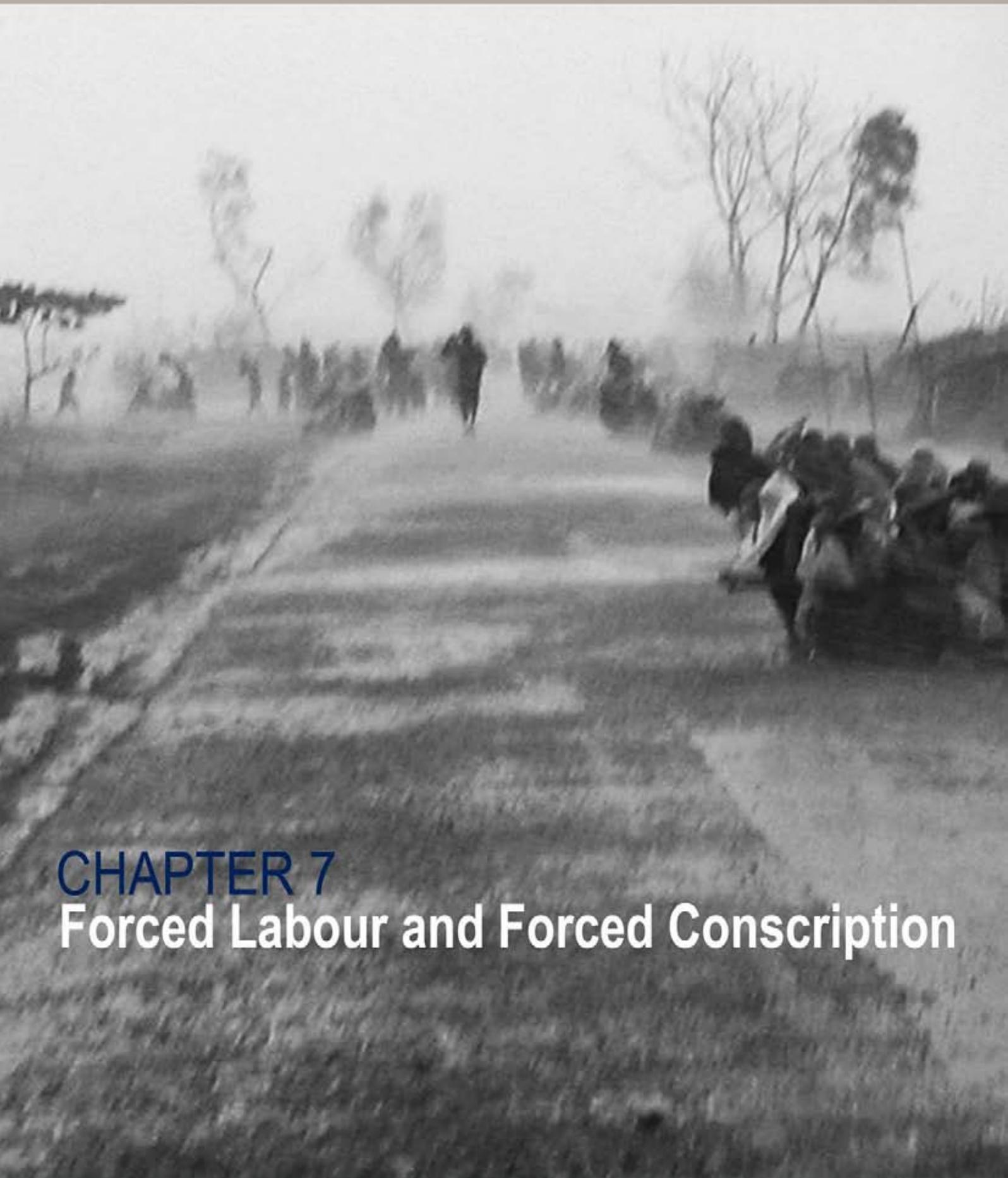


15th Annual Edition

# BURMA

HUMAN RIGHTS YEARBOOK 2008





## CHAPTER 7

# Forced Labour and Forced Conscription

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## 7.1 Introduction

Burma has signed and ratified 19 separate international labour standards, including the Convention Concerning Forced Labour (1930), yet the use of forced labour remains widespread and pervasive throughout the country. The routine disruption of work and life has brought many communities to the brink of humanitarian crisis, with villagers in rural areas struggling to find the time to grow food or earn a wage in between fulfilling the various demands of the junta and its allied ceasefire groups.

Following the completion of the first year of the Supplementary Understanding and the complaints mechanism implemented under that agreement, the International Labour Organisation (ILO) reported some success and agreed to extend the agreement for an additional year. However, they also noted a general public lack of awareness and understanding relating to the procedure and the agreement itself. This was largely attributed to the lack of public information available and the ongoing delay in producing and distributing local language translations. The ILO also commented on the inherent physical difficulties that many faced in travelling to Rangoon to lodge a complaint and the prevailing fear of retribution which many people continue to hold.

The new constitution, which was the subject of a national referendum in May 2008, contains a clear statement on the illegality of forced labour within article 359. However, this constitution will not come into effect until after the 2010 general elections. In the interim, there have been repeated calls for the junta to issue an unambiguous, high-level statement, confirming their commitment to the elimination of forced labour. To date however, no such statement has been forthcoming. On the contrary, a number of labour activists and human rights defenders have been arrested and imprisoned, including a number who had links to the ILO. This type of action has naturally had an impact on public confidence and reduces the likelihood of people making complaints or attempting to assert their rights in future. This is in addition to the fact that there is a lack of accessible information relating to human rights in general, meaning that the number of people who are aware of their rights and the avenues of redress available to them is low to start with.

Reports of forced labour were received from sources across the country during the year 2007 and again in 2008, with particularly high rates of incidence reported in Arakan State, Karen State and Shan State. In some states, military demands for labour, food or money were often expressed in written order documents, although some officers have become aware of the importance of these documents as evidence of human rights abuse and have begun circumventing the problem by issuing their orders verbally at meetings. In August 2008 the Karen Human Rights Group (KHRG) published a collection of 59 translated order documents issued by State Peace and Development Council (SPDC) and Democratic Karen Buddhist Army (DKBA) authorities in Toungoo, Nyaunglebin, Papun and Thaton Districts between October 2007 and March 2008. Some of the orders covered general issues and specified travel permission or restrictions on the sale of meat, but many included demands for food, materials, services and various kinds of labour or attendance at meetings.

Following examinations of the collected documents, KHRG noted three main points. Firstly, the orders demonstrated the persistent military threat and harassment under which Karen villagers live and the effect that this has had on their livelihoods. Secondly, it was noted that the villagers affected maintained attempts at resistance through delayed and partial compliance with orders which was evidenced in the number of documents containing follow-up orders. Thirdly, the orders reflected that the SPDC and the DKBA have become dependent upon obtaining labour, food, money and other supplies from rural communities. In 1997 the central War Office instructed the country's 12 Regional Commands to fulfil all

their logistical requirements locally, rather than from central reserves. It is apparent that this policy has remained standard practice and that the sustained military presence across many parts of Burma is a key factor in the ongoing humanitarian crisis.

International joint business ventures continue to be a key factor in the sustained militarisation of many areas as well as an ongoing source of controversy and conflicting reports. For example, French company Total state on their website that the Yadana project *“runs 63 kilometres in an east-west direction through a fairly isolated, sparsely populated ... region in southern Myanmar’s Tenasserim district”* and extols the benefits that their Socio-Economic Program has brought to the pipeline region.<sup>1</sup> On the other hand, EarthRights International (ERI) have documented reports of forced labour associated with the project occurring in Shan State, Karenni State, Karen State, Pegu Division and Mandalay Division as well as Tenasserim Division. The reports they have gathered include accounts of:

- Forced portering;
- Construction or repair of military camps and facilities;
- Ad hoc forced support for military camps (including the provision of guides, messengers, cooks, cleaners, etc);
- Income generation for individuals or groups (including work on military-owned agricultural projects);
- Work on national or local infrastructure projects (including roads, bridges, etc);
- Cleaning/beautification of rural or urban areas; and
- Forced labour and porter fees relating to the above.<sup>2</sup>

A significant number of the accounts refer to forced labour resulting from the enhanced military presence that accompanies lucrative ventures such as the Yadana project. It is clear that villagers in the vicinity of project areas not only face the burden of forced labour on the projects themselves but, as described above, also have to service the military’s continued dependence upon local communities. It is perhaps also notable that areas which have not reported high levels of forced labour may have experienced increased use of convict labour or military conscription instead. In Tenasserim Division for example, where much of the Yadana pipeline is situated, there have been no significant reported forced labour incidents, however, the region was subjected to a military conscription drive in October 2008 which targeted male students in the Ta-kei regions. The ILO had previously identified this trend for reductions in traditional forms of forced labour to be accompanied by increases in military conscription. This trend has also been noted by other organisations working in the area.

Another noticeable thread running through the various reports of forced labour received during the past year are the abuses associated with the SPDC’s bio-fuel project. The drive to plant and cultivate jatropha on vast swathes of land across the country has had a severe impact on food security in rural communities. The project has also been severely mismanaged and has, on the whole, failed to deliver the anticipated yield. There is a risk that the junta may respond to this situation by increasing the number of plantations or trying to increase the work-rate of those forced to participate. This will serve only to increase the burden on poor families whose livelihoods are already threatened by the demands of the bio-fuel project.

## Forced Portering

The use of forced portering has been described as a “signature abuse” of the SPDC.<sup>3</sup> It often occurs in an orderly fashion, with village or township leaders being presented with a written requisition for a specific number of porters, but can also involve troops conscripting villagers from farms or road-sides, as and when, they need them. As with other forms of forced labour in Burma, reports of forced portering include the use of women and children as well as the elderly. The use of prisoners is also commonplace.

Although the practice remains widespread, a number of organisations have noted a slight reduction in reports of forced portering over the past year or so. There have also been changes to the pattern of portering with villagers being required to work shorter stints and released when replacements are available, i.e. at the next village or township. This, however, represents a general trend and the practice remains more onerous in certain areas of the country.

A recent report by Amnesty International (AI) examined the use of forced portering as part of an investigation into crimes against humanity in eastern Burma. Their report detailed testimonies from refugees and IDPs who said they were regularly forced to act as porters for SPDC troops and for the various ceasefire groups operating in the region. In addition to carrying ammunition, water, food and firewood, villagers were often required to act as minesweepers, sentries or guides. They reported carrying loads weighing up to 40Kg and being required to work with a frequency ranging from once a month to almost daily. The average requirement was once or twice per week.

Some villagers reported being offered the chance of, or being able to negotiate, paying a fee instead of carrying out the portering duty. However, such fees were often equivalent to a day’s salary and few could afford this sum.

Amnesty International (AI) recorded the testimony of a former village headman from Ya Da Gon village in Tantabin Township of Nyaunglebin District, Pegu Division. According to AI, the man had been required to recruit and organise villagers for portering work for SPDC troops. He felt unable to refuse as the position of a village headman was dependent on military approval. It was possible to pay money in lieu of some of the porters but ultimately, the labour had to be provided. Another villager from Tantabin Township reported being threatened with having their house burnt down if sufficient porters were not forthcoming.

The most dangerous aspect of portering however, is when it takes place in combat areas and villagers are used as human shields or minesweepers.

*“International humanitarian law prohibits forcing civilians to engage in unhealthy or dangerous work. In particular, civilians must not be forced to do work which would entail their “taking part in military operations”. Forcing Karen civilians to work as porters, scouts and guards in areas where hostilities take place clearly breaches this prohibition. Of particular concern to Amnesty International is the use of Karen civilians as minesweepers and human shields. This is clearly a violation of the human right to life, as well as of international humanitarian law, and constitutes a war crime, as it violates the prohibition on violence to life and person and the principle of distinction between combatants and those taking no active part in the hostilities.”<sup>4</sup>*

The AI report quoted a woman from Tantabin Township who had been forced to act as a minesweeper and had seen people step on live mines. The report also quoted people who had been used as human shields in areas where Karen National Liberation Army (KNLA) ambushes were anticipated or on occasions when fighting broke out unexpectedly.<sup>5</sup>

## Forced Labour

The SPDC passed a decree in October 2000 which abolished forced labour and they have made efforts to be seen as cooperating with the ILO in working towards the elimination of forced labour in Burma. However, this made very little difference, if any, to the situation on the ground over the course of 2008. A villager from Sittwe Township in Arakan State described the situation on the ground in his area in the middle of 2008,

*“The military government announced in 2000 that there is no forced labor in Burma, but in our area, forced labor is still alive and it has been used by the local authorities.”<sup>6</sup>*

Forced labour is used widely by both military and municipal authorities. Development projects often utilise forced labour on a range of tasks (see Section 7.3 below) and the junta’s bio-fuel programme, as described below, has led to increased levels of agricultural labour across the country. Reconstruction work in the wake of Cyclone Nargis was also a focus for forced labour activity in 2008 and a source of ongoing concern for the ILO.

In July 2008 it was reported that initial concerns over the use of forced labour in the wake of Cyclone Nargis had been well founded and that people were being forced to work for very low wages in the affected region. It was alleged that some locals were being forced to work in order to receive aid.<sup>7</sup>



Karen villagers from Nyaunglebin District in Karen State constructing fences for the newly-established Aung Lung Sein SPDC army camp in April 2008. SPDC army soldiers from LIB #599 stationed at the camp had ordered 35 villagers to performing this work without pay and were required to provide their own tools and to acquire all of the materials required themselves.

*[Photo: © FBR]*

Earlier, in June 2008, Altsean highlighted six incidences of forced labour involving prisoners or villagers being forced to work on military-run infrastructure projects. They noted that the practice remained widespread and pervasive and was used with regularity on road construction, crop cultivation and maintenance work around military bases. In the wake of Cyclone Nargis the organisation had documented incidents in Mon State, Arakan State, Kachin State and across the Irrawaddy delta. Altsean's incident list for June included the following:

- A group of 128 prisoners press-ganged into cultivating jatropha plants in Arakan State;
- An unspecified number of villagers in southern Mon State made to work on new army facilities;
- Hundreds of families in Myitkyina Township, Kachin State, forced to plant castor oil trees;
- Villagers and unemployed people rounded up to provide labour for road construction projects in Arakan State;
- Unemployed people from Rangoon and Mandalay rounded up to work on farmland in the Irrawaddy delta.<sup>8</sup>

By November, however, Altsean noted that they were receiving an increasing number of reports of forced labour. Their November incident list included the following:

- Reports that the SPDC had been forcing villagers from Minbya Township in Arakan State to work on the Rangoon-Sittwe Highway since the beginning of the month;
- SPDC troop movements to the Bangladesh border in Arakan State resulted in forced labour for the villagers of Maungdaw Township during the first week of November. It was reported that NaSaKa forces required 20 people from every village in North Maungdaw to dig trenches and build bunkers;
- From early November, it was reported that SPDC units active in areas of Mong Kung Township in southern Shan State had conscripted villagers to work as porters and guides, as well as to carry out sentry duty;
- Since the beginning of November, SPDC officials in Falam Township, Chin State, had ordered the residents of Congheng, Zamual, and Var villages to cut and clear brush on the side of the local roads;
- During the second week of November, the people of Zee Chaung village in Kyauk Taw Township, Arakan State, received orders from SPDC troops that they would be required to work on the construction of a hydroelectric dam. Between 100 and 150 villagers were to report to the Zee Chaung Dam construction site each day;
- Since mid-November, SPDC authorities in Maungdaw, Arakan State, forced local villagers to cultivate onion, garlic, and sunflowers.<sup>9</sup>

## Bio-Fuel Crops

Burma is currently two years into a national programme to cultivate 'jatropha curcas', a non-edible oil crop, primarily used for biodiesel production. The programme was initiated by General Than Shwe in December 2005 and has been the cause of countless instances of forced labour, as well as land confiscation and loss of income for predominantly rural populations. It has become a serious threat to food security and has been a major factor in deprivation of livelihood in many areas of the country.<sup>10</sup>

The publication of *Bio-fuel by Decree*, a report produced by the Ethnic Community Development Forum (ECDF), an umbrella organisation of seven community development organisations working in Burma, was released on 1 May 2008. The report details how farmers, civil servants, teachers, schoolchildren, nurses and prisoners have all been affected by the nation-wide bio-fuel project, mostly through forced purchasing, planting and tending of jatropha plants. The report also details severe mismanagement of the project implementation on the part of the SPDC authorities which has led to repeated crop failure and to the programme being branded a fiasco.<sup>11</sup>

The report explains that the junta's plan is for the country to plant eight million acres (which has been described as an area the size of Belgium) of jatropha within a three year period. Each state and division is expected to plant at least 500,000 acres. In Rangoon Division this means that 20 percent of all available land will be given over to jatropha crops. In Karenni State, it means that every man, woman and child will have to plant 2,400 trees in order to meet the quota. In Shan State over 800 people have fled from the forced labour and the reprisals that follow when quotas are not met. This has led to a new term, 'jatropha refugees', being used to describe those who are forced to leave their homes by the various impacts of bio-fuel projects.

Agriculture is Burma's social and economic backbone, but huge swathes of land have been commandeered for jatropha cultivation regardless of the impact this may have on food security, or the suitability of the land for jatropha plants. This approach has led to crop failure at a level of 75 percent and increasing use of forced labour as the various local authorities struggle to meet their quotas.

Jatropha curcas is a small tree which produces oblong shaped fruits, containing an average of three seeds each. These seeds contain over 30 percent oil by weight and are known as a good source of bio-diesel. They also contain curcin, a toxic protein which causes acute abdominal pain and nausea if ingested. In Burma jatropha is often mistakenly referred to as the castor oil plant because, despite being a distinct species, they do share a very similar appearance. Both plants are often and interchangeably referred to as physic nut plants. In Burmese the plant is known as 'jet suu.' A 72 year old man from Ye Township in Mon State described the orders passed on to his village from the SPDC in December of 2008,

*"The village head told us that all the empty spaces along the main road are to be used for planting jet suu. One person from every household had to go and clear the ground. If we could not find a substitute, we had to pay 500 kyat. They supervised us while we planted to make sure that we did it."*<sup>12</sup>

Forced labour is also utilised in the construction of oil processing factories and it is believed it will continue to be used in harvesting, oil extraction and other activities once the current planting programme has been completed.

Prison labour has also been utilised in jatropha cultivation. The ECDf report contained an interview with an SPDC deserter from IB #250 in Karenni State who had ended up working on a jatropha plantation as a prisoner after his desertion attempt failed.<sup>13</sup>

*"I was in the army for nine years. Our army commander ordered our Infantry to grow corn and sesame plantations but they failed and we earned nothing. Seven of us fled because of that, but three of us were caught. I was imprisoned for eight months. During my prison term I was sent out to work most of the time. We were forced to clear the land and cultivate jet suu. We had to work all day long with shackles on our feet."*<sup>14</sup>

In June 2007 the ILO received a complaint from a group of 20 villagers from Pwintbyu Township in Magwe Division who had been forced to work on a jatropha plantation. The complaint stipulated that 100 men and 75 women had been forced to dig 800 holes in the ground, each measuring one cubic foot. They were required to work from 7:00 am until noon and were not allowed to rest or drink water. The work continued for another four days, although exemptions were available for a fee of 1,200 kyat.

One month after sending the complaint, the villagers started being harassed by the authorities. They were questioned repeatedly, to the extent that it interfered with their ability to carry out their daily work. Local TPDC officials said that the complaint of forced labour was not valid because it was the people's legal responsibility to tend *jet suu* plants.

In Bhamo Township in Kachin State, people were told that, in addition to the 3,000 kyat fine for refusing to work on the jatropha project, any complaints or criticism of the project would be grounds for arrest and prosecution under Act 118 of the criminal code. Villagers in Thangtlang Township of Chin State were even threatened with the death penalty. Said one 45 year old farmer from the township,

*"The SPDC ordered our villagers to grow 100 acres of jatropha. Now we have planted 50 acres and we have to watch over the plantation carefully. The authorities told us that we would have to grow another 100 acres if this present 50 of the plantation is not successful. We were threatened with the death sentence if any plant was destroyed."*<sup>15</sup>

On 27 September 2007 it was reported that 75 people from three villages in Kunhing, southern Shan State, were ordered to plant jatropha in the rain. The orders came from IB #524, led by Lieutenant Colonel Maung Maung Myint. While patrolling the field, one soldier overheard a critical comment from one of the farmers and beat him unconscious with a bamboo stick. During the same month a farmer in Mong Hsat Township, also in Shan State, was beaten by a soldier from IB #524 because he took a rest while working on the jatropha plantation.<sup>16</sup>

Reports of forced labour on junta-owned jatropha plantations have been verified by Altsean and separately by the Kachin News Group. They noted that many farmers have been prevented from growing crucial rice crops and were forced to cultivate jatropha instead.

Fuel oil remains Burma's biggest and most expensive import. Although the country is a major producer and exporter of energy resources, it currently has no refining capability and, therefore, has to import diesel. In the 2007/8 financial year, fuel imports, which were comprised mostly of diesel, cost the junta US \$376 million.<sup>17</sup> It is this cost which the junta is hoping to offset with its current bio-fuel programme.



A physic nut plantation in Sittwe Township, Arakan State. In 2006, the SPDC announced plans to cultivate 8.36 million acres of physic nut across the country as a biofuel crop to counter growing demand for petrol. Before long, land was confiscated from local farmers and villagers across the country were forced to cultivate the crop in place of their regular subsistence food crops. [Photo: © Narinjara News]

## Forced Convict Labour

The use of prisoners or convicts continues to be a feature in reports of forced labour. Amnesty International's report into crimes against humanity in eastern Burma recorded the use of prisoners as porters in military operations across Karen State and Nyaunglebin District in Pegu Division. According to reports from villagers in the region, convict porters were generally treated worse than civilians; those in ill-health were simply left behind and several were known to have died.

