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BURMA

HUMAN RIGHTS YEARBOOK 2008

HUMAN RIGHTS DOCUMENTATION UNIT

NATIONAL COALITION GOVERNMENT OF THE UNION OF BURMA

CHAPTER 8
Deprivation of Livelihood

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8.1 Introduction

Once considered to be the rice bowl of Asia, in 2008 Burma continued to languish and suffer under the corrupt military rule of the State Peace and Development Council (SPDC), Burma's authoritarian military regime. Burmese citizens faced countless human rights violations aimed at destabilising and destroying livelihoods and building up the military, the junta's wealth and the wealth of state affiliated businessmen. As a result, the country remained among the worst in the world in terms of inflation, poverty, health and education. While approximately 40 percent of Burma's annual spending goes toward funding the military, only three percent is spent healthcare.[1] (For more information, see Chapter 11: Right to Health). The ruling junta has demonstrated a complete lack of will to implement basic, sound economic principles, and maintains a system that continues to deny many social and human rights to its people. The consequences of such negligence have been dire, bringing the once prosperous nation another year closer to economic and social collapse. In a report released in December of 2008, Burma ranked 135th out of 179 countries on the Human Development Index, down three places from the year before. Moreover, the United Nations estimated that more than a third of Burmese children are malnourished and more than 30 percent of the population lives below the poverty line.[2]

In the wake of the Saffron Revolution, the brutally repressed peaceful protests of late 2007, the cost of commodities continued to rise in 2008. It was estimated that goods, such as fuel, gas, vegetables, rice, salt and eggs more than doubled in price since 2007, while the SPDC put the increase at 40 percent.[3] Bus fares rose 150 percent, leaving impoverished suburban dwellers commuting to cities little choice but to sleep on the street or lose their jobs.[4]

Macroeconomic mismanagement by the SPDC led to even higher rates of inflation in 2008, primarily caused by monetised fiscal deficits, funded by the SPDC's policy of printing money to fill fiscal holes and to fund excessive expenditures, such as the building of Yadanabon Cyber City. Unsustainable economic policies have kept the country's fiscal deficit at around four percent, which is again funded by money creation through the central bank.[5]

Burma experienced a plenitude of foreign investment in 2008, primarily from China, but also from Russia, Korea, India, Bangladesh, Singapore and Thailand. The SPDC took advantage of the country's wealth of natural resources such as petroleum, timber, precious stones, natural gas and hydropower. Despite increased foreign direct investment raising gross official international reserves, the people of Burma saw little benefit and were victim to forced labour within the projects and to high rates of land confiscation to make way for the projects. In 2008, the kyat stabilized at around 1,300 kyat to the US dollar, although the official exchange rate remained six kyat to the US dollar.

Burma's undeveloped economy has left a staggering 30 percent of Burma's population, an estimated 15 million people, living below the poverty line.[6] Meanwhile, the junta spends 2.1 percent of its GDP on the military, but only 1.4 percent of its GDP goes toward health and education combined.[7] (For more information, see Chapter 15: Right to Education). As a result, the people of Burma constantly struggle to sustain themselves and maintain their livelihoods, leaving them vulnerable to shocks such as a failed harvest, harassment by the military or political turmoil. This point was illustrated in a study of Burmese livelihoods conducted at the beginning of 2008, which found that 69 percent of household income in Burma was spent on food, with all states and divisions exceeding 60 percent, indicating widespread vulnerability to food insecurity.[8]

More than any other event, 2008 will be remembered for Cyclone Nargis, the category three cyclone that made landfall on 2 May 2008 producing a 3.6 metre high storm surge that wreaked havoc on the southern coast of Burma, flooding and destroying the country's most important region for agriculture, livestock and fishing (see map at the end of the chapter).[9] Tens of thousands of people were killed and millions more had their livelihoods destroyed overnight. It was reported that 95 percent of the homes in Bogale Township, Irrawaddy Division, were destroyed and the country faced an estimated 1.2 million tonne drop (6 percent) in rice production, jeopardising the country's food security and exports.[10] Widespread flooding caused the salination of 600,000 hectares of agricultural land, rendering it useless to farmers without intensive and costly interventions by the junta.[11] The flow-on effects of the cyclone were still being felt throughout the country almost a year later through food shortages, lack of clean water, loss of land, seeds and equipment, which in turn led to lower crop yields. Community groups estimated that the Irrawaddy Delta would produce less than 60 percent of its usual output as a result of the cyclone.[12] (For more information, see Chapter 10: Cyclone Nargis).

