



Statement of Emergency Assistance Team - Burma and The Johns Hopkins Center for Public Health and Human rights regarding the report *After the Storm; Voices from the Delta*

The Emergency Assistance Team (EAT) - Burma and the Johns Hopkins Center for Public Health and Human Rights welcome the debate now underway around the findings of our report "After the Storm: Voices from the Delta," which we released on February 27th, 2009. We would like to express our appreciation for all international NGOs providing humanitarian services within this constrained environment. EAT-Burma implemented this data collection as a solely community based organization working on relief efforts since within days of Cyclone Nargis. Johns Hopkins provided technical training and support for the collection of this data from individuals affected by the cyclone. An open dialogue between all parties working on relief services in the delta is important to achieving the overall long-term goal of providing sustained assistance that improves the situation for individuals and communities, while respecting human rights as its foundation. In addition, we advocate for increased assistance for humanitarian aid, but recognize the need for transparency and accountability in distribution and use of funds.

People of good intent can and likely will differ regarding situations as complex and challenging as the response to Cyclone Nargis. The letter released on April 8th, 2009, by a joint group of international relief agencies working on the ground inside Burma should be taken in this light. We recognize that international organizations working under Memoranda of Understanding (MOUs) with the State Peace and Development Council (SPDC), the ruling military junta in Burma, both operate in a constrained environment and are motivated by real concern for the welfare of the peoples of the country. We understand why it would be difficult for these agencies and their thousands of local staff to report in an uncensored manner on cyclone relief aid problems, as well as issues of forced labor and other human rights violations. We suspect that many of these agencies would join us in calling for the immediate and unconditional release of humanitarian relief workers and those reporting on the situation now imprisoned by the SPDC, including the four sentenced in March of 2009,¹ but understand why they cannot. We also recognize their inability to investigate and report incidences of human rights violations such as forced labor. We would point out that the International Labor Organization, approximately one month *after* the release of *After the Storm*, noted that Burmese civilians, including in the Irrawaddy Delta, who made complaints about forced labor, faced intimidation from the SPDC.

The international community has set key standards in the protection of human rights for natural disaster management and relief. We believe there is evidence of human rights

¹ Yin Yin Wine, Tin Tin Cho, Myat Thu, and Ni Mo Hlaing were arrested for their activities "...as volunteer relief workers in the Irrawaddy delta and collected donations from friends and relatives. The tribunal sentenced them to three years in prison." Wai Moe, *The Irrawaddy*, Tuesday, March 24', 2009.

violations, such as the imprisonment of individuals mentioned above and those who have experienced forced labor. Due to the harsh prison sentences and other forms of intimidation, it is understandable why individuals working on relief efforts at the community level, as well as those experience rights violations such as forced labor, would be fearful of speaking out. However, EAT-Burma and JHU is conducting this work to create a venue by which these voices can be heard and the issues addressed.

Methodology and Premise: Johns Hopkins Center for Public Health and Human Rights

The INGO joint response attempts to raise questions about this report's premise, methodology, and findings. The voices EAT field workers documented in the Delta, and not only in Rangoon or Mae Sot, as the joint letter erroneously asserts, spoke to us of their experiences. These voices stand, and we stand by the integrity of our methods, translation and transcription, and by what they had to say about surviving in the wake of the cyclone. Nevertheless, clarification is called for on some of the issues raised by the joint response.

This criticism of *After the Storm* is based on a fundamental misunderstanding of the premise. The agencies involved are humanitarian assistance groups—and EAT too. was and is fundamentally a humanitarian assistance group, and one that has reached some 87 villages and 17 townships—an estimated catchment of some 180,000 persons—but this is a human rights investigation. We trained relief workers in rights interviews and mounted this human rights assessment within that relief effort. We stated clearly that this was a qualitative assessment using in-depth, key informant interviews—standard practice in human rights assessments. We never asserted that we were doing a population-based assessment, and all involved agreed that this was unfeasible for independent community relief workers, working without MOUs from the junta and thus without the protections—or the constraints, of INGO membership. This mandated a much smaller investigation than a large, quantitative assessment, such as the PONJA. However, having truly independent community members conduct human rights interviews in settings of anonymity and maximum protection from the SPDC, USDA, and other junta-related entities, has meant that people felt free to report what they had witnessed or experience firsthand. This is why we maintain that these voices from the Delta are exceptionally candid, uncensored, and cannot be dismissed. We did not include the data, although we collected it, on precise locations, dates and times of these human rights interviews in the Delta—this was done, as we hope all understand, to maximize protection of both interviewers and interviewees. Likewise, villages served, and organizations in which relief workers were involved, were collected in some cases and were similarly left out of the final report to maintain anonymity and protection for these individuals.