Amnesty International also recorded reports of military portering being used as a threat by prison authorities to extract bribes from prisoners. This meant that the burden of forced portering fell disproportionately upon the poorest prisoners, who could not afford to bribe officials.<sup>18</sup>

In their report on the human rights impacts of the Yadana Project, ERI referred to a perceived change in the policy on forced labour in Burma which suggests that reported reductions in forced labour are being offset by increases in prisoner or convict labour.<sup>19</sup>

## Forced Military Conscription

In July 2008 KHRG interviewed a young man who had deserted from the military. He was 28 years old and originally from Thaton Township; he identified only as Ko S--. His name and other personal information were censored in order to protect his family who would likely face reprisals for his desertion if his identity was published.<sup>20</sup>

Ko S—had been in the army for a long time but did not join willingly. After finishing the eighth standard of school, which is usually at the age of 14 or 15, he travelled to Rangoon to look for work. His father was a bricklayer and Ko S-- had worked briefly as a labourer before leaving his village. One evening in Rangoon he got slightly drunk with some friends and was arrested by an SPDC officer who took him to Mingaladon Military Recruitment Centre. The next morning he was beaten by some of the soldiers and given the choice of joining the army or going to jail. He realised he would have to become a soldier. The new recruits were sent to the basic military training centre of Military Operations Command (MOC) #9 for four and a half months.

There is a rule that battalion commanders must recruit five or six new soldiers every month and are fined if they fail to meet their quota. Ko S—says that people generally have no interest in becoming soldiers. The financial incentives of becoming an officer can be appealing but the life of an ordinary soldier is very hard. The military sometimes conscripts the people they have taken to work as porters and sometimes they just round up young men such as Ko S--. Those who try to run away from military training centres are sent to military prisons for a time and then returned to training.<sup>21</sup> It has also been reported that current policy stipulates that any soldier or officer wishing to resign from the military must first recruit two new men to serve in his place. It is widely believed this rule has been the reason for many instances of forced conscription.<sup>22</sup>

Ko S—told KHRG that the army had become a bad place and had changed a lot since the time of General Aung San (generally considered the founder of the Burmese Army). The soldiers no longer adhere to their own policies and the conditions are abusive. Physical violence is the normal means of enforcing order or maintaining general discipline. Ordinary soldiers live in dormitory style barracks and receive basic food rations comprised of rice, salt, seasoning powder, condensed milk and alcohol. Ko S—explained that the rations are not

sufficient and sometimes contain spoiled food, insects or leeches. This leads soldiers to extort additional food or money from villagers. New recruits face a particularly tough time as they are oppressed by those who are older as well as by those of a higher rank. Corruption is also rife and when money is provided for a project such as the construction of a road or a bridge, the cash is slowly siphoned off as it moves down the chain of command. Ultimately, it is civilians who suffer as the money is no longer sufficient to cover the costs of the projects by the time it reaches the soldiers implementing the work.

When asked about the presence of child soldiers, Ko S—said many of the soldiers he met were only 15 or 16 years old and about the same height as an MA-1 or MA-2 automatic rifle. They sometime struggled to carry their backpacks. The officers were also very young. Many had graduated from the Defence Services Academy (DSA) in Pyin-Oo Lwin but they had no respect for older people and would kick soldiers who were the same age as their parents. Many children apply to the DSA after completing tenth standard at school, usually between the ages of 16 and 18. Ko S—quoted an old proverb: “*unless one has a full stomach, there can be no morality.*”<sup>23</sup> The majority of civilians in Burma face a daily struggle for survival but even the lowest ranking officer in the military earns over 100,000 kyat per month. As a result, the military is full of desperate people who had no initial interest in becoming soldiers but found themselves facing hardship and saw the military salary as a means of providing for themselves and their family.

After completing his initial training Ko S—did well and was promoted through the ranks of second corporal and corporal. He then successfully applied to become an officer cadet. He spent three years in the officer cadet training school and found the conditions and food much better than those he had received as an ordinary soldier. When he graduated as an officer he was entitled to wear a star on his arm. This was different to those who applied to DSA after completing tenth standard and had a higher educational background. They were entitled to wear their star on their shoulder and were exempted from menial labour, known as ‘*Hpat Htait*’. Ko S—still had to carry out *Hpat Htait*, but otherwise his conditions were much improved.

During the September uprising in 2007, Ko S—was sent to Moulmein in Mon State. This led to him spending time in a military prison after he refused a direct order to shoot monks. In prison he was beaten daily and tortured with electric wires. He was eventually released as they needed experienced soldiers for an offensive in Karen State; however, he was demoted and sent to the front line. On 5 November 2007 he was carrying out sentry duty and saw an opportunity to escape and fled.<sup>24</sup>

In his latest report, the ILO Liaison Officer to Burma noted an increase in the number of complaints relating to forced conscription and the conscription of child soldiers in particular.<sup>25</sup> Reports from other organisations within Burma have also referred to widespread conscription being used by both the SPDC army and allied ceasefire groups as a means of controlling the population.<sup>26</sup> It appears there has been a general trend for levels of military conscription to increase as levels of forced labour have slightly decreased.

## 7.2 ILO Activities in Burma

The ILO Liaison Officer for Burma reported to the 301<sup>st</sup> Session of the Governing Body, held in March 2008, and to a special sitting of the Committee on the Application of Standards, held during the 97<sup>th</sup> Session of the ILO Conference in June 2008. His report covered activities on the ground since his last report and also provided an update on the functioning of the complaints mechanism implemented under the Supplementary Understanding.<sup>27</sup>

The Supplementary Understanding was signed between the ILO and the military regime in Burma on 26 February 2007. Under the terms of the agreement, an ILO Liaison Officer is stationed in Burma with the authority to look after *“all activities related to ensuring the punctual and effective eradication of forced labour in Burma.”*<sup>28</sup> Following a meeting with Labour Minister, Aung Kyi, in February 2008, the ILO agreed to extend the agreement for a further year.

The agreement requires the junta to allow victims of forced labour to file complaints without fear of retribution and also to investigate the complaints made. The complaints procedure has had some successes; it was reported early in 2008 that two boys who had been forcibly recruited as child soldiers were reunited with their families.<sup>29</sup> However, the Liaison Officer noted a general lack of awareness and understanding in relation to the complaints procedure, a fear of retribution and the physical difficulties which people can face in travelling to Rangoon to lodge a complaint.

At the time of reporting, the Liaison Officer had received 121 complaints. He had assessed that 70 of these fell within the forced labour definition and submitted them to the Government Working Group for attention. The submitted cases included 39 complaints of under-age military recruitment and 31 complaints of forced labour. He went on to report that 50 cases had received a satisfactory response and been closed. The remaining 20 were still awaiting a response or were currently being investigated. The average processing time for a case was three months.

The Liaison Officer noted that although no prosecutions had taken place under either the Penal Code or military regulations, there had been some progress in the administration of penalties. This included fines of up to 28 days salary and one case where an officer lost one year of seniority as punishment for his actions. However, negotiations were still ongoing in relation to translation of the Supplementary Understanding and, indeed, the original 2002 Understanding, which sets out the establishment of the Liaison Officer function. The junta has repeatedly used the low number of complaints received as proof of their progress in eliminating forced labour; however, the Liaison Officer has noted the numbers would likely change if easily understandable information were made available to the general public.<sup>30</sup>

At their 97<sup>th</sup> Session, held in Geneva during May-June 2008, the ILO Committee on the Application of Standards convened a special sitting *“to examine development concerning the question of the observance by the Government of Myanmar of the forced Labour Convention 1930 (No.29).”*<sup>31</sup> The Committee called on the junta to make *“an unambiguous statement at the highest level that the exaction of forced labour is prohibited and that violators will be prosecuted and convicted.”*<sup>32</sup> The referendum held across the country on 10 and 24 May 2008 approved a new constitution which does contain, within article 359, a provision prohibiting forced labour. However, the constitution will not come into effect until after the elections in 2010 and no interim statement on the elimination of forced labour has been made, despite repeated calls from the ILO.<sup>33</sup> The Committee also expressed concern at the restrictive provisions in the new constitution, which may conflict with Conventions No 29 and 87, which the junta has already ratified.<sup>34</sup>

The Committee went on to note their 'profound concern' about the continued use of forced labour, including the military conscription of children. The recommendations made by the Commission of Inquiry have yet to be implemented and evidence of forced labour, particularly by the army, continued to be documented in 2008, with perpetrators seemingly enjoying near-complete impunity. The Committee voiced its concerns over the junta's delay in distributing information about the Supplementary Understanding and the ILO complaints mechanism and the low profile given to the legal provisions against forced labour, including Order 1/99. The Committee urged the junta to make information on the law and complaints procedure available for wide public distribution in all local languages and in an easily understandable format.

The Committee was similarly concerned about reports of retaliation and harassment against complainants and volunteer facilitators who had assisted the Liaison Officer. The Committee also registered 'extreme concern' about a number of labour activists with links to the ILO who remained in prison, including:

1. Daw Su Su Nway;
2. U Min Aung;
3. U Turein Aung;
4. U Kyaw Kyaw;
5. U Shwe Joe;
6. U Wai Lin;
7. U Aung Naing Tun; and
8. U Nyi Nyi Zaw.<sup>35</sup>

In their 303<sup>rd</sup> Session, held in November 2008, the Governing Body of the International Labour Office discussed reports submitted to the office and the statement by the junta's representative, Ambassador Wunna Maung Lwin. Within their concluding comments, the Governing Body expressed concern over the slow pace of progress in Burma and emphasised the need for more to be done as a matter of urgency. They also condemned the severity of the prison sentences that had recently been handed down to activists such as Su Su Nway and U Thet Way and called for the harassment and detention of persons exercising their rights under the Supplementary Understanding to cease.<sup>36</sup>

The ILO also requested the release of labour activist Myint Naing who, as of early 2008, was serving an eight year prison term for encouraging villagers in Irrawaddy Division to report cases of forced labour to the ILO.<sup>37</sup>

Despite apparent cooperation at state level, the situation on the ground remains difficult at the time of this report and there continue to be numerous reports of both direct and indirect punitive action being taken against those who submit complaints to the ILO or who assist others to do so.

On 11 July 2008 it was reported that the ILO had criticized the decision of the Supreme Court in Burma to deny an appeal by six labour activists who had been sentenced to lengthy prison terms for assembling at a public place without authorisation. The six activists were identified as:

- Thurein Aung;
- Wai Lin;
- Kyaw Min;
- Myo Min;
- Nyi Nyi Zaw; and
- Kyaw Kyaw.<sup>38</sup>

They were arrested after attending a Labour Day function at the American Centre of the US Embassy in Yangon on 1 May 2007. Following their conviction they were sentenced to terms ranging from 20 to 28 years. According to, the ILO Executive Director Kari Tapiola;

*"It was our hope that their appeal to the Supreme Court would result in the quashing of their sentences and their immediate release. It would have been hoped that in view of the government of Myanmar's publicly expressed intent to take the country into general elections in 2010, that the fundamental freedom of association rights would be respected."*<sup>39</sup>

On 19 September 2008 it was reported that Maung Win Sithu from South Dagon, Rangoon Division, had been arrested three days previously, on his 18th birthday. Maung Win Sithu's mother, Daw Cho Cho Lwin commented at the time;

*"The first time they came, my son had not come back from work yet. The ward authorities and officials searched my house and when my son came back, they took him away. They said that they had to ask him about his time in the army at the office, but they didn't – they took him away on the pretext of a criminal investigation. At first they said it would only be for a while and took the child away on a motorcycle and they told me, just wait for the news of your son. Whatever they are doing to try to connect the child with any case, it is being done dishonestly."*<sup>40</sup>

Maung Win Sithu had been forcibly conscripted into the military during May 2007, when he was only 16 years old. His father had died and his mother had two younger children to look after, so the family had become dependent on his income. His younger brother, Maung Win Thiha, had been recruited into the military at the age of 13 but his mother had been able to secure his release after one year. Cho Cho Lwin had also been able to secure Maung Win Sithu's release on the basis that he was underage and was preparing to report the case to the ILO when he was arrested.<sup>41</sup>

On 19 September 2008 it was reported that labour activist Thet Way, Chairman of the Sanchaung Township NLD, had been sentenced to two years hard labour for his role in helping people file complaints with the ILO. Although his official charges were unrelated to his ILO activities, a spokesperson stated that: *"The ILO cannot but consider that the sentence imposed is related to Thet Way's role in complaining on forced labour practices."*<sup>42</sup>

At his trial, Thet Way was found guilty of 'obstructing discharge of duty by a public servant'. According to his lawyer Ko Pho Phyu;

*"U Thet Wei (sic) has been sentenced to a prison term. He was charged under section 359 and 189 of the Penal Code. Then the Pabedan Court dropped the charges under section 189 (threat of injury to public servant) and sentenced him in another case under section 359,"*<sup>43</sup>

Thet Way later revealed that junta officials had offered to secure his acquittal if he issued a statement saying that the complaints in his letters to the ILO were false and based on inaccurate information.<sup>44</sup>

On 25 September 2008 it was reported that Htay Htay Kyi had been prevented from visiting her elder sister in Insein prison because police had seen her visiting the ILO offices in Rangoon. Htay Htay Kyi's sister is human rights activist Su Su Nway, who won the John Humphrey Freedom Award for promoting human rights in 2006.<sup>45</sup>

On 19 November 2008 it was reported that four people in Magwe Division had been charged under sections 31 (A) and 51 (A) of the electronic act and remanded for two weeks. U Hla Soe, U Sein Satin and U Nay Lin are farmers from Natmauk Township who complained to the ILO after 5,000 acres of land had been seized by the military. The fourth man, Ko Zaw Htay, was from the neighbouring township of Myayde and had helped them submit their report to the ILO.<sup>46</sup>

Additional reports on this incident name a fifth man, Saw Maung, who was also arrested on the same charges. He was released on 10 December 2008, together with Nay Lin and Zaw Htay. Hla Soe and Sein Satin were still being held at Magwe police station at the time of reporting. Zaw Htay had faced legal action on a previous occasion after filing a report to the ILO on Win Lwin, a villager from Ngapyin who died while carrying out forced labour.<sup>47</sup>

On 26 November 2008 it was reported that the ILO had received a number of complaints from civilians about the military's practice of using people to clear landmine areas. The details of the complaints were consistent with information collected independently by Landmine Monitor.<sup>48</sup>

On 9 December 2008 it was reported that Kemmendine Township Court in Rangoon had sentenced three people, Khin Maung Cho (also known as Pho Toke), Nyo Win and Kan Myint, to prison terms ranging from five to 19 years. They had been charged with a number of offences but according to their families the real issue was that they had filed a report to the ILO during 2007 relating to the withholding of salaries at A21 soap factory in Hlaing Tharyar industrial zone.<sup>49</sup>

In addition to the ongoing instances of forced labour across Burma, the ILO has repeatedly expressed concern over the use of forced labour in the post-cyclone reconstruction efforts. A report published on 2 June 2008 also noted their concern that, despite the extent of the rumours they had received, no-one had submitted any evidence or formal complaints. Kari Tapiola, Executive Director of the ILO Standards and Fundamental Principles and Rights at Work Sector, said one of the key obstacles was the lack of clear information in local languages.<sup>50</sup>

On 16 June 2008 it was reported that the ILO had decided to take a more active role in post-cyclone reconstruction efforts in Burma and would work with relief teams on the ground in an attempt to ensure reconstruction work was carried out in accordance with international labour standards.<sup>51</sup>

## 7.3 Forced Labour Resulting from International Joint Ventures

The relationship between large development projects and human rights abuse in Burma has been well documented and the junta continues to pocket the rewards of international financial investment as the rural population continue to see very little, if any, of the benefits. In fact many communities face increased hardship as a result of these projects, including increased militarisation and the widespread use of forced labour.

### Jade Mining

Burma is believed to be the only place in the world that produces imperial-green jade and the town of Hpakant in Kachin State is the centre of Burma's jade mining industry. Approximately 20,000 people are either employed or forced to work in the mines.

Many work illegally, sifting through the dregs of soil dumped by legal mine workers for small pieces of jade which may have been overlooked. Those who are lucky can earn between 50,000 kyat and 100,000 kyat per month from selling the jade they find. Most of the legal jade miners, by contrast, earn less than US \$1 per day.

According to human rights groups, the mining industry in Burma is linked to a range of abuses including forced labour, child labour, land confiscation, drug abuse, sexual exploitation and environmental damage. Conditions for miners are difficult, whether they work legally or illegally, and many turn to narcotics use as a coping mechanism. As one miner from Hpakant put it;

*"I started to take heroin to feel happy, because my life is hard. You can work all night and work all day without getting tired. The first time I took it, I remember, I felt high. Our lives are very, very miserable and difficult, stones fall on top of you... Some of my friends died because of this work because of rocks falling on top of them. There is no safety equipment, no training, nothing. We just buried their bodies, with no compensation, nothing from the companies."<sup>52</sup>*

Precious stones like jade are a key source of foreign revenue for the junta and there are reports of illegal jade miners being beaten or even killed if caught. Human Rights Watch has estimated that the value of gemstones exported from Burma during 2006/2007 was \$297m and predicted a figure of \$647m for the following year. China is one of the main importers and has a particularly high demand for jade. In fact, the majority of all the jade mined in Burma is sold in China and according to EarthRights International (ERI) at least ten Chinese firms are involved in six different mining projects in conjunction with the junta.<sup>53</sup>

## Hydropower in Burma

As part of the post-cyclone reconstruction efforts, the junta has ordered the replanting and expansion of mangrove forests along coastal areas of the Irrawaddy delta. The mangroves would help to slow down wind-driven tidal waves and reduce the damage they cause to low-lying land. However, environmentalists have been warning for years that the hydroelectric dam projects being implemented on many of Burma's rivers have a destructive effect on mangrove forests and raise the risk of cyclone damage on many stretches of low-lying coastline.

The dams disturb the natural water flow which can impact on the fragile ecology downstream, including mangrove forests. Ultimately this leads to the destruction of natural sea barriers like the mangroves. It also damages fish-spawning grounds, which in turn affects Burma's fishing industry, one of the country's key export sectors. At present, US \$15 billion has been allocated for a dozen hydroelectric dam projects, most of which is expected to be financed by Thai and Chinese companies.<sup>54</sup>

In July 2008 it was reported that over 3,500 people in Shan State were at risk of displacement by the Upper Paunglaung Dam, which is being constructed in the Pyinmana hills. It is believed that the dam will flood 12 villages and submerge over 5,000 acres of fertile farm land. Once completed the dam will generate 140 megawatts of electricity and will also provide additional water to increase the generating capacity of Lower Paunglang Dam, which supplies electricity to the national capital of Napyidaw. The project is one of 24 major hydropower dams being built nationwide in collaboration with Chinese companies. The Chinese company behind the Paunglang project is Yunnan Machinery and Export Co. Ltd.<sup>55</sup>

### Shweli River

In April of 2008 it was reported that inhabitants of Mantat Palaung, Chalaing and Manpat Palaung villages were performing forced labour on the Shweli dam. These villages are located within Namhkam Township in northern Shan State. The SPDC army's IB #144 was supervising the construction work.

The dam is located near Namhkam Township, 17 miles from Mantat Palaung village. The construction work has been ongoing since 2003 and the authorities were reported to be making increasing use of forced labour. The Memorandum of Understanding (MOU) for the dam was originally signed by Burma's Ministry of Electric Power and China Company in 2002. The power produced once the dam becomes operational will be shared by both countries.<sup>56</sup>

It was further reported that three men drowned, on 30 April 2008, after being ordered to retrieve bamboo poles from the Nammao River, also known as the Shweli River. Troops had initially forced 12 people to work clearing bushes away from the side of the river. Later in the month a group of four men were ordered to construct a raft so that the authorities could cross the river. The deaths occurred when some of the bamboo poles for the raft started to drift away and the men were ordered to swim after them and bring them back. The only survivor of the incident recounted the following;

*"While we were making the raft, some bamboo poles drifted away. Authorities then ordered us to swim after and take them back. But, the water was so strong and deep. 3 of my friends were drowned. I was the only survivor,"*<sup>57</sup>

The deceased were identified as:

Zau Kun, aged 31, an ethnic Kachin from Loiyai village;  
Naw Hsan, aged 29, an ethnic Kachin from Zamka village; and  
Mai Yai Tun, aged 25, an ethnic Palaung from Wankwang village.

Their families were provided with 500,000 kyat and five bags of rice each in compensation for the deaths. The surviving man has been described as an ethnic Lisu from Zintuyang village but had not been identified at the time of the report. The soldiers who gave the orders belong to SPDC IB #144, which was based at Mantat village under the command of Captain Soe Than.<sup>58</sup>

## Burma's Oil and Gas Sector

The 2008 ASEAN conference coincided with the news from Burma's Ministry of Commerce that gas exports during the 2007/8 financial year were the highest on record and worth nearly US \$2.6 billion, a 40 percent increase on the previous financial year. Thailand however, remains a net importer of gas, while Burma and Indonesia both import oil products, despite Indonesia being a member of the Organisation of Petroleum Exporting Countries (OPEC).<sup>59</sup>

The bio-fuel programme described above (section 7.1) is one of the junta's attempts to reduce their dependence on fuel imports. The ongoing gas and oil development projects are a major source of income and the Yadana project has been credited with rescuing the junta from the financial crisis it faced in the late 1990s.

While the projects continue to be major sources of funding for the regime, the Burmese population do not see many of the benefits derived from the projects. Very little of the vast amounts of foreign investment, in capital and knowledge, flows into the Burmese economy, except in the form of further military expenditures. The military has not placed strict controls on the multinational corporations involved in plundering Burma's natural resources and environmental concerns continue to be expressed by a number of NGOs monitoring the performance of large outfits such as Total and Chevron. In addition the military has often provided a presence in the areas of large extraction projects with the ostensible excuse of protecting state and international interests from the danger of non-state armed actors, leading to the militarisation of these areas and subsequent grave human rights abuses.

### Yadana Project

The Yadana Project was conceived in 1992 when French oil company Total signed the first contract with the junta for the development of offshore natural gas fields and an overland gas pipeline flowing across Burma and into Thailand. The junta's interest in the project was represented by Myanma Oil and Gas Enterprise (MOGE) which was a corporate arm of the Ministry of Energy. At the time, Yadana was the largest foreign investment project in Burma's history and remains one of the primary sources of income for the junta.