The devastation caused by the cyclone, on par with the 2004 tsunami in the Indian Ocean, was compounded by the regime's inaction and its mismanagement of the aid offered to the region by the international community. A month and a half after the cyclone, 55 percent of those affected reported having access to a mere one day's worth of food stocks or less; the country as a whole lost 2.7 percent of its projected GDP.[13] Six months on, villages in remote areas still had no food aid or farming equipment and thousands were living in make shift huts without access to fresh water. Human rights agencies reported a rise in forced labour, forced relocations and land confiscation by junta military authorities.[14] Much of the aid that did reach villagers came in the form of agricultural loans, further driving farmers into debt. Almost 40 percent of households in three of the hardest hit areas in the Irrawaddy Delta had sold off some of their assets by November 2008, and more than 40 per cent had borrowed money for food in the previous month.[15]

Natural disasters were not confined to southern Burma in 2008. Due to the flowering of a rare native species of bamboo which occurs once every 50 years, Chin State suffered from a severe famine. The flowers that blossom on the bamboo attracted hordes of rats that ate the flowers, multiplied and then turned on the farmers' crops causing widespread destruction and famine. A doctor working in the region claimed to have seen 200 people starve to death as a consequence of shortages.[16] As of September 2008, a local human rights group said that of an estimated 500,000 population, 100,000 people or 20 percent of the population were at a crisis point.[17] By October 2008, seven out of 20 villages *"faced a severe and immediate food crisis."*[18] Although the plague of rats was predicted, the regime did nothing to prepare the region for the anticipated catastrophe and actively obstructed aid efforts by the World Food Programme by taking officials to the wrong area, causing them to declare that there was no famine. Since then, the WFP has revised its view, but the regime continued to block attempts to help the starving Chin people.[19]

Burma's economy is dominated by its agricultural sector, which contributes 43 percent of the country's GDP and employs 70 percent of the population.[20] The SPDC depends on farmers and low level traders to fund the military as it operates in a predatory fashion through its 'Self-Reliance Policy'. Under the auspices of becoming self-sustaining, military forces are permitted to commit gross and systematic human rights violations against villagers at will so as to not put a strain on SPDC resources. Throughout the country, villagers are subjected to routine land confiscation, forced sale of crops, enforced cultivation, forced labour, arbitrary fees and taxation, extortion, looting and the expropriation of goods. These predatory practices leave villagers living hand to mouth and in constant fear of relocation edicts, arbitrary arrests or shoot on site policies.

Beyond sustaining the military, the SPDC uses land confiscation, forced labour and arbitrary taxation as a means to build and maintain state infrastructure. Development projects are built almost exclusively for military purposes, to extract resources for export or simply for extravagance sake, such as the SPDC's move of the capital to a remote jungle area, which included the forcible transfer of civil servants and the relocation of villages.

States which are home to large ethnic minorities bore the brunt of the junta's hostilities where policies range from the persecution of Rohingyas in Arakan State, to the brutal oppression of various ethnic minorities in areas of rebel activity such as Chin, Shan, Karenni and Karen States. Throughout these areas, SPDC forces, marauding proxy ceasefire armies and rebels use civilians as free labour and sources of food and income, while they destroy food supplies and block access to crops as part of the Four Cuts Policy (SPDC policy aimed at restricting rebel access to supplies, information, recruits and food from rural populations).[21] All of these factors deprive villagers of the material resources and time needed to work their farms and pursue their livelihood, leaving them in a constant state of vulnerability, frustration and powerlessness. (For more information, see Chapter 18: Ethnic Minority Rights).