It is important to point out as well, that interviewing relief workers, survivors, and particularly SPDC troops who have defected (a rich source of detail for us on the actual operation of the military in the relief effort) outside Burma proper cannot be viewed, as the joint response implies, as invalid. In international human rights investigations, it is universally accepted that when citizens do not have the right to free speech and the right to criticize their government, as Burmese people do not, that interviews conducted in settings where they are safer to speak are viewed as more, not less, credible. It goes without saying that SPDC soldiers still under command are highly restrained from

speaking openly about their activities, and that interviews with those who have fled the military can only be safely conducted outside areas of junta control.

Security concerns played an additional role in shaping our methods. While members of EAT focused their efforts in the Irrawaddy Delta, several members of our collaborative team did visit Burma via Rangoon and did conduct a number of confidential human rights interviews with relief agency staff. We did not openly contact the majority of organizations who have signed on to this joint response, and feel now that we should share our reasoning. As a group who have been investigating and reporting on the health and human rights situation in Burma for some years we were concerned that open requests for meetings and information from our team could compromise the security of groups working under MOUs with the SPDC, other humanitarian relief workers, and of the EAT itself. Our sources inside the country cautioned that surveillance of INGO activity post-Nargis was marked, and that our presence could compromise relief efforts—hence we chose to stay as "under the radar" as possible. We did conduct confidential interviews with a number of humanitarian relief workers who were often the only ones providing aid in their project sites deep in the Irrawaddy Delta; however, again, we are not at liberty to expose these sources.

Documentation and Community Empowerment: Emergency Assistance Team - Burma

EAT Burma has been providing assistance to the communities affected by Cyclone Nargis since its immediate aftermath. Its teams are formed solely through the dedication of local community members of the Irrawaddy delta region who courageously organized themselves and are covertly providing assistance to those communities still in need. Its aim is not only to provide necessary humanitarian assistance, but also to encourage community-based leadership in further promoting the welfare of their societies.

The individuals in the cyclone-affected area have experienced a great deal of physical and psychological trauma; therefore, continually empowering communities is crucial through this process. When providing humanitarian aid and beginning to reconstruct the social and physical aspects of the community it is important to gather individual information to inform these processes and empower the community to take control of their development. The incidences of human rights violations cited in our report should cause concern for all agencies working in the cyclone-affected area. Thus, we encourage INGOs to engage in an open dialogue with our organization and other community based groups to create a more complete picture of the complex nature of the situation in the cyclone-affected areas.

Conclusion


While we welcome the very kind invitation from the joint response INGO group to visit the Irrawaddy Delta, we need to make three points: First, the EAT-Teams are made up of individuals who reside in the Delta and therefore were able to mobilize to provide relief services within 6 days of the cyclone. They obviously do not need an invitation to visit their own communities. Second, Dr. Beyrer has been repeatedly denied visas to Burma since the May 2003 attack on the NLD and its leader, Daw Aung San Suu Kyi. He applied for a visa in the wake of the Cyclone, at a time when a number of relief workers


were securing visas, and after a seven (7) week delay in which the Embassy of Myanmar held his passport, was again denied. The visa service working with the Myanmar Embassy was told that his 2008 denial was based on the fact "that he was a humanitarian doctor." And finally, the INGOs may not be aware that Dr. Cynthia Maung, first recipient of the Jonathan Mann Prize for Health and Human Rights, was forced to flee her homeland after the 1988 democracy uprising, and would likely face arrest, incarceration, and torture, should she attempt to return, as have so many others who have tried to return or spoken out against the regime. Similar fates would likely await other members of EAT known by the junta to be involved in their ongoing relief efforts as the junta has already amply demonstrated. We respectfully assert that the INGOs could not ensure Dr. Cynthia's or other members of EAT's security in the current political climate. She, like so many of her countrymen and women working for the good of the peoples of Burma, eagerly await the day that she can return to her homeland to continue the humanitarian mission for her people.

Looking ahead, we hope to have the opportunity to meet with key individuals in the organizations also providing humanitarian assistance in the Delta for face-to-face discussions. We believe all of the agencies working in the Delta are interested in creating a working environment with increased transparency and implementation of best practices that fully respects human rights and empowers communities.

Sincerely,

Executive Committee Members of EAT-Burma


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