American oil company Unocal joined the project in 1993, closely followed by PTT Exploration and Production, a subsidiary of Thailand's state-owned oil and gas company, PTT. The ensuing human rights abuses have been well documented and in 1996 the lawsuit *Doe v. Unocal* was filed in US federal court challenging Unocal's complicity. In March 2005 Unocal finally agreed to settle out of court, but one month later the company was bought out by Chevron. Unhampered by litigation, Chevron has been able to maintain a low profile for their work in Burma while human rights abuses continued unabated.

A recent report by ERI has highlighted ongoing abuses, including widespread use of forced labour. Much of the forced labour linked to the Yadana project is in relation to security; building security facilities such as sentry huts and actually carrying out sentry duty. These practices were outlined by those who had been forced to work on the project;

*“In the beginning of June 2003, the soldiers ordered our village to build a sentry post for them. Many villages have to do it in their own area. Our village had to build two sentry posts. One person from each household has to go for it. I myself had to on several times. What we had to do was clean the area, build the huts, build the fence and dig the ground for a communication line. We had to build near the roadside; each one is built on both sides of the entrance to the village. Because we went in a big group to build the sentry post, we finished in about two days. We did not get payment. We cannot refuse to do it.”<sup>60</sup>*

*“We also had to work on the Yadana pipeline... We were forced to stay at the sentry hut and keep watching any suspicious things and actions. We had to work on this kind of forced labor by rotation and one person from a household had to go for it. Usually, there were three persons that had to take responsibility at one sentry hut... We had to prepare every thing for possible use in this sentry hut. We all have to bring tools and food from our house. I usually brought candles, fire, and food with me to have in the sentry hut. We had to take responsibility about 24 hours in this sentry hut and always had to be alert and keep watching the surroundings all the time... If we were caught sleeping by the patrol soldier, we would surely be beaten or scolded... We could not refuse going for this. If we are not free in the time of our duty, we have to find a replacement by hiring someone. There are many elders around 60 years old and children under 18 years old being forced to work this kind of forced labor. As for me, I had to work for this kind of forced labor many time.”<sup>61</sup>*

Villagers undertaking sentry duty have been subjected to abusive training sessions and have reported being beaten for minor indiscretions such as arriving late. Also, the families of forced labourers are often obliged to provide food and water for their relatives while they undergo training, which can last up to a month. The soldiers say they do not have enough food to feed trainees.

Another common task facing villagers along the pipeline is road maintenance. The Zinba road features prominently on Total’s website as an example of the kind of improvement which the pipeline has brought to local villagers. However, while the road may have been built by the oil company, its ongoing maintenance falls to local villagers who have to carry out the work unpaid.

*“[The forced maintenance] started this year because the foreigners complained that they saw cow dung on the road and want us to look after some small damage on the road. We have to check the road condition once a week and if there is small damage, we try to fix it and fill the holes in the road.”<sup>62</sup>*

Villagers were also forced to carry out various tasks for the military troops who guard the pipeline. This included construction of barracks and roads, and forced portering. Some of these tasks had reduced in frequency as the construction phase of the Yadana project neared completion but villagers remained engaged in maintenance work, security duty and in supporting the sustained military presence.

*"Our village is one of the... villages under the Total Company's development zone, but we still have to work on forced labor. The foreigners saw what we have to do but they do not say anything to us. They pass by in their truck while we are building sentry posts and cleaning bushes along the road. But they do not stop to ask us anything. A few times I heard foreigners come to the village and ask whether or not we have to do forced labor. But no one dares to say anything about it when they ask because people are afraid of the consequences."*<sup>63</sup>

Some reports claimed that instances of physical forced labour, such as construction, were reducing but that the reduction was matched by an increase in sentry and security work. Reports of forced portering remain steady and are likely to do so as long as the military remain in the area.

According to one villager from the area;

*"We have to go porter for them whenever they arrive in the village. We do not have many villagers in the village, so we have to go with them very often. We have no time to work on our job. We have to go with them by rotation and the village head arranges it."*<sup>64</sup>

In addition to quoting testimony from villagers, the ERI report quoted a military deserter from IB #273, who admitted to mistreating porters:

*"We ask these people to carry shell ammunition, food and supplies... During the portering the soldiers treat porters not so good. I do not want to mention about these bad things so much since I myself I have done it to these people as well at that time."*<sup>65</sup>

On 3 November 2008 it was reported that Chevron had quietly removed much of the detail about its ongoing work in Burma from its website and replaced those pages with a short glossy article summarising the technical aspects of the Yadana project. Chevron had recently (October) been in court in over human rights abuse allegations related to its operations in Nigeria and remains vulnerable to liability in US courts for the abuses committed by the Yadana security forces in Burma.<sup>66</sup>

Numerous articles have appeared in the oil industry press discussing Chevron's decision to take on Unocal and the Yadana project, despite the evidence of their complicity in human rights abuse. Federal Court opinion in *Doe v. Unocal* stated that;

*"Plaintiffs present evidence demonstrating that before joining the [Yadana] Project, Unocal knew that the military had a record of committing human rights abuses; that the Project hired the military to provide security for the Project, a military that forced villagers to work and entire villages to relocate for the benefit of the Project; that the military, while forcing villagers to work and relocate, committed numerous acts of violence; and that Unocal knew or should have known that the military did commit, was committing, and would continue to commit these torturous acts."*<sup>67</sup>

According to ERI:

*"Chevron chose to acquire Unocal, and to continue its involvement in the Yadana Project, knowing full well that it was profiting from human rights abuses."*<sup>68</sup>

## Shwe Gas Development

The Shwe Project is expected to deliver a pipeline 40 times longer than the Yadana project, travelling approximately 2,300 kilometres through Arakan State, Magwe Division, Mandalay Division, Shan State and on into China. The project was initiated in August 2000 when South Korean company Daewoo International signed a production sharing contract with MOGE. Daewoo currently holds a 51 percent share in the enterprise. Additional key investors include another South Korean company, KOGAS (Korean Gas Corporation), and two Indian companies, ONGC Videsh (Oil and Natural Gas Corporation) and GAIL (Gas Authority of India Limited).

Future investment from China was anticipated and in June 2008 the junta signed an MOU with China National Petroleum Corporation (CNPC) who intend to build a 1,800km pipeline to bring the gas from Kyauk Pyu in Arakan State to Kunming in the Yunnan Province of China. The final gas distribution rights have been purchased by CNPC's subsidiary company, Petro China.

Daewoo started test drilling in the Bay of Bengal in November 2003 and one month later discovered a large natural gas field which it described as a “*world-class commercial-scale gas deposit.*”<sup>69</sup> Additional pockets were discovered in subsequent exploration and reserves are currently estimated at 10 trillion cubic feet, almost twice that of the Yadana project.

The Shwe Gas Movement is an international coalition of NGOs, led by activists from western Burma, which monitors the human rights impact of the proposed project. They estimate that the project will generate US \$12-17billion for the junta over the next twenty years. They are currently leading an international campaign which aims to:

*“Postpone the extraction of the Shwe natural gas deposit until a time when the affected people in Western Burma can participate in decisions about the use of their local resources and related infrastructure development without fearing persecution.”*<sup>70</sup>

According to Shwe Gas Movement, human rights violations relating to the Shwe Project have occurred in three distinct phases:

1. *“At an early stage of the project, the region became increasingly militarised, and local villagers had to leave their lands without any compensation;*
2. *Relocated battalions appropriated agricultural lands and further forced local villagers to provide food for the troops, thus seriously impeding the livelihoods of thousands of villagers;*
3. *Many locals were conscripted as porters and forced labourers to construct military camps and military infrastructure. Others were forced to clear land and build roads along the pipeline corridor and supply routes.”*<sup>71</sup>

They are concerned that the development of the Shwe Project will result in the same human rights violations as have been witnessed in connection with the Yadana Project, which have included:

1. *“Increased extortion of local food supplies and random taxation to feed the new troops, as the regime does not provide central support to its troops;*
2. *Land confiscation for new military installations, access roads and the pipeline itself;*
3. *Forced relocations of villages along the pipeline route;*
4. *Forced labour of villagers to clear land, and build new military installations and access roads for the pipeline;*
5. *Increased sexual violence against local women; and*
6. *Increased restrictions on freedom of movement and the economic activities of local people.”*<sup>72</sup>

On 4 November 2008 it was reported that ERI had filed a complaint against Daewoo, alleging contravention of guidelines set down by the Organization for Cooperation and Economic Development (OECD). The complaint also cited Daewoo's involvement in human rights violations perpetrated in Burma as a result of the Shwe Project. According to the complaint, Daewoo and their partner KOGAS had breached at least six OECD guidelines:

*“by failing to respect human rights, contributing to forced labor, failing to promote sustainable development, failing to disclose information about the project, failing to consult with local populations and by failing to conduct an environmental impact assessment according to international standards.”<sup>73</sup>*

According to an ERI submission to the OECD, the forced labour resulting from the initial phases of the project included people being forced to build barracks and roads, work in quarries and act as porters for the military.

*“Given the Burmese military’s well-documented human rights record and pattern of grave violations associated with large-scale development projects, and given the proposed plans of Daewoo and KOGAS to construct a cross-country pipeline from their offshore operations, it is foreseeable that without intervention these abuses and others will continue to occur and increase in connection to the Shwe Project.”<sup>74</sup>*

Meanwhile, on 19 November, China announced that it would start work on the oil and gas pipeline which will run from the Bay of Bengal, across Burma and into China. This would include the CNPC section running from Arakan State in Burma to Yunnan Province in China. Construction work was scheduled to start during the first half of 2009, with an estimated cost of around US \$2.9 billion.<sup>75</sup>

## Road, Rail and Port Projects

Work on the Asia Highway continued in 2008 and also continued to utilise forced labour. Details of individual reports are provided below in Section 7.5, which also details incidents of forced labour and prison labour on various infrastructure projects.

In addition to using outright forced labour, the junta often exploits local conditions to obtain labour at minimal cost. In August 2008 it was reported that female day labourers in Arakan State were working on repairs to the Sittwe-Rangoon Highway for 700 kyat per day. The road is regularly damaged in the monsoon and the group of 20 women from Minbya Township was put to work on the section near Ra Maung Bridge.

The Construction Department had stipulated a rate of 1,000 kyat per day but local officials were taking a 300 kyat cut and paying the workers only 700 kyat. Even at the original 1,000 kyat the wage could be considered as exploitative; the going rate for a day labourer in Arakan State in 2008 was 1,500 kyat. The women were afraid to complain because they previously had no employment and were afraid of being fired. They also said that officials' taking a cut of a labourer's wages was commonplace in rural areas and that it was almost impossible to get the full 1,000 kyat when working for the authorities.<sup>76</sup>

## 7.4 Forced Portering – Partial list of incidents for 2008

### Karen State

On 29 April 2008 a group of 65 people from four different villages in Toungoo District were forced to carry supplies for SPDC LIB #603 troops under the command of Kyaw Zin Ra. The supplies, mostly food, had to be carried from the military camp at Thaug Ye Ka to the new camp at Ku Taw Plo. The villages affected were:

Ku Taw Plo;  
Tha Ba Ra;  
Ka Ye Plo; and  
Kler Mu Kee.<sup>77</sup>

On 3 May 2008, it was reported that MOC #21 troops had taken porters from the following villages in Toungoo District and forced them to carry rations from Play Hsar Lo camp to Ga Mu Lo:

1. Play Hsar Lo village, 1 woman and 3 men;
  2. Yaw Lo village, 1 woman and 3 men; and
- Plaw Baw Der village, 3 women and 3 men.<sup>78</sup>

It was reported on 7 May 2008 that troops had taken more porters to carry rations from Play Hsar Lo to Ga Mu Lo in Toungoo District. This included six women and three men from Play Hsar Lo and three women from Plaw Baw Der.<sup>79</sup>

On 12 May 2008, the MOC #21 troops in Toungoo District took additional porters from the following villages:

1. Play Hsar Lo village, 12 women and 22 men;
2. Paw Pa village, 7 men and 5 women;
3. Yaw Lo village, 5 men and 5 women; and
4. Plaw Baw Der village, 2 men and 4 women.

The villagers were forced to carry rations from the military camp in Play Hsar Lo to a new camp in Htee Blar Dai.<sup>80</sup>

On 13 May it was reported that troops from MOC #10, TOC #2, based in Ker Wei, had taken porters from the following villages in Toungoo District;

Khu Thay Der, 12 persons;  
Sa Ba Law Kee, 10 persons;  
Khaung Law Ka, 10 persons;  
Der Ka, 10 persons; and  
Ler Ghee Ko, 10 persons.

They were ordered to bring rations to the camp from Thandaung city.<sup>81</sup>

Several reports of villagers being forced into portering for SPDC and DKBA troops were received from Thaton District during June. On 19 June 2008 the combined troops of SPDC IB #24, Column #1, and DKBA forces led by Tha Myint, arrived in Plaw Po village and demanded 15 people for portering duty. Column #2 of SPDC IB #24, led by Than Aye Naing, arrived in Pay Pau village on the same day, accompanied by DKBA soldiers led by Kaw Hai. They demanded three porters from the village. The troops then proceeded to move from village to village, demanding fresh porters from each in turn. Column #1 passed through the village of Ta Reh Khi, where they took eleven people as porters, then Htee Wah Pu and Ta Yweh War, where they took three people each time. Column #2 passed through Ta Maw Dot and lower Naung Ka Tok, taking three people from each village. Each time they arrive at a new village, the porters were permitted to leave the column and return home but they were forced to purchase a travelling pass in order to do so. The passes were priced at 300 kyat each.<sup>82</sup>

During July 2008, residents of Gk- village (villages identified in this fashion in this and subsequent incidents have had their names changed for security purposes) in Dta Greh Township, Pa'an District, were required to provide portering services for SPDC LIB #565 under Commander Hlaing Htun Oo. The villagers were not provided with any food while they were working and were not compensated for the time lost. The villagers were particularly worried because the route between the two army camps went through an area where landmines were a hazard.<sup>83</sup>

On 3 July 2008 it was reported that Column #1 of SPDC IB #24 arrived in Thaton Township and demanded 15 porters from the village of Yaung Oo Pu.

On 15 July 2008 it was reported that troops from DKBA #333, led by Thaw Ma Na, arrived in Wei Pyan village of Thaton District, at 2:00 am, pretending to be rebel soldiers. They demanded 500,000 kyat from the village head who initially refused, but eventually paid 300,000 kyat. It was later reported that SPDC IB #24 and DKBA troops led by Tha Myint had been patrolling Thaton Township together since the third week of June. They developed a practice of enlisting porters from each village they visited. The porters then carried their supplies to the next village where they were released and replaced.<sup>84</sup>

Further reports detailed that a total of 39 people were taken for portering duty by SPDC IB #24 and Battalion #2 of DKBA Brigade #333 during this time from four unnamed villages between 19 June and 7 July 2008.<sup>85</sup> According to a local villager from Bilin Township of Thaton District;

*"Both women and men were included in the forced labour. We didn't let the [young] children go. We only asked villagers who were able work. The youngest were over 10 years old. The oldest were like me - 70 years old. I always have to go and do forced labour."*<sup>86</sup>

Additionally, two people from Nuang Ka Toak and Noh Ber Baw villages in Bilin Township, Thaton District, were forced to carry military supplies on 21 September 2008 for troops stationed at Naung Ka Toak military camp.<sup>87</sup>

On 11 December 2008 it was reported that a number of people from Sha-si-boh village tract in Tantabin Township, Toungoo District, were forced to transport military supplies for SPDC LIB #149. Initially they had to provide 100 bullock-carts to take supplies from the Po-mu-khee area to the military camp in Htee-nya-pei-lo. They were then instructed to provide 80 people to act as porters. The following day the soldiers took another 70 people, including 30 women. The journey from Sha-si-boh village tract to Po-mu-khee, where the supplies were to be collected from, takes approximately two hours by foot. The journey to Htee-nya-pei is then a further three hours.<sup>88</sup>

## Karenni State

On 14 July 2008 it was reported that SPDC IB #427 had conscripted 23 porters from the villages of The-Ri-Dah, Dawei Raw and Daw Mu Leh in Shadaw Township while exchanging troops. The porters, who included three women, were forced to carry military supplies to the camp on Ta-ngu-hso (Htay-yu Mountain), which is an eight hour journey on foot. During the trip the villagers were ordered to walk in front of the troops in case they came across any landmines or were ambushed by local Karenni rebel troops.<sup>89</sup>

It was reported in September 2008 that SPDC troops were killing prisoners and porters in Loikaw Township in order to back up the claims made to superiors that they had successfully clashed with insurgents. Khu Nye Reh, administrator of Loikaw Township in Karenni State, provided details of incidents which took place in Dowkuli village in the Loikaw area involving SPDC LIB #336, which is led by Commander Naing Naing Oo. He said that the troops had arrested an opium trader, used the money they took from him to purchase uniforms and a gun from a ceasefire organisation and then shot a porter wearing the uniform. They subsequently reported a clash with Karenni insurgents resulting in one death and the capture of a weapon. There were reports of similar incidents in Shadaw Township in eastern Karenni State earlier in the year. A military source denied the reports but did admit that porters who became too weak were sometimes shot and occasionally burnt alive.<sup>90</sup>

## Mon State

On 20 November 2008 it was reported that three rebel soldiers and one villager had been found dead following a clash with SPDC LIB #299 soldiers near Man-aung village in southern Ye Township on 17 November. The dead villager was identified as Nai a Saing and local sources say he had been forced to leave his work and accompany the soldiers as a porter. Local sources say that they were afraid to work on remote farms or plantations because of the risk of being forced into working for either rebel soldiers or SPDC troops.

HURFOM reported a range of human rights violations against at least thirty villages in the area, perpetrated by troops on both sides.<sup>91</sup>

## Shan State

Reports from Shan Human Rights Foundation (SHRF) claimed that incidences of forced portering in Shan State increased during 2008. The practice had somewhat abated at the beginning of the decade as a result of pressure from the ILO and the international community and the SPDC troops had started using prison labour instead. However, the practice never completely died out with civilian labour still being used, albeit less regularly and in smaller numbers. The practice began to pick up again towards the end of 2007 and reports also noted that the terms were harder than ever with no exceptions being made for women or the sick and injured.<sup>92</sup>

Nine families from Htaw Day village in eastern Shan State fled the area because they could no longer bear the burden of portering for local troops. Villagers in this area were ordered to work two or three days a week, every week, between 7 November 2007 and 1 January 2008. Only seven households remained in the village and all were concerned that the village chief would be punished if they all left.<sup>93</sup>

It was reported that on 20 March 2008, three men were arrested in Nawng Purk village in Haai Seng village tract, Laikha Township, by SPDC troops from IB #248, which was based in Murng-Nai at the time. The men were identified as:

1. Lung Aw, aged 48;
2. Kan-Na, aged 37; and
3. Lung Su, aged 53.

They were taken to Nam Wo village in Nawn Hee village tract, Nansang Township and forced to carry supplies for the soldiers as they travelled. During this time their hands were tied to the yokes on which the supplies were loaded. When they stopped for the night in Nam Wo the porters were placed in the village monastery. At approximately 4:00 am one of them, Lung Aw, was shot by the SPDC troops. They claimed he had been attempting to escape. The remaining porters were accused of being members of a Shan rebel group and taken to a military base in Laikha Township where they were detained. Reports received later in the year confirmed they were still in detention.<sup>94</sup>

In April 2008, it was reported that over 20 villagers from Nawng Wawn village in Hopong Township were forced to work as porters for a column of combined SPDC troops. Around 70 soldiers arrived early in the morning of 7 April in a group comprised of troops from different units. They were on their way to fight an armed group based in a Pa-O area and required porters to carry the ammunition as well as rice, cooking oil and other general supplies. The villagers carried their loads for over a week as the troops moved south. They were released after they reached their destination and returned home. One of the porters, Mu Lin, aged 40, had already been suffering an illness before he was taken and returned home very weak. When reports arrived that the armed group in the Pa-O region were forcibly recruiting local villagers, Mu Lin decided to flee the area with his family. They headed for the Thai border via Mong Pan and Mong Ton but Mu Lin collapsed from exhaustion on the way. He died in Naa Kawng Mu village in Mong Ton Township.<sup>95</sup>

In May 2008, it was reported that 12 villagers from Kae See Township in southern Shan State were taken by troops from SPDC LIB #541 to serve as porters while they carried out a four-day patrol. The troops arrived in Maak Mer village in Ho Nawng village tract on 1 May and conscripted 12 men who were working on a farm. SPDC LIB #541 is based in Ham Ngaai village in Mong-Kung Township. The troops were tasked with collecting the names of local residents who would be eligible to vote in the Constitutional Referendum and the villagers were required to carry a range of supplies, including ammunition, food and clothing. Some of them had to carry 60 mm mortar shells on shoulder poles and some were even required to carry the soldiers' spare boots. The conscripted villagers included:

1. In-Da, aged 44;
2. De-Win, aged 29;
3. Zaai Oo, aged 34;
4. Lung Aw, aged 50; and
5. Kaw Na, aged 45.

They were released four days later after accompanying the patrol through Maak Mer, Ho Nawng, Khaai ton and the surrounding areas. Local sources say that the villagers of Ho Nawng village tract were also obliged to provide a daily supply of water to the camp in Ham Ngaai during the dry season between March and June. They were required to deliver three bullock-cart loads of water every day and any failure was fined at a rate of 3,000 kyat per cart each time.<sup>96</sup>

On 2 June 2008, a group of five women from Mong Pan Township was taken by troops from SPDC LIB #332 to work as porters for three days. The women were working on a farm with their husbands near the abandoned village of Pung Zaan in Nawng Lom village tract. Two of the women, Naang Zaw and Naang Nguya, were originally from Pung Zaan village and the others were from other villages nearby. All had been forcibly relocated to Mong Pan Township but returned to the abandoned village tract every day to work their farms. As they saw the troops approaching the group decided that the men should hide in the forest as the soldiers were unlikely to take women. However, the soldiers were willing to take whoever was available as they needed porters. SPDC LIB #332 was based in Mong Pan Township and the troop of 30 soldiers was carrying out a patrol of the jungle areas looking for insurgent groups. The women were required to carry pots, pans and food for the soldiers. They were provided with very little food during this time and were not paid or compensated in any way.<sup>97</sup>

On 16 July 2008, a group of villagers from Hsai Khao village in Ksai Khao village tract of Kunhing Township were ordered to act as porters for a group of soldiers from SPDC LIB #569. The soldiers were based in Keng Tawng, in Mong Nai Township and were carrying out a patrol of the Kunhing area. The villagers were supposed to carry weapons and reveal the location of a shortcut to a nearby rebel camp. One of the men taken, Sai Nanda, aged 28, was not a native of the area and was, therefore, unable to guide the soldiers. He was accused of being a rebel soldier and beaten around the head. He was eventually returned to the village with several injuries.<sup>98</sup>

It was reported in August 2008 that five men from Naa Paang village in Wan Paang village tract, Kae See Township, were taken by SPDC IB #131 to work as guides and porters for a period of six days. The troops, led by Commander Aung Sein, arrived in the village at around 5:00 am and forced the five men to accompany them on a patrol of the village tract.