In June 2008, SPDC army soldiers from IB #240 discovered this field hut belonging to a 55-year-old civilian village near Day Muh Der village in Papun District, Karen State. In their relentless efforts to depopulate areas that that they are unable to sufficiently control, the soldiers destroyed the hut and all of the food that it contained. *[Photo: © KHRG]*

8.2 Inflation

In 2008, Burma's economy continued to suffer from economic turmoil due to the erratic and ill-informed policies enacted by the SPDC. These policies have led to severe macroeconomic instability throughout the country, as its citizens - many living on less than US$1 a day - have found it increasingly difficult to meet the basic needs of their families. Compounding the country's inflationary problems even further in 2008 was the regime's mishandling of relief efforts in response to Cyclone Nargis and the global economic downturn during the latter half of the year.

Burma's budget deficit has risen sharply over the past ten years from five percent of GDP in 1998 to seven percent in 2007, to 11 percent in 2008.[22] Burma's per capita GDP remains very low, estimated to be US$233 in 2008, compared to other Southeast Asian countries such as Cambodia (US$741), Laos (US$829) and Thailand (US$4,099).[23] Of this income, over 70 percent was most likely to be spent on food.[24] The precarious existence of day-to-day life in Burma throughout 2008 was a direct result of *"the excessive demands of the 'state' on Burma's productive capacity"*, according to an expert on the Burmese economy, Sean Turnell from Macquarie University.[25] SPDC spending has, for many years, been in excess of its capacity for revenue generation. The SPDC has largely responded to these fiscal deficits through the running of the Central Bank's printing presses, leading to rapid monetary expansion, and chronic levels of inflation. In August 2008, the SPDC admitted just how severe inflation was, by disclosing that during the 2008 fiscal year (1 April 2007 - 31 March 2008) Burma's consumer price index soared to almost 33 percent.[26] Other sources estimate the true figure to be considerably higher. The IMF estimated inflation to be at 40 percent and Mr. Turnell reported inflation to be as high as 50 percent.[27] The result has been a rise in the cost of living as well as periodic and unexpected jumps in commodity prices, including staple household goods such as rice, vegetables and fuel. These issues are not new to Burma. In fact, it was the spiralling cost of living, particularly the rapid rise of fuel prices, which triggered street protests in major Burmese cities and towns during the Saffron Revolution, from August-September 2007.

Despite the violent fallout from the Saffron Revolution, fuel prices were on the rise by the start of 2008. The cost of fuel rose more than 13 percent in February, far outstripping global price increases, due to government efforts to control the sale of fuel.[28] Businesses struggled to stay open, especially those which relied on heavy machinery or electricity. Diesel generators continued to be used by businesses to supply electricity since government supplies were so unreliable. Prices rose from 4,400 kyat (US$4) to 5,000 kyat (US$4.50) for a gallon of gasoline, and from 4,600 kyat (US$4.20) to 5,200 kyat (US$4.70) for a gallon of diesel in 2008. Consumers were limited to purchasing two gallons per day at government-run fuel stations.[29]

The price of fertiliser has been on the rise since January 2007, and increased substantially in March 2008, due to strict limitations on supply and increased export duties by the major fertiliser exporting countries. The price of fertiliser in 2008 was double that of the previous year. As a result, farmers were forced to limit fertiliser application in their paddy fields or make do with a higher cost of cultivation.[30]

The price of funeral arrangements also soared over the course of 2008, making burying the dead cost prohibitive for most people. According to *Irrawaddy*, villagers had to spend as much as 120,000 kyat (US$94) for a funeral or cremation in Pyinmana cemetery, Pyinmana Township, Mandalay Division. The prices ranged up to 150,000 kyat (US$118) if religious items or rituals were included. Government imposed rules have forced people who cannot afford the costs to borrow money or go into serious debt.[31] Funerals were traditionally conducted in village or town cemeteries, but in 2005, people from villages around the new capital of Naypyidaw were forced to cremate and bury all bodies in Pyinmana City, far from their village. Then, in October of 2008, the SPDC decreed that the dead must be buried at a new location, this time in Naypyidaw at the bottom of Pho Saung Hill, 25 miles from Pyinmana Township.

