. So I have to choose the short time way to get enough rice for my family. Unfortunately, there is no regular work in my village."***<sup>399</sup>

As a result, the farmers are poorer and poorer year by year.

## **Disappearance of Traditional Seeds**

Twenty years ago, the farmers were usually careful about the paddy seeds. They chose the best seeds and kept them securely. Those were traditional seeds for them. They were very suitable with the soil and weather. The farmers could produce enough rice for their families.

Now the traditional paddy seeds have almost disappeared in Rathidaung Township. The government forced the farmers to buy the modern seeds. Some seeds are imported illegally from Bangladesh. The farmers need to produce more rice in a short time so they test the new paddy seeds.

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<sup>399</sup> Interview 1.

***“Our traditional paddy seeds have disappeared. Now the seed which we are planting are early maturing paddy plants. They absorb the soil fertilizer in short time.”<sup>400</sup>***

Now the farmers have to use chemical fertilizers more and more. As a result, the farmers have debt and cannot provide enough rice for their families.

## **Decreased Cattle for Agriculture**

Cattle are very important in farming in Arakan State. Cattle plough the farms and their wastes are very good fertilizer for the paddy plant. Cattle are also an income for farmers because the farmers earn more by selling extra cattle. The cattle in Rathidaung Township are decreasing and decreasing year by year. There are two reasons why the cattle are decrease. First, the farmers don't have enough food and have to sell them. The other reason is there is not enough pasture available for the cattle so they are sold. The farmers send the buffalo and cattle to the mountains when there are no pastures. However, buffalos and cattle fall down the mountain and die.

***“I have seven buffalos but I don't have green farm for them. So I sent them to the mountain. Last year, one of the buffalo fell down from the mountain and died. We face this problem almost every year.”<sup>401</sup>***

As a direct consequence of this situation, farmers are increasingly facing food insecurity.

## **Conclusion**

Everybody knows that food is very important for people to live. It is also a human right, according to the Universal Declaration of Human Rights Article 17. “Everybody has the right to have enough food.” But the people in Rathidaung Township, mostly in rural areas, are being abused in regard to these rights by the SPDC. The SPDC abuses the people by confiscating their land, forcing labor and requiring them to use chemical fertilizers. Having sufficient food is the main goal for most people in Arakan State. They don't have money to buy food because of extreme poverty. The people cannot escape from deep debt because of the economic monopoly imposed by the SPDC.

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<sup>400</sup> Interview 10.

<sup>401</sup> Interview 5.

Land confiscation not only affects the farmers but also the employees and the fishermen. If a farmer loses his fields, at least two or three employees will lose their jobs. In rural areas, the farmers and fishermen exchange their rice and fish. If the farmers don't have enough rice, it will be difficult for the fishermen to get rice, the staple food.

The people depended on each other. The SPDC has been exploiting the labor of people by forcing them to plough farms for them without providing any wage. The people cannot do their own work because they have to spend their time working for the military. They cannot earn money to support their families.

The SPDC's only policy on agriculture is to exploit the farmers. They forced the farmers to use chemical fertilizers. Consequently, agriculture in Arakan State is unsustainable. People are also faced with debt because they have to buy chemical fertilizers with high prices. Because of these problems the people from Rathidaung Township are facing a serious food shortage.

## **Recommendations**

### **For the SPDC:**

- Respect the livelihood of people in Burma
- Respect the UDHR and Follow the ILO convention
- Encourage the farmers to practice the sustainable agriculture
- Reduce the jobless people
- Take agreement with the local farmers for agricultural policy
- Give training the method of using chemical fertilizers

### **For farmers:**

- Save the traditional farming
- Save the traditional seeds
- Teach and share traditional farming methods to youth

### **For businessmen:**

- Stop doing business with the SPDC and trading in illegal fertilizers
- Respect the Human Rights and Environment

### **For the international community:**

- Pressure the SPDC to follow the ILO Convention on Forced Labor
- Stop buying natural resources from Burma

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**Southeast Asia Office**

P.O. Box 123  
Chiang Mai University  
Chiang Mai 50202  
Tel: 66-81-531-1256  
infoasia@earthrights.org

**U.S. Office**

1612 K St., N.W.  
Washington D.C.  
Tel: 1-202-466-5188  
Fax: 1-202-466-5189  
infousa@earthrights.org

For more information on ERI, visit [www.earthrights.org](http://www.earthrights.org)

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