The men were identified as:

1. Lung Thun, aged 49;
2. Lung Awng, aged 53;
3. Lung Long, aged 55;
4. Lung Zaam, aged 48; and
5. Lung Aw, aged 52<sup>99</sup>

In September 2008 it was reported that a porter had been beaten to death by SPDC troops from SPDC IB #286 during an incident which took place the previous year. The man was identified as Zaai Zaai, aged 38, from Murng Naang village tract in Kae See Township, and was one of two villagers who had been assigned to work for the troops following their arrival in the village. The men had been enlisted as guides but were also required to carry pots and pans and other supplies as the troops patrolled the rural areas of the village tract. After ten days, Zaai Zaai was suffering extreme fatigue and also stomach pains from a pre-existing hernia condition. As neither of the Shan villagers spoke sufficient Burmese they were unable to explain the problem to the soldiers. Consequently when Zaai Zaai became unable to walk he was kicked and beaten with sticks. When they realised he was dead, his body was thrown down a ravine about 24 km south-east of Murng Naang village. The second man, 24 year old Zaai Thun, was released two days later but threatened not to tell anyone about the killing of Zaai Zaai. The soldiers informed the village headman that he had died due to illness and offered his family a sack of rice as consolation.<sup>100</sup>

It was reported in November 2008 that SPDC LIB #518 troops patrolling in the areas of Mong Kung and Kae See Townships of southern Shan State had taken a number of villagers from the following village tracts:

1. Harmngai;
2. Wan Mong;
3. Mong Hkun;
4. Wan Khem;
5. Wan Khong;
6. Mong Kao; and
7. Wan Kieng.

The villages were required to act as porters and also carry out sentry duty. They were kept in service for an average of one week. SPDC LIB #518 is led by Lieutenant Colonel Thant Zin Latt and comes under the command of Colonel Khin Maung Tin of MOC #2 which is based in Mong Yawng Township.<sup>101</sup>

In December 2007 it was reported that over 80 villagers from Kunhing Township had been taken by troops from SPDC IB #246, led by Major Khin Maung Lwin, and SPDC LIB #524, led by Major Hla Oo, and forced to work as porters. The first 30 villagers conscripted were all males aged between 20 and 50. They were taken from Saai Khaao village in Saai Khaao village tract on 15 December 2007. They were forced to march through the night, arriving in Wan Lao village the following day. The conscripted porters were detained in a school building while the troops rounded up a further 53 people from Wan Lao and the surrounding villages, including Kot Pung, Naa Mon, Long Maw and Wan Khe.

With sufficient porters in tow, the troops continued with their patrol of Wan Lao, Ho Yaan and Kaeng Kham village tracts. The villagers carried food, ammunition, clothes, pots and pans and other equipment. They were released several days later when the patrol was finished. During this time, additional villagers from Nawng Mai, Paang Hok and Khaai To were detained at the Kunhing base camp by the artillery unit where they were on standby for portering duty, carrying artillery parts and ammunition. SPDC IB #246 carried out regular patrols of the area and normally conscripted local villagers to work as porters and guides. It was customary for them to take ten people from a village and release them two or three days later after obtaining replacements from another village on the route.<sup>102</sup>



Civilian villagers from Thaton District in southern Karen State supplying bamboo to the SPDC without compensation. Time spent performing labour for the military is time lost which would otherwise be spent working in their own fields to raise enough food to feed their families. [Photo: © FBR]

## Pegu Division

On 1 August 2008 it was reported that SPDC LIB #589 had set up a base on a hill near Don Zayit village in Shwegyin Township. They had also set up a checkpoint beside the creek and were demanding a passage fee from all boats and passengers. Locals also said that a number of villagers had been abducted from the nearby jungle area where they cut bamboo and had been forced to work as porters, delivering rations to the frontline camp in Win Phyu Taung. The villagers of Don Zayit had since stopped collecting bamboo because of the soldiers' actions.<sup>103</sup>

## Tenasserim Division

On 31 October 45 troops from Column #2 of SPDC LIB #15 arrived in Pawa-Kwin-Shay village, Tenasserim Township, at 11:00 am and arrested nine men who were accused of hiding an AK-47 rifle on behalf of KNLA soldiers. The men were bound with ropes, taken to the centre of the village and beaten. According to local sources, the beating was carried out by the troop commander, Lieutenant Colonel Ko Ko Lwin, and two of his soldiers. Eventually, seven of the men were released, namely:

1. Saw Paw Lu;
2. Saw Waw Dee;
3. Saw Khaw;
4. Kaw Hla Naing;
5. U Cho;
6. Saw Ki; and
7. A-Phoe-Luu-Suu.

The remaining two, Saw Nyein Oo and Saw Pha Ma, were taken as porters.<sup>104</sup> An unidentified villager from Pawa-Kwin-Shay village, described what happened to the two individuals as follows;

*“Burmese troops took these two men along with Column #2 that evening to carry army food to Mee-Hlaung-Ai village, about three kilometres to the north of Pawa-Kwin-Shay village. But we have not heard news from them since they were forced to go with the troops. Their families are very worried for them.”<sup>105</sup>*

## 7.5 Forced Labour – Partial list of incidents for 2008

### Arakan State

Despite reports of widespread famine in Arakan State, troops have conscripted many villagers in rural areas for labour and confiscated large areas of land, including farms. Farmers who wanted to work their land were obliged to rent it back from the military; however, many were unable to do so and were forced to relocate. Those who had been enlisted for labour were engaged in various tasks including portering, carrying messages and cooking.<sup>106</sup>

### Buthidaung Township

On 29 June 2008 it was reported that villagers from Krin Tha Mar village tract of Buthidaung Township were being forced to work on paddy fields owned by SPDC Battalion #535. The villagers complained that the soldiers were also making use of their livestock and that their own harvest was in jeopardy.<sup>107</sup>

On 26 December 2008 it was reported that villagers in Buthidaung Township were being forced to work in the local MOC camps. The villagers worked from 8:00 am to 5:00 pm and their duties included vegetable farming, building, fencing, cleaning and reconstruction work on roads which were damaged during the monsoon. The local NaSaKa forces also carried out random checks at night on family lists in Buthidaung Township and locals said they had been making arrests and imposing fines for spurious offences. Meanwhile, the TPDC seized an area of arable land under the pretence of donating it to cyclone affected villagers. Subsequently, the land was made available to the farmers who previously owned it for paddy cultivation, but at a cost. Farmers were forced to hand over 14kg of paddy per acre to TPDC officials as payment for being allowed to work the land.<sup>108</sup>

### Kyauk Pyu Township

According to local sources, fishermen in the Kyauk Pyu area had been engaged in forced labour since 15 July 2008. The fishermen were arrested in the Bay of Bengal and brought to Kyun Thaya naval base to carry out repairs to structures that had been damaged during the May storms. Most of the fishermen were from the Rakhine and Rohingya communities in the Kyun Thaya island villages. Kyun Thaya is an outpost on the border of Myebon and Kyauk Pyu Townships, under the command of Dayawaddi naval base.<sup>109</sup>

Local villagers were also said to be working in weekly rotation on the Kyauk Pyu - Maayee Road. Upon completion this new road will have a total of nine bridges and join the highway to the Kyauk Pyu - An Road. Reports claimed that the workers had been sourced from Kyauk Pyu and Ramree Townships and were paid only in low grade rice. Approximately 100 persons were required to report for work each week, staying at the construction site until they were replaced. At the time of reporting in October these people were not certain how long it would take to finish the road or how long the forced labour would be ongoing.<sup>110</sup>

On 17 May 2008 it was reported that residents of Pada village in Maei Town had been subjected to forced labour by SPDC Battalion #52, which was based at Kyauk Pyu. VPDC headman, U Maung Soe Hlaing, received the order from Major Win Min Nyein for the supply of a bullock-cart and a number of villagers to transport food supplies.<sup>111</sup>

## Kyauk Taw Township

On 24 November 2008 it was reported that people from Zee Chaung village of Kyauk Taw Township were being used in the construction of the Zee Chaung Dam. The military did not provide any wages for the work but did give each worker two kilograms of rice per day. Approximately 100 to 150 were said to report at 6:00 a.m. each day and work until noon. The report claimed that authorities were anxious that the dam be finished in 2009 as it was intended to supply hydro-electricity to a new military office. MOC #2's headquarters was said to be moving to Kyauk Taw Township in 2009 and the whole of the western office was to be powered by the dam.<sup>112</sup>

## Maungdaw Township

On 13 July 2008 it was reported that U Khin Maung Tun, Chairman of Maungdaw TPDC, had ordered local residents to purchase rubber saplings at a cost of 300 kyat each. The villagers had been told to plant the saplings and cultivate them. The saplings were originally cultivated in local nurseries in Kyikan Pyin in Maungdaw Township under the supervision of the TPDC and NaSaKa (Border Security forces). In one specific village tract, Maung Nama, the authorities had seized ten acres of land which was to become a rubber plantation. Locals were convinced that authorities would use forced labour to cultivate the plants.<sup>113</sup>

Villagers in Maungdaw Township received an order on 18 September 2008 for them to work on the repair of the Maungdaw - Bawli Bazaar Road in advance of a visit by Major General Thaug Aye of the Western Command. At least 100 people from each village were required to take part in the work. It is also appeared likely that local labour would be required for the VPDC owned rubber plantation. At the time of the report the plantation was expected to produce a yield in the near future and was likely to prompt another visit from the Western Command commander.<sup>114</sup>

A report from October suggested that approximately 200 villagers were being forced to work in a rubber plantation near Aung Mamgala modern village in Maungdaw. The plantation is run by the TOC in Buthidaung and is situated on land which was confiscated from the local Rohingya community three years ago. After the land was confiscated, local villagers were ordered to buy rubber seedlings, at a cost of 250 kyat per seedling, and to cultivate them. As of October 2008 the villagers were required to maintain the plantation which includes fixing fences, spreading fertilizer and clearing the grass around the plants. The villagers were not being paid or compensated in any way for this work. The obligation left many facing a food crisis as they were unable to farm their own fields or to earn money through normal paid labour. The local Rohingya villagers claim that they were the only ethnic group forced to work in this way and that the residents of Aung Mamgala NaTaLa (Modern) village were not being subjected to the same orders.<sup>115</sup>

Villagers of Maungdaw Township were forced into assisting a military build-up in the area after the first week of November 2008. NaSaKa officials ordered that at least 20 villagers from every village on the northern side of Maungdaw Town were to report for work every day. The villagers were utilised to dig camps, trenches and bunkers. The villagers were provided with two kilograms of rice in exchange for their labour but those who were unwilling or unable to work were obliged to pay 1,500 kyat to hire replacements. Tensions were originally built up in this area as a consequence of the junta's attempts to explore oil and gas in the disputed maritime zone in conjunction with Korean company, Daewoo. According to local traders, a number of soldiers were brought in by truck and stationed to the north of Maungdaw, particularly in Min Ga Hla Gyi village tract. Troops that were previously stationed in Kyauk Taw Township and in nearby areas of Karen State were also redeployed to the Maungdaw area. The tensions dissipated somewhat following diplomatic discussions and the withdrawal of the warships but the issue of the maritime border remains unresolved and the military has continued to amass troops on the border with Bangladesh.<sup>116</sup>

Later in November 2008 it was reported that people from the following villages had been instructed to provide labourers twice a week to work on crops for the TPDC:

Gyikan Pyin;  
Nwah Yon Daung;  
Phur Wut Chaung;  
Bagona Nah; and  
Ngan Chaung.

Every village was instructed to produce one acre of onion, one acre of garlic and two acres of sunflower plants. They were also obliged to provide their own fertilizer and a pair of draught cattle to plough the fields each week. The forcibly cultivated land lay along the Maungdaw - Bawli Bazaar Road and was previously confiscated from Rohingya farmers and given to NaTaLa villagers. In 2008 the TPDC was using the land for its own purposes and profit. SPDC authorities also ordered the production of sunflower, pulse and potato crops in Maungdaw and Buthidaung Townships. Consequently the villagers had two orders to fill for regime authorities and no time to grow their own crops.<sup>117</sup>

On 5 December it was reported that TPDC authorities in Maungdaw had given orders for villagers to work on the construction of the road from Bawli Bazaar to 3-Mile Gate, a distance of approximately 20km. The villages affected included:

Maung Nama;  
Kyi Gan Pyin;  
Hor-o-Dil (also known as Nwah Yon Taung);  
Bakka Ghona;  
Ngan Chaung;  
Pawet Chaung; and  
Nga Sa Pru (also known as Ngar Sar Kyeu).

Each village was required to send between 100 and 200 labourers, who worked from 7:00 am to 12 noon and again from 3:00 pm to 5:00 pm without receiving any payment.<sup>118</sup>

## Minbya Township

Major General Khin Zaw visited the recently reconstructed Yawchang Bridge on 22 October 2008. The bridge links the highway roads of Mrauk U and Minbya and was destroyed during the previous monsoon season. It was rebuilt using forced labour from local townships. Approximately 200 villagers reported for work each day, mostly from the villages of Tarain, Pauktaw and Hlamma.<sup>119</sup>

Villagers from Minbya Township reported being forced to work on the construction of the Rangoon - Sittwe Highway during November 2008. The road was damaged during the rainy season and many parts of it required repair. The villagers were not compensated for the work and any household which failed to provide a labourer was fined 5,000 kyat. According to local sources from Minbya Township,

*“The order was issued by Major Zaw Lwin from Division Central Training School No. 9 based in Kan Ni village in Min Bya Township, but it is being implemented by Police Inspector U Soe Shwe on Zaw Lwin's instructions.”<sup>120</sup>*

The affected villages included Swan Ray, Kraung Ri Chaung, Chaung Ri and Pali Pauk although other villages located near the road were called upon as and when required.<sup>121</sup>

## Mrauk U Township

On 27 March 2008 it was reported that residents of Mrauk-U Township were being forced to carry out repairs and improvements to the township drainage system. The authorities issued orders for approximately 100 people to report for work each day. The villages affected were:

1. Maung Daratpyrin;
2. Auordat;
3. Parin;
4. Khauk Doke;
5. Paung Tuwa; and
6. Shewgutaw.

The villages of Parin and Khauk Doke are five miles from the work site and transport was not provided for them. None of the villagers were paid for their work and food was not provided during the day. On top of this, the authorities collected money from Mrauk-U residents to pay for the improvements but local sources said that they had used this money for their own purposes and it was not spent on the drainage system.<sup>122</sup>

On 2 December 2008 it was reported that military authorities in Mrauk U Township had forced local villages to provide 20 people each day to work clearing brush and grasses from Ah Bound Daw Mraung dam. The order to clear the dam was issued by General Khin Zaw from the defence department in Naypyidaw after an inspection in November 2008. The military officials decided to pass the work on to the local residents but did so without providing any pay or even food in exchange for the labour. The dam is about ten miles from Mrauk U town and was built five years ago to distribute water to agricultural projects run by SPDC Battalions #540, #378 and #379. The villages which provided labour included:

1. Okk Paw Gan;
2. Bu Wrat Ma Nyo;
3. Maung Re Gan;
4. Pauk Taw Byin;
5. Let Kar;
6. Lat Sit Byin;
7. Kyi Ra Byint; and
8. Tha Ma Rite.<sup>123</sup>

## Sittwe Township

On 1 August 2008 it was reported that people from several villages in Sittwe Township were being forced to work on a castor oil plantation. The plantation was situated on confiscated land that was previously used for grazing. According to one local villager from Sittwe Township,

*“The forced labor is being used by the village council, Rayaka, on the orders of the Sittwe Township authority, and the villagers have to work at the castor oil plantation whenever the authority needs forced labor for the plantation... Recently our villagers had to go to the castor plantation to work without any wage. We had to work there at many tasks, including putting up fences, making drains or gutters, and cleaning up brush on the plantation.”<sup>124</sup>*

The villages affected were:

1. Kwee Day;
2. Amyint Kyunt;
3. Par Dalike;
4. Nga Tauk and
5. Chi Li Byint.

On 3 September 2008 it was reported that residents of Sittwe Township had been pressed into night sentry duty in an attempt to prevent any uprising. The 2007 Saffron Revolution had started during the previous September and dissatisfaction levels remained generally high in Arakan State around the one year anniversary of the uprising and authorities were concerned about the likelihood of repeat protests or demonstrations. Deployment of official security forces was also increased and some ward councils collected money from those households who were unable to supply anyone for sentry duty. Residents of Rupa (South) Ward reported a tariff of 2,000 kyat per household. There were also variations in the extent of sentry duty required. Some wards required a full nightwatch but others only required sentries between 7:00 pm and 10:00 pm.<sup>125</sup>

## Chin State

On 29 April 2008 it was reported that the SPDC had suddenly stopped the use of forced labour in Chin State. It was believed that this was linked to the referendum being held on the constitution on 10 May 2008. An unnamed source residing in Chin State made the following allegation,

*“Surprisingly, there is no more forced labour and they have stopped using porters as they did previously. I think the reason is that the military authorities are worried that they might lose votes of the people.”*<sup>126</sup>

According to local sources, the order to stop the use of forced labour and porters was issued during a visit by Brigadier-General Thura Aung Ko, Deputy Minister of Religious Affairs. Thura Aung Ko was in Chin State during the first two weeks of April to assist the state’s tactical commander, Brigadier-General Hung Ngai, with the launch of a campaign in support of the referendum and the new constitution. A member of the Chin Human Rights Organisation, based in Mizoram in India, commented at the time that,

*“These days, we do not get reports of soldiers forcibly engaging people into labour and for carrying army rations and ammunition along the Indo-Burma border between Chin state and India’s northeastern state of Mizoram... It is possible that stopping forced labour and using porters in Chin state is another of Burmese regime’s tactics to woo voters in the referendum.”*<sup>127</sup>

## Falam Township

On 10 October 2008 it was reported that people from Rih Town, a sub-town of Falam Township in northern Chin State, had been forced to work fencing army camps for SPDC LIB #268. The soldiers had also taken 20 chickens and two pigs from the local villages of Sa Ek, Thangcang and Lianhna. The area was at the time in the midst of a food crisis and a single chicken was worth 5,000 kyat, while a pig was worth 50,000 to 100,000 kyat. The confiscation of the animals was a huge loss to the villagers.<sup>128</sup>

On 20 November 2008 it was reported that villagers from Congheng, Zamual and Var Villages near Falam Township were being forced to clear bushes from roadsides and state owned property in a bid to prevent forest fires. The villagers were required to clear all bushes to a distance of 50 feet from the road, from the jetropha plantation areas and from all tea and hydro electricity producing areas in Falam. Farmers in the area were also tasked with clearing bushes around their own land during the summer season. Any occurrence of fire was deemed punishable by a fine of 1-1.5 lakh kyat and three years in prison.<sup>129</sup>

### Matupi Township

The TPDC in Matupi, the second capital of Chin State, were reported to have been using local civilians to clean up 70 acres of state owned tea plantations. Work started in October 2008 and those who were unable to work were fined. Local sources say people were forced to work three days in a week and that the fine for non-compliance was 3,000 kyat. The areas affected were four blocks within the township identified as:

1. Lawngvan;
2. Ngala;
3. Khoboi; and
4. Cangbawng.

Locals also said that such instances of forced labour did not occur prior to the 10 May referendum but did take place in various parts of Chin State after May.<sup>130</sup>

### Paletwa Township

On 7 March 2008 it was reported that SPDC Battalion #289, which operates under the Western Command, was using people from the Marit village tract in Paletwa Township for forced labour on their own agricultural projects. The villages affected were:

1. Sami;
2. Noonbu;
3. Sik Chainwa; and
4. Stanwa villages.

Approximately 80 people were engaged in agricultural work or animal husbandry for the troops, who were led by Captain Nay Hlin Aung. They normally worked from 8:00 am until sunset and were not provided with any food during the day. They also had to supply bamboo, log and timber when these were required for the projects.<sup>131</sup>

Villagers in Paletwa Township were also said to have been working for SPDC LIB #289 from 19 May 2008, according to local sources. The villagers were forced to carry out a variety of tasks including digging trenches, cutting thatches, construction and renovation of barracks. It was claimed that this work was carried out every year before the onset of the monsoon. However, in 2008 the trenches were being made with brick and concrete instead of wooden pillars. The villagers were working from 6:00 am until noon every day on a rotational basis and were not paid or compensated.<sup>132</sup>

### Tiddim Township

Residents of Tiddim Township also reported being forced to construct fences for SPDC LIB #269 troops based in Tuithang and Kaptel villages.<sup>133</sup>

## Kachin State

### Myitkyina Township

On 20 June 2008 it was reported that hundreds of civilians in Myitkyina Township, the capital of Kachin State, had been pressed into working on SPDC-owned plantations. The forced labourers were put to work on castor oil tree (also known as physic nut trees) plantations on a bio-fuel production project. The use of unpaid civilian labour began after the constitutional referendum in May.