In Rangoon, although residents have access to burial services through the Free Funeral Services Society (FFSS), the cost a funeral toward the end of 2008 was still reported to be around 100,000 kyat (US$78.70) and the price tripled if the family wanted to build a tomb. According to a 75-year old grandmother in Hlaingthaya Township in Rangoon, as reported in *Irrawaddy*, *"If I am going to die, I will go back to my village and die there. If I die in the city, my sons and daughters would be in debt because of my funeral, and I don't want them owing a lot of debt."* [32]

After Cyclone Nargis devastated much of Burma in early May 2008, commodity prices, including vegetables, rice and eggs, instantly soared 100 percent in Rangoon, according to *Irrawaddy*.[33] This was largely due to food shortages from the massive destruction of farmland. A Rangoon resident told *Irrawaddy, "The price of an egg is now between 200 and 250 kyat (US$0.20); one cabbage is 2,000 kyat (US$1.60); one viss of pork is between 8,000 and 8,500 kyat (US$7)."* [34] Prior to Cyclone Nargis, one egg was worth 50 to 70 kyat and one *viss* of pork was valued between 4,500 to 5,000 kyat.[35] Another Rangoon resident reported at the time that *"Prices are soaring now. A bag of peanuts used to be 200 kyat, and now it is more than 500 kyat. When I went to buy rice today, it was 1,700 kyat for one pyi [around 250 millilitres]. It used to be 1,000 (kyat)."* The resident said buying rice was a particular problem because of the damage done to rice stores during the cyclone, and people had lined up to buy it.[36] Bus fares also went up 150 percent from 200 kyat to 500 kyat.[37] The price of charcoal for cooking skyrocketed 25 percent to 10,000 kyat (US$9) for a 16 kilogram bag. Cooking gas prices also increased by 25 percent to 25,000 kyat ($22.70), from an earlier rate of 20,000 kyat ($18.20) for a 25-litre cylinder.

Salt prices climbed to five times their normal level in Burma after salt farms and factories in the Irrawaddy Delta were destroyed by the cyclone. The cost of salt jumped from 100 kyat to 600 kyat per *viss* in Mon state, which produces more than 30 percent of the country's salt. A Mon salt trader reported to *IMNA* that iodine salt prices had reached 1,000 kyat per *viss*.[38]

Gas prices rose nearly 20 percent following the cyclone, reaching an all-time high of 7,000 kyat per gallon in Burma. The Energy Ministry stopped selling fuel and natural gas, shutting down gas stations in the days after the cyclone, further paralysing the country. The prices of gasoline and diesel on the black market rose to 7,000 kyat (about US$6.30) and 7,800 kyat (US$6.80) per gallon, respectively, up from 6,000 kyat (US$5.40) and 6,500 kyat (US$5.90).[39]

Rising commodity prices continued through August 2008, with estimates that goods had doubled in price since last year while the government put the increase at 40 percent.[40] According to *DVB*, a Rangoon merchant reported that 1 *viss* of groundnut oil was selling for 4,900 kyat in August of 2008. *"Last year, the price of Pawsanhmwe [a high-quality brand of rice] was 800 kyat for one pyi – this year it's 1,800"* the merchant said.[41] Prices for almost all essential commodities were up compared to the same time in the previous year. A local housewife explained, *"Last year, you could go to the market with a 1,000 kyat note but now you can't buy anything with that. One viss of chicken now costs about 10,000 kyat – last year, it was not more than 5,000 kyat."* [42]

In October 2008, the regime stopped the circulation of low-denomination banknotes causing major inconveniences and money losses to businesses and consumers who bought and sold low cost goods. People from the Mandalay and Rangoon Divisions complained that stores couldn't provide change, and in lieu of change provided candies or cigarettes since 200, 100, 50, 20, and 10 kyat notes had almost disappeared from circulation. The regime instead only printed high denomination banknotes that, according to economist Sein Htay commenting in a DVB report, would only cause more inflation.[43]

Finally, in a move thought to be in response to the declining energy market, the SPDC again raised official gas prices on 1 December 2008 so that a gallon of petrol cost 2,500 kyat. The cost was up from 1,500 kyat per gallon in September and October and 1,900 kyat reported by the end of November. According to IMNA, no official reason was given by the Ministry of Energy for the sudden price hike and an official at the ministry would not give an answer regarding the new price when questioned on the matter.[44]