Local witnesses said over 100 people from Du Mare (also known as Du Kahtawng), Shatapru and Tatkone quarters were out planting saplings between the hours of 6:00 am and 9:00 am. They were forced to continue with the work even during heavy downpours of monsoon rain. Village and quarter administrators say they were told to ensure that no more than ten people worked each plantation sector because the junta was worried that large numbers of workers would attract media attention. Residents also reported that they had carried out similar work the previous year but had been paid. This was the first time they had been engaged in forced labour.<sup>134</sup>

It was reported on 22 October 2008 that Artillery Battalion #372 led by Major Ye Yint Thwe had issued a mandatory order for local villagers to undertake night sentry duty. The order was issued to the people of Mayan, a Kachin village on the Myitkyina-Mandalay railway route, near Namti city. Locals said the villagers have been forced to construct guard houses on every block of the village and that three people were obliged to stand guard in each house each night. The order for sentry duty came at the beginning of the paddy harvesting season, which is one of the busiest times for Mayan villagers, and this made the duty particularly onerous. On 18 October, three villagers were beaten by a section commander for falling asleep during sentry duty. The commander also threatened to shoot them.

There were also reports that the soldiers garrisoned in the local Artillery Battalion base had increased the number of village-owned cattle which they could take. Previously, they only slaughtered cattle which accidentally entered their compound or their sugar cane plantations. However, there were reports prior to October of cattle that were tied to poles in the village pastures being taken for slaughter at the base.<sup>135</sup>



Karen villagers from Gkroo See village performing forced labour for the SPDC maintaining a military access road. This photograph shows a group of women and children laying stones to form the road's base, upon which they would further be required to lay earth and smooth out the road's surface. [Photo: © KHRG]

## Karen State

### Dooplaya District

A villager from Maw Khee village tract reported that 21 households from Kaw-la-mee village in Kawkareik Township, Dooplaya District, were forced to start working on a corn plantation owned by DKBA Battalion #907. The villagers started work on the plantation at Pah Ter Ler on 2 December 2008 after receiving the order from unit commander Pah Dee.<sup>136</sup>

### Nyaunglebin District

On 6 February 2008, 150 villagers from Wei Gyi and Hor Ko Gaw village tracts were forced to work on enlarging the military camp at Hor Ko Gaw for LIB #599. Also on 6 February the same villages were required to supply 1,800 shingles of roofing thatch and 200 pieces of bamboo for LIB #351. These soldiers later moved their camp to Kyaung Pya where the local villagers were required to supply 7,000 shingles of roofing thatch and eight local timber mills were ordered to pay 150,000 kyat each.<sup>137</sup>

On 22 March 2008 SPDC LIB #590, under the command of Deputy Battalion Commander Saw Moe Win, forced local villagers to build a new camp for them. They were kept under military guard and required to work every day until the camp was finished. The villages affected were:

1. Myaung Oo;
2. Hti To Lo;
3. Paw Pi Dor;
4. Aung Chan Tha; and
5. Si Pin Tha.<sup>138</sup>

On 24 March 2008, a group of 21 Karen villagers were forced to build a road from Kamulo village to Ler Wah Day by SPDC army soldiers from MOC #21. Nine of the group were from Yu Lo, two from Ka Mu Lo and ten from Maladaw. These villages were told they had to carry out the work or pay 40,000 kyat to pay for replacement labourers. Ethnic Burman villagers in the same area were not subjected to the same demands.<sup>139</sup>

On 30 March 2008, Saw K'Lu Htoo from Mawko village in Mone Township was injured by a landmine after being ordered to act as a human minesweeper for a bulldozer by MOC #21.<sup>140</sup>

On 8 April 2008 SPDC LIB #599, stationed at Aung Lung Sein camp, enlisted a number of local villagers to carry out various kinds of labour for them. People from ten different villages were forced to build eight security huts along the car road from Kyun Pin Seid camp to Aung Lung Sein camp. They were then required to leave three men at each hut on security duty. Anyone found sleeping on duty was fined one *viss* of chicken. An additional 35 villagers were forced to build fences around the camp. The villages affected were:

1. Wei Swan;
2. Ta Kaw Pwa;
3. Aung Ling Sein;
4. N'Pwa Daw;
5. Shan Lay Si;
6. War Do Kla;
7. Hor Hta Plaw;
8. Koni;
9. No Nya La;
10. Si Pa Ler; and
11. Kyun Pin Seik.

Villagers living in proximity to Aung Lung Sein camp and Kyin Pin Seik camp were forced to cook, carry water, clean and take care of the animals on a regular basis.<sup>141</sup>

During March and April 2008 the residents of Gk'Moo Loh, Ma La Daw and Maw Gkeh Tha Bper Koh villages were ordered to carry out construction work on the vehicle road running from Tha Bpyay Nyunt to Buh Hsa Ke in southern Toungoo District. The order came from Soe Win, commander of SPDC LIB #320, MOC #21, which was based at Tha Bpyay Nyunt.<sup>142</sup> A local villager from Mone Township who wished to remain unidentified recalled the following;

*"We've had to repair the vehicle road in the area of Gk---. They [SPDC soldiers] ordered us to clear the side of the road and fill in the holes [in the road]. We had to sleep there for a day. They didn't give us any payment. We had to bring along our own food. The order was from Battalion #237 which is based at Maw Gkeh Tha Bper Koh and the commander's name is Ko Ko Aung. Some people didn't go to do loh ah pay [forced labour], so they hired people and paid them 40,000 kyat for four days... For the people who aren't able to hire others, they must go themselves. During that time, a man injured his leg. The soldiers didn't take care of him. That man was over 30-years-old and he has two children."*<sup>143</sup>

Another villager from Mone Township, identified only as Saw Gk--, also described having to work for the SPDC army;

*"We must always work for the SPDC, such as by repairing the vehicle road. They gave the order to us [and the villagers went to do the forced labour] on March 14th 2008, and [the villagers finished the work and] came back on March 18th 2008. The order was from [SPDC] LIB #320. At that time there were 10 people who went for loh ah pay. When we constructed the road, the SPDC military soldiers guarded us. They were worried that we would escape. We had to do the road construction for the whole day. It went from 7:30 [am] to 5:00 [pm]. On another day, we had to do the other things. They [SPDC soldiers] accused us of planting landmines, so we're [caught] in between the two armed groups [SPDC and KNLA]. The commander's name is Soe Win. He led Column #2. And the other two leaders were both younger than me. On the last day [of the four days of labour], they provided us with some food to eat... We started to do loh ah pay in March [and have continued] until April. They haven't given us anything for payment."*<sup>144</sup>

On 31 March Saw Gk--, a 34 year old man from Mone Township, stepped on a landmine while collecting bamboo for SPDC troops. He was taken to a local hospital where doctors had to amputate his leg.<sup>145</sup>

On 19 April it was reported that Maung Aye from Takaw Bpwa village in Mon Township was injured by a landmine which exploded in his face. Villagers in the area had been forced to collect bamboo, thatched roofing and wood for the military camp at Aung Lung Sein.<sup>146</sup>

On 20 April 2008 it was reported that troops stationed in Baw Ka Hta in Kyaukkyi Township, had forced local villagers to build their new camp at Ma Yan Taung. People from Pa Deh Kaw village tract were ordered to provide 1,700 bamboo poles and 700 logs while Ma Pi village tract had to provide 300 bamboo poles and 200 logs. Both village tracts then had to provide people to work as builders and labourers on a daily basis until the new camp was completed.<sup>147</sup>

Villagers living close to military camps generally find themselves inundated with forced labour orders and their own farms suffer as a consequence, as related below by a 24 year old villager from Mone Township;

*“They [the villagers] usually do agriculture and maintain plantations. We haven’t had a good opportunity to do our plantation work. The SPDC army camp is located beside our village. So we always have to do loh ah pay for them. We don’t have much time to do our own work. Now we’re doing their work, such as cutting bamboo poles and delivering them to their [SPDC] camp.”<sup>148</sup>*

Another villager, also from the same township, described his experiences as a forced labourer;

*“We had to carry their [SPDC] rations from Tha Bpyay Nyunt to Gk’Moo Loh village. They didn’t allow us to return to our homes and check on our plantations. Therefore, we didn’t have time to do our own work anymore. Some of our durian plants and betel nut plants died because they didn’t get enough water... Even though we’ve [now] returned home to work, we believe that we won’t have time to do our own work. We realise that we’ll have to spend our time doing work for the SPDC army soldiers who are based at our village now.”<sup>149</sup>*

On 5 May 2008 it was reported that Maung Maung Oo, commander of Division #101, took a total of 270 people from the various villages in Kyaukkyi Township listed below to act as porters and labourers:

1. P’Deh Gone, 120 persons;
2. Ma Pee, 50 persons; and
3. Baw Ga Ta, 100 persons.<sup>150</sup>

It was reported on 7 May 2008 that troops from SPDC LIB #439 ordered the four villages in the Shazibo area to build fences around their own villages and the military camps.<sup>151</sup>

On 2 July 2008 villagers from Myaung Oo, Htee To Lo and Si Pin Tha villages in Mon Township, Nyaunglebin District, were enlisted to help build a camp near Htee To Lo village for SPDC LIB #590. The orders were issued by Saw Moe Win, the battalion’s second in command.<sup>152</sup>

Reports of extortion and forced labour emerged from Kyaung Bya village in Mon Township, Nyaunglebin District, relating to SPDC LIB #599, which set up a new camp near the village. The troops demanded 500 kyat per household per month to keep the battalion supplied with food. They also demanded that six villagers carry out security duty at the camp each day. The soldiers demanded a further 10,000 kyat from each person with a television, 6,000 kyat from every farmer and 4,000 kyat from each widow. The soldiers dubiously claimed that these payments would be used to help cyclone survivors.<sup>153</sup>

## Pa'an District

The Pa'an District of Karen State was subject to a heavy military presence in 2008 which included both SPDC troops and DKBA soldiers. Many villagers were subjected to forced labour and extortion, which placed them under an incredible strain. Residents of Dta Greh Township reported in September that they were putting more time and effort into meeting the demands of SPDC and DKBA forces than they were able to put into their own livelihoods, leaving them with little time to grow food or earn money. Said one 43 year old man from Dta Greh Township;

*"Even though we can't [don't have time to] do their [SPDC and DKBA] work, we have to do it. We can't stay [in the village] without doing their work. We have to work [even] when we are sick."*<sup>154</sup>

The tasks demanded from the villagers of Dta Greh included building houses and fences, portering supplies, collecting firewood and water, cooking food for the soldiers and tending rubber plantations owned by officers.<sup>155</sup> They also received orders from DKBA officers who owned agricultural land and preferred to use forced labour provided by local villagers rather than paying wages to farm labourers.

On 16 July 2008 a total of 35 people (12 women and 23 men) from Gk'Mah Hta village in Lu Pleh Township were forced to plant paddy crops for Meh Dteh Leh and Shwe Tha Kyaing of DKBA Brigade #555. The crops were to be planted on 20 acres of farmland in the Tha Po Meh Hta area and the villagers had to spend two nights sleeping in the field while completing their work.

On 18 July the same officers ordered 41 villagers from T'Ree Po Gkwee, Htee Thaw Bluh Hta and Gkyaw T'Lay Koh villages in Lu Pleh Township to plant paddy at Gkyaw Bp'Neh Nee.<sup>156</sup>

*"They [DKBA forces] ordered villagers to go and plant paddy for them at Ywa Ler Koh [area, near] Gkyoh Bp'Neh Nee [village]. There were 41 villagers who went, including 18 women and 23 men. It [the agricultural land] was 30 acres in area. They [the DKBA] didn't provide assistance to our villagers. The commanders' names were officers Meh Dteh Leh and Shwe Tha Gkyeh of Brigade #555, based at Meh T'Moo Hta. We don't know yet how many times we'll have to do [forced farm labour]. I think that again during harvest time [around November] we'll have to go and harvest paddy for them. We can't rest during work time [while doing farm labour for the DKBA]. We can take rest at 12:00 noon. We have to start at 7:00 am and take rest at 12:00 during lunch time and finish the work at 5:00 pm."*<sup>157</sup>

Some of the villagers from Htee Thaw Bluh Hta and Gkyaw T'Lay Koh villages managed to negotiate a settlement of 100 baskets of paddy instead of labour. This was a significant amount of their harvest but bought them the time they needed to tend their own crops. The villagers from T'Ree Po Gkwee were less successful and were forced to cultivate the officers' paddy fields.

On 25 July it was reported that SPDC LIB #565 commander Hlaing Htun Oo ordered the villagers to cut bamboo poles and construct fences around one of the military camps. The area where the bamboo was situated was close to a vehicle road and this proved to be dangerous because roadside areas are often protected with landmines to prevent military vehicles from being ambushed.

The same village had also been subject to orders from locally based DKBA soldiers after 1 July 2008. Pah Gka, commander of DKBA #555, ordered the village head to send one person every day to carry out various errands in the camp. Anyone who failed to report for duty was fined 100 Thai baht (US \$2.91).<sup>158</sup>

*“Villagers have to cook rice, carry water and collect firewood for them [DKBA soldiers]. Only occasionally do they cook rice for themselves. Mostly they asked villagers to cook it [for them]. When they [the soldiers] need something, they ask the villagers to go to K--- village. Yesterday I went [to K--- village] and I had to collect money from the villagers who didn’t go for sentry duty in their camp.”<sup>159</sup>*

Villagers were also forced to work in the rubber plantations owned by DKBA officers. Commander Pah Nwee, of DKBA Battalion #999, regularly enlisted local people to work in his plantation situated in Day Nya Lay Kaw Htee, to the east of the Dawna mountain range in Dta Greh Township. The lists below details the orders given in the two months from the end of May to the end of July 2008:

1. On 29 May 2008, 61 persons from four different villages were ordered to provide 845 lengths of bamboo to stabilize the rubber saplings;
2. On 3 June 2008, more than 105 persons from six villages were ordered to perform an unspecified form of labour;
3. On 4 June 2008, 12 persons from three of the villages ordered to provide labour the previous day were once again ordered to return with their tools;
4. On 24 July 2008, 154 persons from six villages were ordered to provide labour, to bring their own mattocks and knives, and to supply an unspecified amount of fertilizer; and
5. On 25 July 2008, 34 villagers from two villages were ordered to work in the plantations and to bring their own tools.

In addition to the provision of labour for both SPDC and DKBA troops, villagers were often subject to extortion for food, money and supplies. Villagers reported that this was most often carried out by DKBA soldiers.<sup>160</sup>

Subsequent to his earlier demands, Meh Dteh Leh of DKBA Brigade #555 issued an order on 29 July 2008 for villagers from Meh Tha Moo village to plant paddy in a location near western Gkwee Lay village.<sup>161</sup>

On 17 August the camp commander of SPDC LIB #565, Myo Min Thoo, ordered local villagers to deliver a number of bamboo poles for fence construction. The villages that received the order were:

1. Htee Tha Bluh Hta;
2. Gk’Mah Hta;
3. Gkyaw T’Lay Koh; and
4. T’Ree Po Gkwee.

Myo Min Thoo ordered that each village was required to provide three bamboo poles measuring three hand-spans and 15 cubits (7.54 m / 24.75 ft) in length.<sup>162</sup>

*“They [villagers] had to carry [bamboo poles] to the SPDC army camp at Gk’Mah Koh because officer Myo Min Thoo ordered it. He was camp commander of Light Infantry Battalion (LIB) #565. Sometimes [they have to do forced labour] five times, six times or seven times [per month]. We have to go and carry things for the camps at Gk’Mah Koh and Gklaw Gk’Dtih and sometimes we also have to go and work at Meh T’Moo Hta [SPDC army] camp. We have to cut down bamboo, make fences, cut down wooden poles and clear the camp compound.”<sup>163</sup>*

During August and September 2008 a number of villages in Lu Pleh and Dta Greh Townships were forced to clear weeds and brush growing alongside vehicle roads. This type of work is often ordered by SPDC troops in an attempt to prevent roadside ambush attacks. It also hinders villagers trying to escape the attention of patrolling troops.<sup>164</sup>

On 27 August 2008 Commander Nya Lway Htoh of SPDC LIB #565 Column #2 gave the following orders for villagers to clear the road leading to Gklaw Gk'Dtih military camp:

1. Meh Tha Moo Village cleared the road between Meh Tha Moo Hta and Meh Dtaw Day;
2. T'Ree Po Gkwee and Gk'Mah Hta villages cleared the road between Gk'Mar Koh and Htee Nyah Ah Gkloh;
3. Htee Tha Bluh Hta and Gkyaw T'Lay Koh Koh villages cleared the road from Htee Nya Ah Gkloh to Htee Thay Htaw Kee to Gklaw Gk'Dtih; and
4. Meh Gk' Dtaw Kee and Bpaw Baw Kee villages cleared the road from Htee Thay Htaw Kee to Gklaw Gk'Dtih military camp.<sup>165</sup>

On 31 August and 1 September 2008, Colonel Yeh Hut with SPDC troops based at Gklaw Gk'Dtih camp in Lu Pleh Township ordered local villagers to deliver a number of bamboo slats, bamboo poles and wooden poles for the purpose of constructing a perimeter fence around the camp.<sup>166</sup>

A total of 30 labourers were demanded from Meh Tha Moo village, together with 500 bamboo slats, six bamboo poles and four wooden poles. T'Ree Poh Gkwee village was required to produce 350 bamboo slats, six bamboo poles and four wooden poles. In addition, the villages listed below were required to produce a combined total of 257 labourers and 4,850 bamboo slats:

1. Gkyaw T'Lay Koh;
2. Gk'Mah Hta;
3. Htee Tha Bluh Hta;
4. Gklaw Gk'Dtih;
5. Meh Gk' Dtaw Kee;
6. T'May Gkyo; and
7. T'Wih Hta.<sup>167</sup>

On 6 September 2008 DKBA Officer Gkyaw Dih, of Brigade #555, ordered the following villages to provide bamboo poles for a perimeter fence;

1. T'Ree Poh Gkwee, 120 poles;
2. Htee Tha Bluh Hta, 600 poles;
3. Gkyaw T'Lay Koh, 600 poles;
4. Meh Tha Moo, 600 poles; and
5. Gk'Mah Hta, 600 poles.<sup>168</sup>

On 9 September 2008, 12 women and six men from Bp'Dtuh Gklaw Bplaw village were forced to clear weeds and brush from around the DKBA Brigade #999 camp at Noh Kah Ree. They were subsequently joined by an additional five women and five men from Bplaw Nya Thee, Bpay Dtoo Hta, Htee Moh Hta and Nya Bp'Dtay Kee villages. The orders were issued by Saw Hlah Gkwah.<sup>169</sup>

## Thaton District

Demands for forced labour continued in all four townships of Thaton District despite the decreased military patrols in Bilin and Kyaikto Townships. This included particularly dangerous work such as acting as human shields, to protect soldiers from KNLA attacks, or as human mine-sweepers.<sup>170</sup> An unidentified villager described one incident of the practice of minesweeping as follows;

*“The soldiers ordered [the villagers] to put big logs in a bullock cart and then asked the cart owner to go [drive the cart to a sawmill] in front of their truck, so that if there was a landmine, it would kill the cart owners and the animals first. They [the soldiers] carry guns and order us to go so we have to go.”*<sup>171</sup>

More regular tasks which villagers were often called on to perform included portering of supplies, construction work in military camps or on roads, serving as *set tha* (messengers), producing wooden planks, thatch shingles and bamboo poles. There were also seasonal tasks demanded which included rebuilding roads and clearing brush after the rainy season. This work often coincides with harvest time and some communities have taken to harvesting their crops early because they know they will not get the chance if orders for forced labour arrive at the usual time.<sup>172</sup>

*“We don’t have enough rice because we can’t work sufficiently for our livelihood due to forced labour and demands for money. Some [villagers] are not in very good health and the villagers are in trouble in different ways.”*<sup>173</sup>

On 5 May 2008 Deputy Battalion Commander Thaw M’Nah from Brigade #333 of DKBA Battalion #1 had a sawmill constructed at the Bpwoh military camp in Bilin Township. Neighbouring villages were instructed to bring bullock carts to the camp and then transport the timber which had been split in the mill to another location. The villages had to provide the following numbers of carts:

1. P--- village, 7 carts;
2. N--- village, 7 carts;
3. D--- village, 3 carts;
4. N--- village, 4 carts; and
5. G--- village, 3 carts.<sup>174</sup>

*“They [DKBA] didn’t give us any wages or food. We had to bring our own food and equipment to do the work for them. I think that he [deputy battalion commander Thaw M’Nah] has authority, because even though he sold off some logs [i.e. conducted business for personal benefit], the commander [above him] didn’t say anything. Their [DKBA] businesses bring them profit, but the villagers have to do [the work] for them for free.”*<sup>175</sup>

On 29 July 2008, troops from SPDC IB #62 instructed a number of villagers to provide 1,000 bamboo poles and 1,000 thatch shingles for the military camp at Yoh Gkla.<sup>176</sup>

On 28 August 2008, 162 people from Ler Klaw village in Bilin Township, Thaton District, were ordered to clear the road of bushes and branches. The order came from Commander Cho Tun Aung of the Lay Kay military camp.<sup>177</sup>

Reports of forced labour came from Noh Bah Baw village during August 2008. The villagers had been forced to cut a total of 1,000 lengths of bamboo for the Yo Klar military camp, where SPDC IB #62 was stationed. The troops were under the command of MOC #19 and led by Hling Soe. They demanded 500 lengths of bamboo on 8 August, 100 on 19 August and a final 400 on 29 August.<sup>178</sup>

A number of people from Thaton Township were conscripted by Myint Naing, Second Battalion Commander of SPDC LIB #8, during September 2008. He demanded one person per household from the following villages:

1. Lawh Aw Ker;
2. Ma Yan Gone;
3. Shwe Yaung Pya;
4. Ka Law Ker; and
5. Mi Chaung Ai.

The people were required to clean the road and assist in construction work on the Asia Highway. They were also tasked with cutting down coconut plants to build a bridge.<sup>179</sup>

On 26 September DKBA forces led by Thaw Ma Na ordered the villagers of Ha Ta Rai village tract in Pa'an Township to provide them with bamboo. Eleven villages provided a total of 710 bamboo lengths. The villagers of Pya Gaw were unable to provide sufficient bamboo and were instead required to pay 1,000 kyat per household – a total of 150,000 kyat. The village tract had also received an order from MOC #19 on the same day. This order was for roofing leaves, a total of 2550 pieces, and 1400 bamboo lengths.<sup>180</sup>

Between 3 and 17 October 2008, the people of Shwe Yung Bpian village tract were forced to work on the construction of a road. They mainly carried materials, which included bags of sand and loads of bricks. The road is part of a network which the SPDC is developing throughout Thaton District in order to connect the area to the Asia Highway. After linking to Thaton, the highway goes on through Myawaddy in Karen State and then into Thailand. The work was overseen by four people brought in from Bilin Town. It is believed they might have been civil engineers. Each household in the area was required to contribute 300 kyat towards the upkeep of these supervisors.<sup>181</sup>

On 11 October 2008 Captain Tin Myint of SPDC LIB #3 demanded the supply of labour and ox carts from local villagers for work on bridge building as part of the Asia Highway project. The following villages were required to supply 15 people and three ox carts each:

1. Mi Chaung Ai;
2. Htee Nya Pau;
3. Ma Yan Gone; and
4. Ka Law Ker.

On 16 October 2008, the captain demanded a further 30 villagers each from:

1. Mi Chaung Ai;
2. Htee Nya Pau;
3. Ma Yan Gone;
4. Shew Yaung Pya; and
5. Ka Law Ker.

On 17 October 2008, he demanded an additional one person and per household and a number of ox carts. The demand for 15 people and three ox carts from each village was repeated a final time on 18 October.