This photograph, taken in October 2008, shows the highway linking Rangoon with Naypyidaw. Despite the general electricity shortage throughout the country, with many areas receiving a paltry average of only six hours electricity per day, Naypyidaw, and this road leading to it, remained well lit throughout the night. *[Photo: © Min Khet Maung]*

8.3 Additional Factors Affecting Persons' Livelihoods

Hydroelectric Dams

The SPDC, along with the China Power Investment Cooperation and Asia World Company Limited, has begun construction on a hydroelectric dam project on the Chiphwi River, about 113 kilometres (70.2 miles) northeast of the Kachin state capital, Myitkyina. The dam, which is expected to produce 980 kilowatts of energy, will be used to supply electricity for the construction of other hydroelectric projects, including one at the confluence of the Nmai Hka (May Kha) and Mali Hka rivers, about 28 kilometres (14.3 miles) north of Myitkyina.[45] This is the initial phase of a project planned to lead to the construction of seven more dams on the Mali Hka and Nmai Hka Rivers. Despite chronic shortages of electricity throughout the country, the electricity generated from the dams will be sold to China. Fierce protests over the construction of the dams have been staged by local residents, the Kachin Development Network Group (KDNG) and environmental groups such as EarthRights International, because of the devastation that the dams will cause to local livelihoods and to the region's biodiversity. *Mizzima News* reported that, *"According to Thailand-based KDNG, the planned hydroelectric projects would destroy at least 47 villages and threaten over 10,000 lives by inundating about 766 square kilometres of farmland with water*.*"* [46] (For more information, see Chapter 9: Environmental Degradation).

Stretching 1,056 kilometres (1,700 miles) through eastern Burma, China and Thailand, the Salween River is a source of life, biodiversity, food and income to the people of Karen, Shan and Karenni States. In total, 17 dams are planned for the Salween River which is predicted to result in mass flooding and the internal displacement of numerous ethnic minority communities, effectively destroying their way of life and harming downstream fisheries and biodiversity.[47] The projects include the construction of the gigantic 7,100 megawatt Tasang Dam in Shan state. Other dams are also being built on the N'Mai Hka, Mali Hka and Irrawaddy rivers in Kachin State to provide electricity to the Yunnan province of China.[48] Once operating, the dams will provide the people of Burma with no more than 15 percent of the electricity generated and the rest will be sold to China at an undisclosed price.[49]

In Arakan State, the SPDC also concluded an agreement with Bangladesh to build a hydropower plant. Bangladesh will pay for the building of the plant and will also receive 70 percent of the electricity, while Burma will receive 30 percent.[50]

Electricity Supply

Meanwhile, Rangoon, the city with the most reliable daily electricity supply outside of the new capital of Naypyidaw, experienced constant power cuts in December 2008, with homes and businesses receiving electricity for a mere six hours per day. *Irrawaddy* reported that,

> *"For the purposes of electricity distribution, the city has been divided into three sectors—A, B, and C. Six hours electricity per day is supplied to each sector on a rotating basis. Sector A receives electricity from 5 am to 11 am, Sector B from 11 am to 5 pm, and Sector C from 5 pm to 11 pm."* [51]

Businesses that rely on electricity, such as internet cafes, newspapers and print shops, were forced to shut down during the outages, increasing the cost of running viable businesses.[52]

In Moulmein, Mon State, electricity in homes and businesses was so erratic and so filled with red tape just to purchase, that some businesses began obtaining it illegally from a local

Military Training Battalion (TB). In November 2008, officials from the Myanmar Electric Power Corporation (MEPC), under the Ministry of Electric Power in Naypyidaw, inspected power lines connected to the TB's compound and severed those illegally drawing power from the source. At least forty shops and residents were fined 2.3 million kyat for purchasing illegal electricity and a major from the TB who sold the power to shop owners, as well as used it for his own shop, was forced to pay a 5.5 million kyat fine.[53]

Khonumthung News reported in December 2008 that authorities from the electricity department in Kalemyo Township, Sagaing Division, collected electric meter control bills from people who had meter boxes, but had not received electricity since September 2008. The electricity department blamed the lack of power supply on water shortages and defects in the machines, which prevented them from providing electricity every day, according to a local who inquired at the electricity department. The area is in proximity to two hydroelectricity plants, Yee Chaung and Hra Laung. Somewhat unsurprisingly, military camps were provided power 24 hours a day through a VIP transmission line. Since the meter boxes provided either erratic, or no electricity, locals turned to private electricity providers, forcing people to pay double the monthly bills, generally amounting to between 800 and 1,000 kyat.[54]

In Falam Township in Chin state, the cost of meter boxes supplied by the electricity department rose six-fold in 2008. Many residents were unable to even buy the meter boxes because of the price hike. The price rose without warning, and there was no alternate source of electricity available in Falam. Normally, only half the population in Falam receives electricity; the supply is unreliable and, at best, only available from 6 pm to 9 pm.[55]

In Pakokku and Yesakyo Townships in Magwe Division, residents also reported electricity shortages. Residents formerly had access to electricity for about six hours per day, three days a week, but as of January 2008, access was limited to one day a week during limited hours. Not only did this adversely affect household eating and living patterns, but it is also affected businesses, many of whom were forced to close their doors due to the power failures. *"We pay money for workers' daily wages for coming to our firm although the electricity is off,"* said one employer.[56]

In Chaungzon Township, on Belukyn Island, in Mon State, residents have been almost completely without electricity for years. An SPDC initiative brought electricity to half the island in 1994, but power was cut in 2004. As a solution, a senior monk organised electricity for the area while the regime, which has continued to promise electricity to the area, does nothing to help the residents. It was reported in December 2008 that the senior monk from Mingalar Thu Kat Monestary in Dare village lead a group of 15 men to organise the purchase of a generator as well as the installation of metering boxes and electrical lines. Households in the community each paid approximately 200,000 kyat to help purchase supplies, with the remainder provided by the monk and the 15 men who assisted him in the project. Once the generator was up and running, users were only charged for usage, which was provided from 4am to 6am and 5pm to 10pm. A resident of Dare reported to IMNA that *"electricity from private companies is not strong enough to run a television or even a fluorescent light bulb, it is not available in the dark dawn hours when residents need light and power to cook."* [57]

Residents of Myitkyina Township, in Kachin State, were ordered by the military junta's new Kachin State Commander, Major General Soe Win of the Northern Command, to pay for monthly electricity bills and bulbs for roadside lighting throughout the town as of the beginning of September 2008, according to KNG.[58] Locals reported that roadside lighting, which constitutes about one electricity pole every 200 feet on the left and right sides of the road in the township, was formerly paid for by the Township Municipal Office.[59]

Corruption

Burma was ranked as the second most corrupt nation in the world in 2008, according to the German based anti-corruption watchdog, Transparency International.[60] Burma was tied with Iraq, a step higher than last year's tie with Somalia. Despite moving to second place, Burma was still rated on the Corruption Perceptions Index scale as more corrupt than last year, falling from 1.4 to 1.3 on a ten-point scale.

Burmese law under the SPDC does allow for the prosecution of official corruption, although these laws are seldom and inconsistently enforced. Officials can normally engage in corruption with impunity, according to a US Department of State report.

> *"Authorities usually enforced anti-corruption laws only when the regime's senior generals wanted to take action against officials whose egregious corruption had become an embarrassment or when they wanted to punish officials deemed a threat to the senior general's power."* [61]

Although rampant corruption within the military regime and among the regime's cronies has taken place since the SPDC came to power, the SPDC did initiate an anti-graft campaign in late 2006, with a particular focus on the Customs Department, wherein corruption results in significant amounts of lost revenue for central SPDC reserves. A trader speaking to *Naranjara News* who carries goods between Maungdaw Township, Arakan State and Teknaf, Bangladesh said that there were five official organisations at the Maungdaw border gate requiring bribes from traders crossing into Bangladesh: customs, NaSaKa, the jetty authority, SaRaFa, and a combined force made up of the district authority, township authority, and the police.