Then, on 20 October Captain Kyi Lin Oo of SPDC LIB #583 demanded one person from each household for cleaning duty. This order was issued to the following villages which were all forced to work on cleaning the road until 25 October 2008:

1. Kyu Si;
2. Kyaw Kay Htee;
3. Ta Thoo Khi;
4. Pya Gaw;
5. Noh Aw Lar;
6. Htee Pa Doh Khi;
7. Noh Kar Day;
8. Mae Theh;
9. Pwo; and
10. Ha Ta Rai.<sup>182</sup>

### Toungoo District

*“On February 8th 2008 we had to construct a road. They [SPDC soldiers] didn't feed me anything to eat. We also had to spend a day of our time there. They said the road would be advantageous for the villagers... Again on February 10th 2008, we had to repair his [commander Myo Kyaw's] military camp. We had to spend a day of our time there and there were 30 villagers who were participating in repairing the military camp.”<sup>183</sup>*

It was reported that residents of Gklay Soh Kee village in Toungoo District were subjected to forced labour by local MOC #10 troops on 11 March 2008. One person from each house was ordered to help clear forest growth from the sides of the road at Naw Soh. Following this, those who owned motorcycles were ordered to help transport sand, stones and bricks to Naw Soh for the construction of a pagoda.<sup>184</sup>

Troops from MOC #10 conscripted a man identified only as Saw A--- from Kler La town to transport military rations and supplies from Kler La to Naw Soh military camp on 11 April 2008. Saw A--- was not paid for this work and had to use his own truck. On the following day, officers from MOC #10 ordered the villagers of Gkaw Thay Der to provide them with seven motorcycles and to transport rations and supplies to Th'Aye Hta military camp. The motorcycle owners were:

1. Saw T---, aged 20;
2. Saw Gk---, aged 28;
3. Saw M---, aged 21;
4. Saw B---, aged 28;
5. Saw M---, aged 20;
6. Saw M---, age unknown; and
7. Saw O---, aged 21.<sup>185</sup>

On 15 April 2008 it was reported that troops from MOC #21 had demanded a batch of bamboo poles from the residents of Play Hsar Loe in Tantabin Township. The order was for 25 poles, each 18 feet in length.<sup>186</sup>

On 2 September 2008, a number of villagers from Tantabin Township were enlisted to carry military supplies from Play Hsar Loe military base to Htee Plar day camp. The villagers affected included:

1. Play Hsar Loe, 18 men and 2 women;
2. Yer Loe, 10 men and 5 women;
3. Lay Gaw Loe Paupa, 10 men; and
4. Plaw Baw Der, 8 men and 4 women.<sup>187</sup>

It was reported in September that troops under the command of MOC #10, who were stationed in Bawgali Gyi village, forced local vehicle owners to transport rocks from Toungoo Town to their camp in Bawgali Gyi. Meanwhile, each household in the nearby village of Kaw Thay Der was ordered to cut seven lengths of bamboo for use in the camp. In addition, a number of people from the following villages were forced to carry out improvement works within the camp:

1. Kler La;
2. Kaw Soe Ko;
3. Kaw Thay Der;
4. Wa Tho Ko;
5. Ga Mu Der;
6. Der Doh; and
7. Maw Koh Der.

During this time, the villagers were prevented from carrying out their normal activities, including collecting food or trading.<sup>188</sup>

## Karenni State

On 6 February 2008, Commander Win Naing Soe of SPDC IB #54 issued a summons for one villager from each house to go and clear the truck route between Mawchee and Baharlo in Mawchee District.<sup>189</sup>

On 19 March 2008 it was reported that the villagers of Dawtama Gyi village tract in Dimawhso District were subjected to forced labour by the newly arrived troops of SPDC LIB #427 from the end of February onwards. Led by Commander Aung Myo Min, the troops had demanded wood and bamboo for the construction of their camp. According to Ko Win Min, spokesperson for Karenni Social Welfare Committee (KSWC)

*The army ordered 120 posts with 7.5 feet and 9 inches length for their army's camp fence from Dawtama Gyi village, 200 bamboos from Dawmeeku village and 150 bamboos from Dawsophyar village. Then the army ordered each 80 bamboos from Dawso village and Dawtachar villages as those bamboos are worm-holed. All above mentioned demands must be arrived in the army camp before the end of March 2008.”<sup>190</sup>*

The soldiers threatened to relocate the villagers if the supplies were not delivered by the end of the month.<sup>191</sup>

Attacks on electricity transmission towers in Karenni State during June and July 2008 resulted in local villagers being forced into guard duty. In August SPDC LIB #427 instituted a 24-hour guard on transmission towers in Dawkalawdu District. Each village was given the responsibility to look after two towers and were forced to provide two guards per tower at all times. The towers and lines in this area transmit electricity from the hydro-electric power station in Lawpita to Rangoon and Mandalay in central Burma. The villages that were forced into guarding the transmission towers were:

1. Tanelarlare;
2. Dawtere;
3. Dawpawdu;
4. Dawtangu;
5. Dawwaremowt;
6. Dawtami; and
7. Nanhuhtwy.<sup>192</sup>

On 8 July 2008 it was reported that soldiers in Karenni State had been using local villagers for forced labour. The claim was made by Pho Pya, Chairman of Karenni Refugee Camp Committee, after residents of Shadaw and Phruso Townships started abandoning their homes and arriving in refugee camps along the Thai-Burma border. The villagers said they had been forcibly relocated a number of times and also forced to work in army camps, carrying out construction and renovation work on outpost buildings and fences. They also had to provide bamboo and timber for the work, as well as food for the soldiers.<sup>193</sup>

## Mon State

On 14 July 2008 it was reported that SPDC IB #31, which is based in Khawzar Sub-Township, was using local villagers for forced labour on their farms. The soldiers took three men and three pairs of cows from Daybome, Wengtamort and Kyonekanyar villages. The villagers were told they would have to work on a rotational basis until the crops were harvested. They were not paid for their labour or for the use of their cows.<sup>194</sup>

It was also reported in July that residents of Yin Ye village had been ordered by local troops to fence off their village against Mon rebels. The soldiers also demanded 15,000 kyat from each family for general expenses and the use of any motorcycles in the village. In addition, some people were required to work as drivers.<sup>195</sup>

## Shan State

It was been reported in July that the SPDC and UWSA (United Wa State Army) continued to use forced labour for the transportation of supplies and the expansion of military infrastructure across Shan State. Villagers were regularly required to carry loads, fetch water and dig trenches. Fines of up to 5,000 kyat were levied on those who were unable, or unwilling, to work when called. Villagers in eastern Shan State were required to work an average of four times per month.<sup>196</sup>

## Hopong Township

Farmers in Wan Yaen village tract in Hopong Township were forced to provide rice for locally based troops after SPDC LIB #425 seized several acres of farm land during June and July 2008. The seizures included 24 acres from Nawng Waan village, 30 acres from Ho Ten village and 35 acres from Nawng Zaang village. In this case the troops provided the seed free of charge but the villagers were responsible for growing and cultivating the rice and finally delivering the harvest to the military base.<sup>197</sup>

## Hsi Hseng Township

Over the course of 2008, the villages of Huay Yae Khao and Phak Yaang within the Wan Yaen village tract in Hsi Hseng Township were forced to grow various crops for SPDC LIB #517. The villages were under a year-round obligation to grow physic nut plants but were also required to produce soya bean and corn during the rainy season, followed by crops of peanut and sesame.<sup>198</sup>

## Kae See Township

The people of Luk Lur village in Nawng Ae village tract, Kae-See Township, were forced to carry out a daily guard duty from February 2008 onwards. Two people were required to keep watch from the village headman's house every day. Anyone who missed their turn on duty was fined 3,000 kyat. The troops who imposed the order were from SPDC IB #286.

In the early part of 2008, the troops of SPDC IB #287 forced local villagers to construct fences around their base at Murng Naang village in Murng Naang village tract, Kae-See Township. The fences were required on all four sides of the base and had to be three layers thick. The work took several weeks but the villagers were obliged to provide five people on standby duty following the construction of the fences. These people were kept at hand to run errands or carry out menial tasks such as clearing grass from trenches.<sup>199</sup>

## Kengtung Township

Towards the end of 2007 Min Aung Hlaing, commander of the Golden Triangle Regional Command, convened a meeting of village tract leaders in Kengtung Township and gave a speech on the necessity of contributing to the country's economic development. The leaders were told that the best way they could contribute was through growing physic nut and Japanese sesame. It was decided that each village tract would grow two baskets of physic nut seeds, which they would purchase from the authorities at 45,000 kyat per basket, and two baskets of sesame seeds, which cost 25,000 kyat per basket. The villagers were required to purchase the seeds from the authorities at these rates despite the seeds being available at lower rates from other sources. This practice continued into 2008.<sup>200</sup>

In February 2008 the military authorities at No.3 Regional Training School in Kengtung ordered local farmers to cultivate 60 acres of dry season rice. The following villages provided mini-tractors for ploughing:

1. Pa Saa village in Nawng Hee village tract, six tractors;
2. Nam Tum Tai village in Nawng Hee village tract, six tractors;
3. Waeng Kao village in Nawng Hee village tract, four tractors; and
4. Ton Hung village in Ton Hung village tract, ten tractors.

Those villagers who did not provide mini-tractors were responsible for planting and all local farmers were involved in cultivation and harvesting. Those farmers whose fields had been used for the rice complained that their own rainy season crops would suffer because they had been unable to commence planting at the usual time.<sup>201</sup>

In June 2008 it was reported that the residents of No.3 quarter of Kengtung Town were pressed into manual labour by the authorities. The quarter is located next to the lake in the centre of town and community leaders were informed on 21 June 2008 that they were to make sure the people who lived in their quarter cleared out the drainage ditches and disposed of the debris which had accumulated there. When community leaders questioned why this work was not being done by the town municipal workers they were told that the municipal staff members were too busy and that they should do as they were told. The residents were also required to pay for the debris to be removed by municipal trucks at a rate of 1,500 kyat per truckload.<sup>202</sup>

Residents of Kengtung were also concerned by the junta's plans for a new railroad between Kengtung in eastern Shan State, and Nansang, in southern Shan State. The Chairman of the Shan SPDC visited the area on 26 October 2008 together with Brigadier-General Ya Pyae, Commander of Eastern Command, Major-General Aung Min, Minister of Rail Transportation and U Pe Than, Deputy Minister. According to local sources they decided to

build rail bridges over Namteng creek near Kholam and Nampan creek at Kunhing. It was also reported that the junta delegation met with Major-General Kyaw Phyo, Commander of Kengtung-based Triangle Region Command, and discussed adding rail bridges to the existing crossings over the Salween River at Takaw and Tongta near Mongpiang.

Locals were worried about the number of villagers who would be required for construction work and said that many people died during the construction of the Loikaw-Aungban railroad. Villagers living around Kengtung University were also worried about land confiscation, as this was the proposed site for a railway station. The land in question was at that time owned by farmers from Na Kham village of Keng Phawng village tract.<sup>203</sup>

### Kunhing Township

Villagers from Kunhing in southern Shan State were subjected to repeated incidences of forced labour by SPDC LIB #524 and IB #246. The tasks included security duty and portering as well as domestic work such as collecting firewood and building fences. According to 28 year old resident Sai Panti;

*“Each from every household must take turns going to do sentry duty at the local command post for 5 days a week. If we refuse to comply, we would be fined Kyat 1,500 (US \$ 1.25) per day.”<sup>204</sup>*

Nang Heng, a 23 year old from Kunhing gave the following comments regarding forced labour practices;

*“Widows are required to pay Kyat 2,500 (US \$ 2) if they can’t go and a person who is absent for portering must pay Kyat 10,000 (US \$ 8). We even have no time to work for our livelihood.”<sup>205</sup>*

Similar incidents took place in Keng Tawng Sub-Township in Mong Nai Township.<sup>206</sup>

It was reported that two villagers from Kunhing Township were beaten by SPDC troops on 27 September 2007 while engaged in forced labour. The first incident involved Aw Ling, aged 21, who was with a group of 25 workers from Nam Khaam village in Wan Paang village tract. They were cultivating a physic nut plantation for SPDC LIB #524. Aw Ling was beaten with a stick after he slipped and fell down a steep hill slope. A bone in his left shoulder was broken during the beating and he was unable to move until the other villagers were released from their day’s work, two hours later, and were able to help him. He was taken back to the village on a stretcher and then transported to Kunhing Town hospital. Corporal Maung Maung Myint who administered the beating told the villagers that Aw Ling had been punished for trying to avoid work and that his injury was, therefore, his own fault.

The second incident involved Awng Zing, aged 30, who was with a group of approximately 40 workers from No.2 quarter of Kunhing Town. They were working for SPDC IB #246 on plantations to the north of the town. Awng Zing was accused of working too slowly and ordered to stand straight with his arms folded while his punishment was carried out. He was beaten with a stick on the back and buttocks and reportedly lost consciousness after the fifteenth stroke. The remaining villagers were ordered back to work and not permitted to help him. After about 20 minutes he regained consciousness and was also ordered back to work. Once again, the soldiers maintained the beating was a legitimate punishment which should serve as an example to other lazy or reluctant workers.<sup>207</sup>

During March and April 2008, the residents of No.3 quarter in Kunhing Town, Kunhing Township, were forced to collect dry physic nut seeds from the plantations under the supervision of troops from SPDC IB #246. Approximately 80 people were ordered to report for work each day, starting at 6:00 am. They were transported to the plantation in military trucks and required to gather seeds until the trucks were full or it became too dark to work. Each household had to provide one labourer every two days during this time. Those who refused to work or failed to turn up were fined 15,000 kyat.<sup>208</sup>

### **Laikha Township**

Towards the end of 2007, the leaders of Wan Saang and Haai Seng village tracts in Laikha Township were called to a meeting and ordered to instruct their villagers to collect dry physic nut seeds for oil production. Each person aged between 18 and 60 was to collect two to three *pyi* of seeds but they were not allowed to take them from the state-owned plantation as those plants were not ready. The fine for failing to collect enough seeds was set at 5,000 kyat. It is reported that many people failed to collect enough seeds and had to pay the fine. Some who were unable to pay fled to the Thai border.<sup>209</sup>

During April 2008 the people of Laikha and Kae-See Townships were forced to plant physic nut by SPDC IB #64 and #286. The villagers were already looking after the physic nut plants they had sown in previous years but the troops ordered additional plants to be sown along the main road leading from Laikha through Murng Nawng village to Kae See Township. This route encompasses over 20 different villages. Each household was ordered to sow 150 plants and then to provide a labourer three times a week for cultivation work. Anyone who failed to turn up for work was fined 5,000 kyat.<sup>210</sup>

During the rainy season the people of Naa Poi village tract in Laikha Township were forced to grow rice in the area of Nam Hoo Kaang village for SPDC IB #286 and one of the Shan ceasefire groups. The eight villages in the area were required to work the fields in rotation. The troops also requisitioned 12 mini-tractors and 24 drivers from Kunhing Township to assist with the ploughing. In addition to the rice, local villagers were required to grow sesame, peanut, soya bean and corn for the military.<sup>211</sup>

In August it was reported that the people of Laikha town had been forced to renovate all the local roads by spreading sand over them. The work was supervised by SPDC IB #64 who ordered all the town quarters to take turns carrying out the work, which was normally done on Saturdays and Sundays. Each quarter had to provide three mini-tractors and 70 people to transport the sand from the Nam Taeng River and then spread it over the roads and streets. The work took several weeks to complete.

Laikha residents were also required to plant trees along the sides of the main roads. Each household was held responsible for planting 10 mango trees and 10 jackfruit trees. The saplings were provided by the authorities but the villagers were responsible for their care and had to replace any which got damaged or failed to grow.

Within Laikha Township, the villages of Wan Paang and Nawng Kaa in the Wan Saang village tract have been subject to routine forced labour by SPDC IB #64 and LIB #515 over the past two to three years. Forced labour was initially used to build the military camps but since then approximately 35 to 40 villagers have been required to report for duty almost every day. They carry out a variety of tasks including:

1. Waiting at the military camps on standby to run errands or serve as guides and porters;
2. Building and fixing fences, of which building materials must be provided by the villagers, clearing trenches and doing other menial work;
3. Clearing the sides of the roads and fixing the ruined parts of the roads between villages;
4. Using their own mini-tractors and transporting military logistics, water, firewood and even sand to the military camps; and
5. Looking after physic nut and other crop plantations.

The villagers work in rotation with each household expected to send someone to the camp at least six times per month.<sup>212</sup>

### Langhko Township

In May 2008 several villages from Wan Zid village tract in Langhko Township, including Nam Naw and Nam Terng, were ordered to plant corn at their own expense for SPDC IB #99. In June the crop failed due to a lack of rain and the troops forced the villagers to plant a second crop using a different strain of seeds which they brought up from lower Burma. Any who refused to work faced a fine of between 3,500 kyat and 50,000 kyat depending upon their social and economic status.<sup>213</sup>

### Lin Khe Township

In October it was reported that the residents of Lin Khe Township in southern Shan State had been pressed into agricultural work for SPDC LIB #99 since August 2008. The battalion, based in Lin Khe, ordered the local villagers to start growing physic nut and sesame. Similar orders were issued to six villages to the north of Lin Khe in September. These villages were:

1. Wan Nong Lum;
2. Wan Than Kan;
3. Wan Nam Thoke;
4. Nam Thim;
5. Nam Naw; and
6. Lom Kaw.<sup>214</sup>

### Mong Kung Township

The people of Mong Kung Township spent several months during the first half of 2008 planting pine trees along the sides of the main roads. The work was supervised by SPDC LIB #514, based at Mong Kung. The villagers first had to clear an area 50 yards to either side of the road and then plant the pine seedlings. Each village was allocated an area of land which would be their responsibility. The plots ranged in size from one and a half acres to five acres, depending upon the size of the village. The residents of Mong Kung already had responsibility for a local physic nut plantation and other ad hoc forced labour duties. A number of villagers fled when faced with this new demand.<sup>215</sup>

## Mong Nai Township

During late April and early May 2008 the villages of Nam Waw Lur and Loi Len within Son Maak Yaang village tract, Mong Nai Township, were ordered to grow corn, peanut and sesame for SPDC IB #248. They said they would pay the villagers if the crops yielded a good harvest.<sup>216</sup>

The residents of Naa Khaan village tract in Mong Nai Township were forced to grow soya bean for SPDC IB #248 from June 2008. The troops confiscated an area of approximately 80 acres to be used for soya bean production and ordered each village to plant at least a half basket of seeds and then take responsibility for their cultivation. The villages of Pa Laai, Nawng Leng and Maak Laang lost a significant amount of their land and a number have now left the area in search of an alternative livelihood. In addition to the soya bean cultivation, villagers in this area were also forced to carry out miscellaneous tasks in the military camps including fetching water, fixing fences, maintaining buildings and clearings trenches.<sup>217</sup>

During the wet season rice cropping, which runs from June to November, residents of Kaeng Tawng Sub-Township area in Mong Nai Township were forced to purchase rice seeds and cultivate them on behalf of the military. Orders were issued in June 2007 for the cultivation of a particular kind of rice known as Shwe Yin Aye which is sold at a cost of 10,000 kyat per basket of seed. Farmers were required to allocate approximately one acre of their land to the production of rice for the military and to provide eight baskets at the end of the harvest.

There are normally a minimum of five SPDC battalions based in the Kaeng Tawng area and every year the local community is forced to provide them with rice.<sup>218</sup>

## Mong Pan Township

The villagers of Nawng Kaang village tract in Mong Pan Township were ordered to build a military camp for Column #2 of SPDC LIB #528 in November 2007. A patrol of 40 troops had arrived, led by Commander Kyaw Min Htwe, and set up a temporary camp in an abandoned village. Three villages, Yaang Paeng, Mawn Maak and Yaang Khe, were then ordered to construct a permanent camp for them at a nearby location. The camp was to include bunkers, trenches, two layers of fences with bamboo spike booby traps between them and barrack buildings.