Four Border Trade Administration (BTA) officials operating in the Sino-Burmese border town of Muse were sentenced to nine months in prison on corruption charges in January 2008. The BTA officials were convicted of charges, including taking bribes and letting timber into China without collecting tax.[62] In Arakan State, three police officers in Maungdaw were interrogated and later convicted of taking millions of kyat from Rohingya villagers as bribes to evade arrest and torture, according to a source within the NaSaKa in November 2008. The police officers were later fired, but, according to locals, were later seen driving around the town in a police car but without uniforms. No one involved in the case was arrested.[63]

Despite the regime's willingness to prosecute some corrupt officials, the vast majority operate with impunity. At most, corrupt officials may lose their jobs. For instance, a township clerk named Kyaw Soe in the Pyapon Township Peace and Development Council in Irrawaddy Division was caught selling rice bags intended for victims of Cyclone Nargis for 10,000 kyat. He was removed from office but no other actions were taken against him.[64]

Cyclone Nargis provided an ample opportunity for local authorities in the Irrawaddy Delta to take advantage of incoming international aid earmarked for the victims of the cyclone. Authorities publicly siphoned off humanitarian assistance and sold the relief supplies, including food, water, seeds and mosquito nets, for substantial profits. Relief items were seen in local markets at inflated prices and in south-western China, where the commodities could be sold at an even higher price. *Asia Times* reported that the SPDC, *"prioritized aid for government cronies and loyalists, to avoid a possible revolt among the rank and file."* [65] The report also mentioned that aid, such as food, water and mosquito nets had been confiscated to be sold. [66]

In Labutta Township in the Irrawaddy delta, an area hard hit by the cyclone, aid supplies were inaccessible and inadequate, making it impossible for farmers to work their fields. Farmers were left with insufficient or poor quality seeds, livestock, equipment and fuel. When military aid was made available to civilians, local officials demanded payment for the goods. This made preparations for monsoon season rice production very difficult, if not impossible for some farmers. According to one local who spoke to the *Irrawaddy*;

> *"You have to bribe the village head if you want to use the tillers [to work the paddy fields]. If you want to receive a tin (about 15 kg) of government-provided paddy seeds you have to pay about 1,000 to 1,500 kyat (US$0.90 to US$1.30) to the village authorities. Diesel costs 1,000 kyat per gallon."* [67]

Reports surfaced in July 2008 that authorities and village headmen had been presenting exaggerated numbers of people in their villages, and then collecting increased amounts of basic foodstuffs such as rice, cooking oil and salt from the humanitarian organisations in Labutta Township. Villagers reported that aid was not reaching the cyclone victims, with witnesses reporting that some village headmen had kept the relief supplies to sell on the black market.[68] A volunteer worker, reported to the *Irrawaddy* that;

> *"One month after the cyclone, village headmen were making good livings selling relief supplies on the black market. Now the humanitarian aid has run out. However, blankets and mosquito nets are still widely available for between 3,000 and 5,000 kyat (US$2.50 to US$4.50) each."* [69]

An informant from the Ministry of Social Welfare, Relief and Resettlement explained that phone calls complaining about such offences involving corruption at the administrative level were very common, but because of bureaucratic difficulties, nothing could be done.[70]

The state police force of Burma, part of the Ministry of Home Affairs, is run as an inherently corrupt force due to the SPDC's policy that the police should collect fees from civilians for their services. For example, according to a US Department of State report from 2008, victims of crimes were required to reimburse the police for crime investigations and the police routinely extorted money from the people that they were in place to protect.[71]

A reason for the pervasiveness of corruption among Burmese authorities is the low salaries paid to them by the SPDC. According to a retired officer working in the immigration department, *"In Maungdaw Township, all government servicemen are involved in corruption because they are unable to maintain their families' survival with just government salaries."* [72] With SPDC spending on public sector wages woefully inadequate, there is clearly an incentive in allowing such corruption to go largely unchecked. It not only enables the SPDC to provide its military cadres with economic opportunities at no direct cost to itself; it also placates and sustains all levels of the civil service, from doctors down to army recruits. It was reported in August 2008, that U Hla Win, Chairman of Maungdaw District, had gone to Naypyidaw to address the problem before high military officials, and that as a result, he was expected to be dismissed from his position.[73]