The work took several months and each of the three villages was forced to provide 15 labourers on a daily basis until the camp was complete. Additional labour was required to produce sufficient bamboo spike booby traps with each household ordered to produce 500 pieces each.<sup>219</sup>

During the cold season, which runs from November to February or March, farmers in Hawng Kaang village tract in Mong Pan Township found themselves ordered to grow winter rice for the troops of SPDC IB #43 and LIB #528. The winter rice was a strain imported from China and the soldiers provided the seed but the villagers were required to use all available land for its cultivation. The entire community of Hawng Kaang, Wan Maak and Lawn Zai villages were ordered to work the fields and the penalty for any who refused was land confiscation, a 100,000 kyat fine or one month in jail.<sup>220</sup>

The people of Ho Phai Long village tract were forced to cultivate 30 acres of garlic for the local SPDC LIB #332 troops during December 2007 and January 2008. They were also required to clear the base and surrounding trenches of grass and bushes, fix fences and tend the local physic nut plantations.<sup>221</sup>

The farmers of Mong Pan Township were also required to cultivate Shwe Pyi Aye for local troops. In addition to allocating part of their own land to this production, villagers in the area had to provide labour for 20 plots of rice which the SPDC had previously confiscated.<sup>222</sup>

It was reported in August 2008 that the villagers of Hawng Kaang and Wan Phit village tracts had been forced to cultivate tea and physic nut for troops from SPDC IB #43. The two village tracts contain about 11 villages comprising over 600 households. Around 40-50 people were required to work each day. The villagers first had to clear the jungle areas along the sides of the roads within the designated area, which was over six miles long. They were then required to prepare the ground and plant the seedlings. When the seedlings provided by the military ran out, the villagers had to find more to continue planting the prepared ground. The work took several months and the villagers were then faced with the ongoing task of cultivating the plants.<sup>223</sup>

### Mong Ton Township

In December 2007, the residents of Naa Kawng Mu village in Mong Ton Township were forced to work on two projects for the authorities. The village headman was instructed to gather 185 people each day, for a three day period, who would work under the supervision of SPDC IB #65, led by Lieutenant Colonel Kyaw Myint Than. One half of the group were engaged in a beautification project which involved building flower beds along the main road and the village square as well as erecting a new clock tower. The SPDC had previously extorted 2,000,000 kyat from local villagers for the clock tower but had still required forced labour during its construction.

The second group was required to dig ditches around a nearby dam for the purpose of diverting water for electricity production. This dam was also built with forced labour and previously extorted money. The penalty for refusing to work was 3,500 kyat per person per day or one month in jail.<sup>224</sup>

In February 2008 it was reported that the residents of Mong Ton Township had been subject to extortion and forced labour since July 2007 in connection with the construction of two dams – one near Mong Ton Town and the other near Naa Kawng Mu village in Murng Haang village tract. At the time of the report money had only been collected from those who had registered for the right to receive electricity once the dam was completed, but everyone had been forced to take part in the construction work.

The dam near Mong Ton Town was expected to cost 100,000,000 kyat but at the time of reporting it was not even half finished despite 70,000,000 kyat having been spent. In addition to the money which had been collected, at least 50 people and two mini-tractors were required to report to the building site each day. The people were obliged to supply their own food and equipment.

The dam near Naa Kawng Mu was completed in January 2008 under the supervision of SPDC IB #65. Approximately 60 people were forced to work each day on the project from 8:00 am to 4:00 pm and those who had registered for electricity were required to pay between 300,000 and 2,000,000 kyat per household.<sup>225</sup>

Ethnic Palaung in Mong Ton Township who owned motorbikes were forced to provide a transport service for soldiers from SPDC IB #130. The affected villages were:

1. Kaye Kong;
2. Ho Ton;
3. Kalan Gasi; and
4. Kho Mon.

The soldiers did not pay the villagers for their time, nor did they contribute to the cost of fuel or repairs. Many of the Palaung villagers tried to hide their motorbikes as a result. Villagers who openly refused to cooperate were beaten and had their keys confiscated.<sup>226</sup>

The residents of Mae Ken village tract were required to build fences and dig ditches in front of the houses that lined the main roads as part of a beautification project led by SPDC LIB #519. The troops arrived in February 2008 and gave the villagers their instructions, which came from the commander of the Triangle Regional Command based in Kengtung.<sup>227</sup>

The fences had to be built in strips of sawn hardwood which measured 5 cm by two metres. They were to be painted white with lime which the Regional Command would provide. When the lime failed to materialise the order was amended and the villagers were told they had to buy their own lime in order to finish the project. Their final task was to build ditches in front of their houses so they could take cover when there were 'problems'.<sup>228</sup>

Between January and May 2008 the villagers of Pung Pa Khem in Mong Ton Township were forced to work on the construction of a dam on Nam Khem stream. The order was issued by SPDC IB #226 on 20 January 2008 and the work was supervised by four or five engineers from Kachin State. Approximately 20 villagers had to report for work each day at the site, which was five miles west of Pung Pa Khem. They carried out manual tasks such as splitting rocks, digging earth, clearing ground and mixing cement but were not provided with any food or drinking water. Anyone who refused to work when it was their turn was fined 3,000 kyat.<sup>229</sup>

In July 2008 it was reported that residents of Mong Ton Township had been ordered to cultivate rubber and castor oil plants as part of the junta's bio-fuel programme.<sup>230</sup>



Karen villagers in the Per Htee area of southern Toungoo District performing forced labour for the SPDC constructing a school in March 2008. The SPDC often claims that one of the ways in which it is benefiting local communities is through the construction of schools and clinics. However, as can be seen in this photograph, in the majority of such cases, it are the villagers themselves who perform the labour of constructing these facilities, many of which later stand empty and unused for lack of funding and supplies. *[Photo: © KHRG]*

## Muse Township

At the beginning September 2008 it was reported that preparation for a visit from the wife of the north-eastern commander to Muse Township in Shan State had been carried out at the expense of local residents. Daw Cherry, wife of Brigadier-General Aung Than Htut of Northeast Command, was expected in early September to inspect the Maternal and Child Healthcare Association.

In preparation for her arrival, local villagers were forced to paint the monastery hall, clean and cut the grass. In addition, each village was ordered to produce ten bamboo flag poles and each family in Mutaunglon village tract had to contribute 1,500 kyat each towards the cost of her welcome party. Villagers in the area were already burdened by compulsory unpaid labour in state-owned castor oil plant fields.<sup>231</sup>

## Nansang Township

During November 2007, farmers in Loi La and Wan Nawng village tracts in Nansang Township were ordered to grow sesame for the troops of SPDC IB #248 and IB #247. The orders affected the following villages:

1. Loi La, Loi La village tract;
2. Pong Lao, Loi La village tract;
3. Haai Oi, Loi La village tract;
4. Loi On, Loi La village tract;
5. Wan Nawng, Wan Nawng village tract;
6. Kung Mong, Wan Nawng village tract;
7. Taak Led, Wan Nawng village tract; and
8. Tin Loi, Wan Nawng village tract.

Each family had to produce one basket of sesame by the end of the growing season which the troops purchased at a rate of 10,000 kyat per basket. This was significantly lower than the going market rate for sesame. In addition, any family which failed to produce a full basket would be fined 30,000 kyat.<sup>232</sup>

In February 2008 it was reported that SPDC LIB #543 troops stationed in Kho Lam village in Nansang Township had been forcing local villagers to place mini-tractors at their disposal. Villagers were often required to use their tractors to transport troops and equipment during patrols. They were also required to keep tractors on standby at the military base. Villagers who did not own tractors were required to contribute money to pay for the fuel. The situation began during 2007 and was still ongoing at the time of reporting.<sup>233</sup>

Between March and May 2008 several village tracts were forced to carry out a range of work for SPDC LIB #516. Around 60-80 villagers from Kaad Lur, Wan Pung and Nawng Hee villages were required to work each day, some on the military camp and others on a physic nut plantation. The villagers working at the camp were required to gather wood and bamboo, build fences and clear all the trenches. The villagers working on the physic nut plantation were first required to clear the area, removing all existing trees and roots before preparing the ground for planting.

In addition to working unpaid, the villagers were not provided with transport to either the military base or the plantation site. They were also required to use their own equipment, tractors and fuel.<sup>234</sup>

There were reports from Nansang Township that local people had been used as forced labour to build fences around a military airport between March and July 2008. The orders came from SPDC IB #66 and villagers were required to work in rotation, cutting and transporting bamboo as well as constructing the fences. The villagers were also required to provide the tractors used for transporting the bamboo and to pay for the fuel. The fences around the airfield were a combined length of seven or eight miles and comprised of three layers. The first two layers were bamboo picket fences and the outer layer was barbed wire.

The main villages affected were Nam Wo and Kun Saai villages in Wan Hai village tract. The order specified that each person from each family had to report for work four times a month and provide 2,500 kyat each time, to cover the cost of fuel for the tractors. Anyone who failed to turn up for work was fined 2,000 kyat in addition to the fee for tractor fuel.<sup>235</sup>

In May 2008 the villagers of Kun Saai village in Mai Hai village tract were forced to produce corn for locally based troops from SPDC LIB #543. The crop was initially to be grown on an area of unused land but the villagers later had to give up some of their own land. They were also required to purchase the seeds at their own expense. At least 30 villagers had to work each day during the planting period. They were then responsible for tending the crop and delivering the final harvest to the military base.<sup>236</sup>

## Irrawaddy Division

Villagers from the townships of Labutta, Bogale, Pyapon and Dedaye reported in July 2008 that their respective Ward Peace and Development Councils (WPDC) had told them they would be required to provide unpaid labour on a rotating basis in order to assist the reconstruction efforts following cyclone Nargis. These areas were hard hit by the cyclone and many of the villagers were left living in camps for survivors. The imposition of forced labour prevented them from rebuilding their own homes or trying to salvage their farms. The work required of them by the authorities ranged from portering to cutting bamboo and timber, cleaning roads and villages or working on construction sites.

*"They [farmers] said that for the past month, they have been forced to work in rotation for the authorities. People who don't work when it's their turn have to pay a fine of 1,500 kyat (US \$1.26)."*<sup>237</sup>

A villager from Kaing Thauang said the authorities had accused the people in the camps of being lazy opportunists who expected to get things for free. Another villager from Kyar Chaung said that those who refused to work were driven out of the camps. There were also reports of beatings.

The troops overseeing the reconstruction efforts in the Irrawaddy delta were from SPDC LID #66 under the command of Brigadier-General Maung Maung Aye. The Brigadier-General gained a reputation for using forced labour of civilians on road construction during his time with SPDC IB #70 in the early 2000s.<sup>238</sup>

On 29 July 2008 it was reported that the Pun Hlaing Construction Group was building 125 new homes in the village of Auk Pyon Wa, located near the mouth of the Irrawaddy River, which was destroyed during the cyclone in May. The company's construction manager, Ohn Myint, told reporters that the company was providing technicians and skilled labourers free of charge while the authorities were providing the timber, zinc and iron. He said the local villagers were providing basic labour in return.

However, Ohn Myint then admitted they were facing delays because many of the villagers were unhappy about being forced into construction work instead of being allowed to return to their former occupations as fishermen. With the fishermen unable to work, the villagers were reliant on food aid which was mostly comprised of rice. They were also left without clean drinking water and had to collect supplies from nearby Thin Gan Gon village.<sup>239</sup>

### Bogale Township

On 24 May it was reported that Bogale WPDC was sending cyclone refugees to Maubin, a town northeast of Bogale, to work as labourers. Many of them ended up digging rocks in a quarry. They were paid 1,000 kyat per day (this equates to US \$0.88). Although some private donors were making it through to the area, the USDA had instructed them not to hand over food or aid directly to refugees as it would make them lazy and dependent. Donors were advised to deliver all aid to the local authorities instead.<sup>240</sup>

Abbot U Kawwida from Sanchaung monastery in Bogale also reported that some of the survivors were being sent to work on road reconstruction in Maubin and were also being paid at a rate of 1,000 kyat per day. The abbot was at the time hosting approximately 120 survivors in the monastery with no assistance from the authorities. Those who could not fit into the monastery were sheltered around its walls under plastic sheets strung from the roof.<sup>241</sup>

On 24 June 2008 it was claimed that unemployed people from across Burma were being forced to work for very low pay on farmlands which had been taken from cyclone victims in the Irrawaddy delta. A resident of Bogale reported seeing a number of people from Mandalay brought in military trucks to work the farms of those who had been killed by the cyclone.<sup>242</sup>

*“Apparently the labourers were told they were to give assistance to farmers in devastated areas... The people are from Mandalay – the authorities demanded one person from each household in their neighbourhood.”<sup>243</sup>*



A 13-year-old Karen boy from Thaton District, Karen State, performing forced labour for the SPDC in April 2008 in lieu of his parents so that they are free to work in their fields and maintain their livelihood. The SPDC rarely cares the ages of the persons performing labour for them, so long as the work is done. [Photo: © KHRG]

Labourers from Hlaingthaya Township in Rangoon also arrived after being promised 10,000 kyat per day. Once they had started work they were told they would receive only 1,000 kyat.<sup>244</sup>

*“Between 400 and 500 labourers were seen this morning at the port area – they said they had to sign agreement letters with the authorities and they couldn’t leave until they finished all the work... They want to go back to their homes now but they have no money to travel and they don’t get proper meals either – some even had their ID cards taken away by the officials.”<sup>245</sup>*

Additional reports of forced labour came from Bogale Township in October 2008. According to local sources, SPDC Brigade #66 had enlisted people from the following villages to carry materials for road building and reconstruction:

1. Saa-O Kyaung;
2. Set Su;
3. Yay Kyaw Gyee;
4. Shwe Pyi Aye;
5. Mondaing Lay;
6. Khyoon Thaya; and
7. Kyeinchaung.

Those who were unable to work were fined between 3,000 and 5,000 kyat. Most of the villagers were ordinarily employed on local paddy fields or as fishermen and were faced with a choice of abandoning their day jobs or finding the money for the fine.

One paddy field owner said almost entire villages had been enlisted in construction labour;

*“They are forcing almost the whole villages to take part in road building, cleaning their buildings, and loading and unloading timber for the construction companies. They have to work from 6.30am to 11am. Then they have to take a rest and have lunch at their own home. Then they have to work again from 1pm to 4.30pm. They are saying that they are doing local development, but in fact they are just using forced labour.”<sup>246</sup>*

## **Labutta Township**

Aye Kyu, a Burmese doctor working with international relief workers in the delta, reported that a group of approximately 20,000 refugees from Labutta who were sent to Myaung Mya town in search of food and aid were faced with the choice of forced labour or joining the army.<sup>247</sup>

*“The authorities asked the refugees to join the army. If they didn’t accept, they wouldn’t get any food,” he said. “The authorities also recruited refugees as forced labor. So, many refugees were afraid and returned immediately to Laputta without food.”<sup>248</sup>*

On 17 July 2008, villagers in Kaing Thaug, Kanyin Kone, Ywe and Pyin Salu villages reported regular occurrences of forced labour in connection with the reconstruction efforts. Some also reported being beaten while engaged in this work. There were also reports of refugees in camps at Three Mile, Five Mile and Yatana Dipa being conscripted for forced labour.<sup>249</sup>

Villagers from Labutta Township even reported being forced into hard labour in order to receive food rations. Much of the humanitarian aid received in the area was siphoned off by the various levels of authority, from the military generals right down to the village headmen. Villagers from Ka-Nyin Kone also reported forced labour instigated by their headman:

*“When the secondary school at Ka-Nyin-Kone was destroyed by the cyclone, the monks from Min Kyaung monastery handed over a donation for its reconstruction, including payment for carpenters. However, U Sein Myint, the village headman, summoned the villagers and forced them to work on the construction of the school without payment. If they failed to do so, they were beaten.....On August 7 and 8, U Sein Myint called meetings and said to the villagers that they can go and complain anywhere they like. But he boasted that he would still be village headman in 2010. Then he brought along some soldiers who were stationed nearby to threatened us.”*  
250

On 6 October 2008 it was reported that people in the Labutta area of the Irrawaddy delta were being forced to work in exchange for international aid. Seventeen villages in the Pyinsalu village tract of Labutta Township received an order from SPDC LID #66 that one person from each family was required for construction work being carried out on the Labutta -Thingangyi-Pyinsalu road.

One resident of Wabokhone village reported being forced to work on the road despite being four months pregnant. Her husband had already been conscripted to work on a government building in Pyinsalu. The headman of Khonegyi village reported 50 people had been working on construction sites in Pyinsalu since 16 September and that no-one knew when they were likely to return.

In exchange for their labour, the villagers received some of the aid that had been donated by international organisations. This included basic family water kits from UNICEF, so-called ‘dignity kits’ of clothes and personal hygiene items from the United Nations Population Fund, rice, food and medicine. Amnesty International had reported instances of cyclone survivors being forced to work in exchange for aid as early as June 2008. There were also reports of aid being diverted to regime-friendly projects or being sold on the black market.<sup>251</sup>

## Magwe Division

### Myayde Township

On 20 October 2008 it was reported that cotton farmers in Myayde Township had been forced to grow sugar cane even though the land in that area was not suitable for that crop. A local farmer said Lieutenant-Colonel Zaw Win had issued orders to the following village tracts:

1. Myaypaw;
2. Nyaungpin Wine;
3. Nyaungpin Thar;
4. Thabyaypin;
5. Shankalay; and
6. Tharyar.

Troops were deployed to the region to ensure that the order was followed. Locals said they had been trying to grow sugar cane since the previous year but the crops continued to fail because the land was not suitable. They submitted a report to the ILO and some officials from Naypyidaw arrived under the supervision of Colonel Tin Aung Win to inspect the land. The farmers claimed that during 2007 they lost 300,000 kyat profit from each acre of land where they attempted to grow sugar cane instead of cotton.<sup>252</sup>

## Pauk Township

On 19 August 2008 villagers in Pauk Township were ordered to destroy their maize crops and grow paddy instead. The order was issued jointly by the Agriculture Department, the Land Survey Department and a number of other authorities. The villagers were given four days to comply with the order. Central Burma was suffering from drought at the time and the land was therefore unsuitable for paddy. It was these conditions which persuaded local farmers to grow the maize in the first place.

*"They asked us to destroy the maize fields since June. But this soil is not suitable for paddy. We can not grow paddy. It is no rain there and that is the reason why we grew maize. They are asking us to destroy the maize within 4 days. It is impossible to grow paddy right now. They are forcing us to do that in such place. They said they would confiscate the lands..... They claimed paddy is the main thing. After Nargis, Paddy is in need. In June 29, TPDC chairperson from Paut Township personally came here and asked us to grow the paddy. If we are not going to grow the paddy, he said he would confiscate the lands. There is no rain and sesame had been also failed this year."*<sup>253</sup>

Despite these conditions, each farmer was ordered to grow one acre of paddy.

## Pegu Division

On 18 November 2008 it was reported that SPDC troops had been carrying out forcible conscription of young ethnic Karen villagers in Kyaukkyi Township, Nyaunglebin District, as part of their preparation for an offensive against the KNU. The villages of Aye-Nine, Kyauk-Khegyi, Ka Moe L and Natha-Kwin were contacted by 1st Lieutenant Aung San Win, commander of SPDC LIB.#264, who demanded one recruit from each village. Unable to provide the recruits, or to pay the fines which were subsequently levied, the villages were ordered to provide 30 people on a daily rotation to work at the camp.

*"Villagers were forced to fence off LIB No. 264 with bamboo. The soldiers demanded villagers make six layers of fences, and villagers were also forced to dig embankments between each fence around the battalion. Women and teenagers are also included in these unpaid jobs. They were forced to collect firewood and carry water for the soldiers,"*<sup>254</sup>

At the time of the report, the forced labour practices had been ongoing for a period of two weeks. According to residents of Htat Htoo village, which is about three kilometres to the east of Natha Kwin, the same troops had commandeered villagers for patrol duty when they had been temporarily based there in October.

*"We were required to guard everyday, divided into three groups. Each group contained five men on rotation during the time troops stayed here."*<sup>255</sup>

## Rangoon Division

Cyclone victims in townships across Rangoon were forced into unpaid reconstruction work at the expense of their own livelihoods after the commencement of relief operations. According to a resident of Shwepyitha Township, one person from each household was required to report for reconstruction work each day, which included cleaning roads and drains and rebuilding farms. This meant many people were prevented from carrying out their normal work and, therefore, from earning any money. Reports suggested that survivors were provided with a *pyi* of wet rice in exchange for their labour but that it was mostly inedible.<sup>256</sup>

### Hmawbi Township

On 3 September 2008 it was reported that residents of 4<sup>th</sup> Block in Hmawbi Township were facing a choice between extortion and forced labour. Although World Vision had made donations to cover the repair of roads destroyed by rain, VPDC headman, U Myo Lwin Oo, was collecting 1,000 kyat from each household and 25,000 kyat from car owners. People who were unable or unwilling to pay were forced to work on the road repairs.<sup>257</sup>

### Kyauktan Township

On 27 June 2008 it was reported that residents of Meepya village in Kyauktan Township had been forced to work on a reconstruction project in exchange for aid which the authorities had received from private donors. Meepya is located on an estuary and around 500 households were damaged in the cyclone, leaving many people homeless. Nevertheless, villagers were told they would not receive any aid unless they helped rebuild a local dam. The VPDC had collected 4,500,000 kyat from local businesses and residents for the repairs to the dam but Chairperson U Aye Kyaw Myint decided to use forced labour instead.<sup>258</sup>



This rubber plantation in Dooplaya District of southern Karen State is owned by Saw Pah Ka, Commanding Officer of DKBA Battalion #906. Each year, Saw Pah Ka forces local villagers to weed the plantation without pay and under threat of violence should they fail to comply. [Photo: © KHRG]

## 7.6 Forced Prison Labour – Partial list of incidents for 2008

### Arakan State

#### An Township

On 8 June it was reported that 128 prisoners from An Prison in An Township, Arakan State, were being forced to work in physic nut fields owned by the Western Command. The operation commenced on 3 June 2008 and was led by Deputy Commander Tin Haling. The prisoners were required to cultivate an area of 50 acres, including cutting grass, applying fertilizer and maintaining the fence. They were also required to wear plain clothes while working but were not allowed to have contact with anyone from outside the prison.<sup>259</sup>

On 9 September 2008 it was reported that the junta was using prison labour from Sandoway jail and An jail to carry out repairs to the Sandoway-Gwa Highway. Approximately 275 prisoners were engaged in the repair project which starts at pillar No.51, near Ngapay Choke Bridge and continues to pillar No.55. The prisoners started work at 7.30 am and returned to the jail at 4.30 pm. They were provided with lunch while working but no other compensation. The group included a number of political prisoners, despite such prisoners normally being excluded from working.<sup>260</sup>

#### Buthidaung Township

Buthidaung prison in Arakan State is a frequent source of reports of prisoners being used in forced labour. These reports encompass work for the military and municipal authorities as well as for private businesses who have bribed the prison authorities.<sup>261</sup>

On 14 July it was reported that over 500 prisoners from Buthidaung jail were being forced to work on the reconstruction of the Maungdaw-Buthidaung Road. The prisoners arrived on site at 6am and worked until 10am in the morning. They started again at 1pm and worked until 6pm when they were returned to the jail.<sup>262</sup>

On 18 July it was reported that prisoners from Buthidaung prison working on the repair of the Buthidaung-Maungdaw Highway included suspects who had not been charged. The section of road they were working on had been damaged by a landslide brought on by heavy rains. The road is part of a vital trade route between Burma and Bangladesh.<sup>263</sup>

On 24 July 2008 it was reported that almost 100 of the 400 prisoners from Buthidaung jail working on the repairs to the Maungdaw-Buthidaung Road were suffering from malaria. The prisoners were already suffering from malnutrition before being exposed to the disease and they were not permitted to receive any medical attention besides that available within the jail. Local villagers were concerned that they would be drafted in to replace the sick prisoners in order to maintain progress on the repair of the road.<sup>264</sup>

It was reported in September that approximately 400 prisoners were being taken from Buthidaung jail every day to work in paddy fields and vegetable farms. The fields they worked comprised 64 acres of land which were seized from neighbouring villagers and a further 64 acres which had been borrowed from farmers. The equipment available included six tractors and six pairs of bullocks. The prisoners were reportedly working from 7:00 am to 11:00 am in the mornings and from 1.30 pm to 5:00 pm in the afternoons, growing paddy, brinjal, tomatoes, amaranth and other vegetables. They were fed during the day but usually not very much and they were normally shackled while working.<sup>265</sup>

At the beginning of October 2008 it was reported that approximately 100 prisoners from Buthidaung jail in Arakan State had been taken by NaSaKa to work in a physic nut plantation near the 3-Mile camp on the Maungdaw-Buthidaung Road. The prisoners were required to apply manure to the 2.67 acre plantation, clean the grass and fence the field. They were taken there on 30 September and stayed overnight in temporary huts before returning to the jail on 1 October.<sup>266</sup>

It was alleged in October 2008 that a jailor in Buthidaung prison has been accused of using prison labour for personal profit. It was alleged that the jailor had been hiring out prisoners to local villagers at a rate of 1,500 kyat per day. Most labourers charge 2,000 kyat per day for similar work. However, the jailor was accused of keeping the money rather than passing it on to the prisoners or the authorities.<sup>267</sup>

Prisoners in Buthidaung are used to manual labour. Approximately 500 to 600 worked on repairs to the Maungdaw-Buthidaung Highway following heavy rains in July 2008. They worked from 7:00 am to sunset for 15 days on meagre food rations. The prison authorities claim it is mandatory for prisoners to contribute to the development of the country. A number of prisoners in Buthidaung also complain of ethnic discrimination, saying that Rohingyas receive less food than Rakhine prisoners but are required to work harder.<sup>268</sup>

### **Kyauk Pyu Township**

Residents of Kyauk Pyu Township in Arakan State reported in November 2008 that over 200 prisoners were working on the repairs to the Kyauk Pyu - An Highway. The road is 71 miles long and part of the Kyaukprou-Maayee-An route.

The work was led by U Nyunt Sein, Chief Engineer of the Road Transport Department of Kyauk Pyu, and was originally being undertaken by local villagers and prisoners from Arakan State. However, progress was slow and the authorities brought in additional labour from prisons in central Burma. According to a relative of one of the prisoners, the prisoners were sometimes awarded half wages and sometimes not paid at all.<sup>269</sup>

## **Chin State**

### **Tiddim Township**

On 23 December 2008 it was reported that prisoners from Lentlang prison camp were being used to repair part of the Indo-Myanmar trade road in Tiddim Township in Chin State. The prisoners were said to work from 8:00 am to 4:00 pm and received no pay or compensation. They were kept in leg cuffs and monitored by military guards. Funds had been set aside for road repairs but the local authorities decided to use prison labour instead of spending the money.

It was also reported that prisoners from Mantaw concentration camp in Kalemyo, Sagaing Division, were being used to clean bushes on jetropha plantations.<sup>270</sup>

## Kachin State

### Myitkyina Township

It was reported on 1 November 2008 that the junta had started sending short-term prisoners from Zilon Prison in Myitkyina, the capital of Kachin State, to hard labour camps in lower Burma. These include Htonbo camp in southern Mandalay and a number of camps in the conflict zones of Karen State. The prisoners selected for hard labour were mainly young males and included those with short-term sentences of six months to five years. The junta previously sent those with sentences over five years to hard labour camps in various parts of the country and also to work as porters in areas of Karen State.

One of the reasons given for the policy was that it would reduce overcrowding and control the spread of tuberculosis and AIDS, which was affecting guards as well as prisoners. Zilon Prison was built to accommodate 700 men and 500 women but currently houses 1300 men and the female section is at full capacity. Most of the prisoners at the time were ethnic Kachins who did not have enough money to bribe their way out of jail. Families seeking to get their relatives exempted from hard labour were required to pay a bribe of between 250,000 and 300,000 kyat. According to prison sources, those who are sent to hard labour camps face a high risk of dying from torture or malnutrition.<sup>271</sup>

## Rangoon Division

### Kyauktada Township

In July 2008 a group of ten students were sentenced at Kyauktada Township Court for their involvement in the Saffron Revolution. They each received a two year sentence of hard labour. It is unusual for political prisoners to be sent to hard labour camps and Tate Naing, Secretary of the Assistance Association for Political Prisoners Burma (AAPPB), said that the persecution was religious as well as political because several of the students were Muslim. The students and the camps they were sent to were as follows:

1. Tun Myint Aung, Kyaikmayaw New Life (6) forced labour camp;
2. Tun Tun Naing, Kyaikmayaw New Life (6) forced labour camp;
3. Eisud (aka) Thaug Htut, Paan New Life (7) forced labour camp;
4. Naing Lin, Paan New Life (7) forced labour camp;
5. Nyi Nyi Zaw, Zinkyaik gravel forced labour camp;
6. Kyaw Hlaing (aka) Japangyi, Zinkyaik gravel forced labour camp;
7. Myo Thant, Yinnyein gravel forced labour camp;
8. Myo Win, Yinnyein gravel forced labour camp;
9. Han Thaw Min Aung, Taungzun forced labour camp; and
10. Nay Lin Oo, Taungzun forced labour camp.<sup>272</sup>

## 7.7 Forced Conscription and Forced Military Training – Partial list of incidents from 2008

### Arakan State

On 25 November 2008 it was reported that a 14 year old boy from Mrauk U Township was recruited into the military against the will of his parents. The boy was identified as Maung Tha Tun, the son of U Shwe Tun and Daw Nin Zi Pru, who reside in Pazun Pe village within the township. According to local sources, the boy was recruited by a soldier from Battalion #540 who offered him a financial incentive. At the time of printing, the parents had been unable to secure his release from the battalion.<sup>273</sup>

On 17 December 2008 it was reported than an Arakanese family from Praing Taung village in Pauk Taw Township had spent a total of 900,000 kyat securing their son's release from military training. The boy was identified as 19 year old Maung Tun Wai, who previously worked in a garment factory in Industrial Zone No.1 in Shwepyitha Town in Rangoon. According to family sources, he met the soldier who recruited him while travelling home to during the first week of October 2008. The meeting occurred by chance at Prome railway station. The soldier, who has been described as a corporal, told Maung Tun Wai he was also travelling to Arakan State and invited the boy to visit his house while they waited for the bus. Instead, he took him to a recruiting unit in Prome and had him registered as a private soldier. The boy's parents, U Myint Htun and Daw Saw Nhin, heard nothing from him for over a month, by which time he had been transferred to Danhingon Unit in Rangoon and then to the Basic Military Training Centre No.1 of Phaung Gyi, Rangoon, for basic training.

The parents were initially unable to secure their son's release. However, after being contacted by a military broker, they agreed to pay 300,000 kyat to the chief trainer, 400,000 kyat to the principal of the training school and a further 200,000 kyat for the broker's services. This secured them their son's release and a testimonial from the training school stating that the boy's health was not good enough for him to serve in the military.<sup>274</sup>

### Karen State

On 27 July 2008 it was reported that SPDC IB #60 had ordered the village tracts of Par Ta Lar, Noh Gaw and Wet Law Daw in Kyaukkyi Township, Nyaunglebin District, to supply one person each as new recruits for the military. They were informed that the fine for failure to comply would be 100,000 kyat per recruit.<sup>275</sup>

It was reported in September 2008 that the SPDC had intentions of having all ceasefire groups disarm with a view to contesting the 2010 elections as political parties rather than armed groups. This conflicted with reports from Karen State that the DKBA was actively conscripting villagers from T'Nay Hsah Township in Pa'an District to reinforce their offensive against the KNLA in Dooplaya District. According to a villager from T'Nay Hsah Township;

*"Their [the DKBA's] aim is [to send the] new soldiers to Dooplaya District. I heard [this] from a village head. The DKBA has signed an agreement with the SPDC that this year they will attack Dooplaya District until they win."*<sup>276</sup>

The SPDC and the DKBA have a strong presence in Pa'an District and, consequently, forced labour and extortion are commonplace. The conscription drive in 2008 was being run by DKBA Brigade #999, led by Muang Chit Thoo. Recruitment was not optional and villagers who were unwilling or unable were obliged to hire others to serve in their stead. The cost of this led to many having to sell their land or leave the area and look for work elsewhere. Recruitment began in T'Nay Hsah Township in August 2008, led by DKBA Brigade #999 Special Battalion Officers Poe Gkay and Boh Gk'Doh. The officers had devised a lottery system whereby villagers picked small pieces of paper from a box. Those who picked a marked piece were ordered to report for military training and serve for a term of one and a half years. Each village was allocated a quota based on its population with the number of required recruits ranging from 15 to 25. On top of this, villages were required to provide financial support for each conscript at a cost of 300,000 to 400,000 kyat (approximately US\$235 to US\$313). The lottery system was applicable to all villagers regardless of age or gender and the conscripts taken during summer 2008 included a 13 year old boy from Noh Gkay village tract. A deserter from DKBA Battalion #999 was quoted as saying;

*"They [the DKBA] didn't make exceptions for widows and old unmarried women. If unmarried women pick the marked sheets, they have to hire people to replace them. They count the number of households so that households with only a widow or unmarried women also have to participate."*<sup>277</sup>

A total of 175 people were taken from the following villages;

1. Htee Wah Blaw, 25 persons, conscripted on 5 August 2008;
2. Hway Sghah, 15 persons, conscripted on 5 August 2008;
3. Htee Sa Rah, 15 persons, conscripted on 5 August 2008;
4. Gker Ghaw, 15 persons, conscripted on 5 August 2008;
5. Saw Koh, 15 persons, conscripted on 5 August 2008;
6. Thih Wah Bpoo, 15 persons, conscripted on 5 August 2008;
7. Meh Bpleh Wah Kee, 15 persons, conscripted on 5 August 2008;
8. Noh Gkay, 15 persons, conscripted on 5 September 2008;
9. Htee Poe Gkyaw, 15 persons, conscripted on 5 September 2008;
10. Htee Gklay, 15 persons, conscripted on 5 September 2008; and
11. Yaw Kkuh, 15 persons, conscripted on 5 September 2008.

The one exception which the DKBA made was that conscription was limited to the ethnic Karen. Other ethnic groups resident in Pa'an District escaped conscription but were obliged to pay for the privilege. For example, fifteen ethnic Shan villagers from Hway Sghah village tract were required to pay 60,000 Thai baht (approximately US \$1,765).

Conditions for DKBA soldiers have been, and continue to be, poor and desertion is common, particularly amongst conscripts. Accordingly, the DKBA has resorted to penalising the families of deserters in an attempt to deter the practice.

*"They [new DKBA soldiers] dare not escape because, if they do, the DKBA will come and [harass] their younger brothers or parents. They will ask the parents to look for the son [who has deserted] and, if the parents can't find out where their son is, they will be fined ... I knew some soldiers who escaped and the DKBA fined the parents three million kyat [approx. US \$2,352]."*<sup>278</sup>

Where a family is unable to pay the fine or hire a replacement for the deserter, they are likely to have their property confiscated and to be exiled from the village. Similar penalties are levied on those who have hired replacements for themselves and the replacement has deserted.<sup>279</sup>

## Pegu Division

In January 2008 it was reported that SPDC LID #66 had conducted a recruitment drive in Paungde Township in Pyay District. According to a resident of Htanpin Ngoato village, any villages that were unable to provide a recruit were required to pay 100,000 kyat. The soldiers also gave orders for the TPDC and VPDC to assist them with recruitment. A local source also reported that previously, street children had been arrested and sold to the military, by either the police or the municipal authorities.<sup>280</sup>

On 18 November 2008 it was reported that SPDC troops had been carrying out forcible conscription of young ethnic Karen villagers in Kyaukkyi Township, Nyaunglebin District, Pegu Division. This was said to be in preparation for an offensive against the Karen National Union (KNU). According to a HURFOM field reporter, conscription was being carried out by two local battalions, SPDC IB #60 and LIB #264. Lieutenant Colonel Ko Ko Aung, Commander of SPDC IB #60, spoke to the headmen from the following villages on 7 November 2008:

1. Pattala;
2. Waela-Taw;
3. Thugabee;
4. Inn-Nee;
5. Noe-Nyar-Thu; and
6. Dow-Moo.

He demanded a minimum of one young man from each village tract.<sup>281</sup> According to Naing Htoo Byaing, Chairman of the Kyaukkyi Township KNU;

*At least six new members were asked to be supplied from these village tracts. We got the order from IB No. 60 that Lt. Col. Ko Ko Aung strongly required this set amount of recruits within two weeks. Any village tracts that could not afford to supply the conscripts have been ordered to pay 250,000 kyat (approximately \$205 USD) per village as punishment. Currently, all villagers are facing difficulties finding new recruits for the Army. On the other hand, people are too poor to give the money they (the army) demand.”<sup>282</sup>*

According to local sources, all those who could afford it, preferred to pay the cash fines. Moo Htoo, aged 35, from Dow-Moo village said;

*“I don't know about Thugabee and Pattala villages, but the other four villages decided to pay 250,000 kyat each to IB No.60 because no one wants to serve with the Burmese Army. People were forced against their will,”<sup>283</sup>*

1<sup>st</sup> Lieutenant Aung San Win, commanding a unit of men from LIB #264, placed similar demands on the villages of Aye-Nine, Kyauk-Khegyi, Ka Moe L and Natha-Kwin. According to the HURFOM field reporter, these villages were unable to comply and consequently were ordered to provide 30 villagers on daily rotation to work for SPDC LIB #264.

KNU sources attest that conscription in Kyaukkyi Township areas has been commonplace for at least the last three years, as have reprisals for the failure to provide recruits.<sup>284</sup>

## Shan State

On 2 September 2008 it was reported that Major-General Aung Than Htut, Chairman of Shan State (North) PDC and Commander of North-East Region Command, had called on the leaders of local militias in Mong Yaw, Wan Pang, Mong Ha and Kachin Defense Army to start recruiting from amongst local villagers. Local sources said that officers from MOC #16 in Hsenwi visited local villages on 27 August 2008 to issue the summons for militia training. The training was compulsory and those who refused were taken to the local command post to explain themselves. A similar recruitment campaign took place in Southern Shan State during August, led by Colonel Yawd Serk of the Shan State Army-South (SSA-S).<sup>285</sup>

Towards the end of 2007, a small ceasefire group in Shan State started trying to recruit new members. The group, named after its leader, was known locally only as the Murng Zern group. They were based in Naa Poi village tract, in Laikha Township. Murng Zern made it known to local leaders that he would like four recruits from each village, preferably aged between 15 and 25. When no-one volunteered he sent his troops to start arresting young males from the local villages. Most of the arrests took place during January 2008. Families attempting to secure the release of their sons were made to pay a fee of 200,000 kyat. Not all families were able to pay this sum, so some of the young men attempted to escape. In each case the man's parents were arrested and a sum two to three times higher set for their release. As a result, many young males from the area fled and it was reported that a number of them had crossed the border into Thailand.<sup>286</sup>

At the beginning of 2008 it was reported that a number of people from Mong-Yawng Township in Shan State were forced to join Swan Arr Shin, a local militia group sponsored by the SPDC. Military authorities from SPDC IB #279 arrived in the township on 19 February 2008 and called a meeting with all the leaders and headmen from the local quarters and villages. The commander issued an order that each quarter and village should provide three people to join the Swan Arr Shin. The local area contained 11 quarters and villages including:

1. Ho Kaad;
2. Kaeng Hin;
3. Pa Non;
4. Murng Paeng;
5. Kaeng Laek;
6. Sae Taan;
7. Haw Tai;
8. Mawk Mai;
9. Haw Kaang;
10. Pa Mai; and
11. Mawn Ke.

In line with the order, a total of 33 people were taken by the military to undergo training between 22 and 27 February 2008. The local people were obliged to pay for the cost of training this group. A sum of 6,000 kyat per person per day was levied, resulting in a charge of 90,000 kyat per village or quarter. It was also reported that none of the local people were willing to join the group or undergo the training so village leaders resorted to hiring labourers at a rate of 5,000 kyat per person.<sup>287</sup>

## Mandalay Division

In October 2008 it was reported that Aung Zaw Myo from Myay Char village in Meiktila District was apprehended at around 10:00 pm on 25 August at Tharsi Station in Mandalay Division. Aung Zaw Myo was returning home from work and had just alighted from the train when he was approached by four soldiers in civilian clothing who asked to see his national identity card. He was then taken to a room near the ticket booth on Platform 1 where he was detained for approximately one hour. The soldiers initially tried to pressure him into joining the military and then beat him repeatedly when he started shouting for help. Aung Zaw Myo managed to escape and reported the incident to the transport police, who were unwilling to take any action against the military. They did provide him with a sarong, as he had been obliged to leave behind his belongings, including his clothes, 50,000 kyat and his identity card, when he escaped. They also allowed him to stay the night. Aung Zaw Myo later tried to retrieve his belongings from the Brigade #99 base in Meiktila. A military driver took him back to Tharsi where his bag had been left but he was unable to retrieve his money or clothes. His identity card was also retained until his father and uncle presented themselves at the base to collect it.<sup>288</sup>

On 6 October 2008 it was reported that a further 19 people, including minors, were abducted from a train in Tharsi Township on 10 September. One of the abductees, who later escaped, was Kyaw Oo, who was en route to visit his mother in Meiktila Township.

The group was approached by soldiers from SPDC LIB #420 and accused of involvement in bombings which had taken place in Rangoon. Their identity cards were confiscated and they were informed that they would have to join the army. Kyaw Oo was one of those who refused to sign up and was beaten by the soldiers, who told him he would be jailed for the bombings if he continued refusing to join. The group were held in cells at the barracks for over two weeks. On 28 September they were allowed out of their cells during a visit by senior military officials. Kyaw Oo and four others took this opportunity to escape. Kyaw Oo is married with one child and works as a crew member on a private cargo ship.<sup>289</sup>



These civilian villagers from Nyaunglebin District, Karen State were forced to build this small sentry hut and seven others like it along the motor road from the Kyun Pin Seid SPDC army camp and the nearby Aung Lung Sein SPDC army camp. Ten separate villages in the vicinity were given orders to work on the construction of these huts, and following their completion, were further required to keep all eight huts manned with three villagers at all times. The sentries were expected to monitor the road and to report the movement of any resistance forces to the SPDC.

*[Photo: © FBR]*

## Rangoon Division

On 7 February 2008 it was reported that the wife of Htun Htun Naing received a sum equating to US \$6 as compensation for her husband's death while in military service. It is still not known how 31 year old Htun Htun Naing ended up serving with an infantry battalion. The last his family had heard of him was when he was arrested for gambling.

In November 2006 a low-ranking army officer had arrived at his home in Rangoon and told his wife that he had died of malaria three months previously. She was advised to travel to the battalion's headquarters to get more information but was unable to make the journey. With her husband gone, she was the sole provider for her three children. The following year she received a letter which acknowledged the death of Htun Htun Naing in the service of IB #250 based at Loikaw and which informed her that the sum of 7,200 kyat had been cleared for payment.

The family subsequently registered a complaint asking for a review of the case and a little more money. They were too afraid to ask for details of how Htun Htun Naing ended up with IB #250 or how he died. The most likely explanation however, is that he was conscripted from prison.<sup>290</sup>

## Tenasserim Division

A military order was issued on 25 October 2008 requiring male students in the Ta-kei regions, who were over the age of 16 and had completed high school (10 Standard) to register their names for military medic training. Major Than Htika, of SPDC LIB #561, communicated the order to village heads in Tenasserim Township, Mergui Township and Tavoy Township and also ordered them to provide a list of eligible male students. The young men were expected to serve in the military for a period of ten years following completion of their training.<sup>291</sup>



Residents of T'Ree Po Gkwee village in Pa'an District of Karen State planting paddy in July 2008 at the behest of the DKBA. Though these villagers did all of the work, they did not reap any of the benefits. Meanwhile, because much of their time was spent maintaining crops for the DKBA, their own crops suffered as a result. *[Photos: © KHRG]*

## Endnotes

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The Human Rights Documentation Unit (HRDU) is the research and documentation division of Burma's government in exile; the National Coalition Government of the Union of Burma (NCGUB). The HRDU was formed in 1994 to document the human rights crisis confronting the many and varied peoples of Burma, and to defend and promote those internationally recognised human rights that are inherent and inalienable for all persons irrespective of race, colour, creed, ethnicity or religion. To this end, the HRDU published the first *Burma Human Rights Yearbook* in 1995 to comprehensively document the systematic and egregious nature of the human rights abuses being perpetrated in Burma throughout the previous year. This report, the *Burma Human Rights Yearbook 2008*, represents the 15<sup>th</sup> annual edition of the *Burma Human Rights Yearbook*, which, combined with all previous editions collectively comprise well over 10,000 pages of documentation and provide an unbroken historical record spanning the past one and a half decades.

All editions of the *Burma Human Rights Yearbook* and all other reports published by the HRDU can be viewed online on the NCGUB website at <http://www.ncgub.net> as well as on the Online Burma Library at <http://www.burmalibrary.org>. Any questions, comments or requests for further information can be forwarded to the HRDU via email at [enquiries.hrdu@gmail.com](mailto:enquiries.hrdu@gmail.com).

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