Corruption as a means of survival penetrates professions not affiliated with the regime as well. For example, in Maungdaw Township, students must pay teachers 5,000 to 10,000 kyat in *"entrance fees"* which the teachers keep for personal gain.[74]

The Financial Sector

According to the 2008 Index of Economic Freedom, Burma is rated 39.5 percent 'free', down 1.5 percentage points from last year, making the troubled country the world's 153rd least free economy out of 162, and the second least economically free country in all of Asia, just four places higher than North Korea.[75] Burma scored the lowest in investment freedoms, financial freedoms and property rights, each scoring at 10 percent. Corruption and business freedoms scored 19 percent and labour freedoms scored 20 percent.[76] The only category that saw growth was 'government size', which, according to the report, can be interpreted as the absence of effective government. The report goes on to say:

> *"Burma severely restricts many areas of its economy. Investment freedom, financial freedom, property rights, and freedom from corruption are weak. Business freedom is very low because it is hard to conduct formal private sector activity with official approval. The almost complete lack of a judicial system forces domestic and foreign companies to negotiate directly with the government to resolve disputes. Foreign investment is adjudicated in each instance with no clear guidelines for investors."* [77]

The SPDC's poor economic policies have led to the refusal by the World Bank and the IMF to lend the country money due to the failure of the junta to repay at least US$3.5 billion, at 1980s interest rates, with some of this debt stretching back to 1987. Junta chief, Senior-General Than Shwe has been reported to have given the institutions *"the stubborn, silent treatment"*, thereby preventing the failing economy from benefiting from a debt relief scheme. Burma should qualify for the Heavily Indebted Poor Countries initiative, but instead has been deemed a bad debtor state because of its failure to give financial accounts or submit a Poverty Reduction Strategy Paper.[78] The World Bank reiterated its stance of not financially supporting Burma after it gave the country US$10 billion following the devastating Cyclone Nargis.[79]

The junta's export dominated trade policy continued to have a negative impact on industries and the manufacturing sector throughout 2008, according to *Mizzima News*. Not only does the policy prevent basic goods and services from reaching the civilian population, but it also hampers the flow of modern technologies and machineries, keeping the agricultural, extractive, and manufacturing sectors decades behind the rest of the world.[80]

Within the isolated country, the SPDC has continued to dominate and control the banking system. In October 2008, the state-owned Myanmar Economic Bank (MEB) took over the administration of the third private bank since 2005, Myanmar Universal Bank (MUB). Depositors were given until 31 March 2009 to reclaim their deposits or the funds would be confiscated by the SPDC. In business since 1995, the MUB fell into troubles with the government starting in August 2005 when, according to *Xinhua News*, its owner U Tin Sein was charged under the country's Psychotropic Substance Law and the Control of Money Laundering Law.[81] This action followed in the footsteps of two other private bank takeovers in March 2005 under the same laws, although the 15 month probe by the SPDC revealed no firm evidence with which to support the charges. The regime has allowed the operation of private banks in Myanmar since 1992 which has led to the opening of 20 private banks with 350 branches. Currently there are 15 banks in operation.[82]

Throughout the year the military regime was striving to introduce a wireless Internet system to the country to be ready by early 2009. The information technology company, Exotic Wing, was tasked with supplying coverage to 16 main townships in the former capital of Rangoon. WiFi hotspots were being installed as of November, allowing for the Internet to be accessible anywhere in the city. The development of the countries ICT infrastructure has been a priority for the military regime, as evidenced by the creation of the Yadanabon Myohit Cyber City in the northern part of Mandalay district and a 10,000 acre (4,050 hectare) cyber city in Pyin Oo Lwin, 67 kilometres east of Mandalay in the north. The regime's drive to connect the country and the region via information technology was catalysed by the signing of the Initiative for ASEAN Integration to link the region via the World Wide Web. Signed in 2000 at a summit in Singapore, the regime has since formed the e-National Task Force to support IT development in the country.[83]

Although Prime Minister General Thein Sein recently proclaimed that Burma would not be affected by the global financial meltdown, the Burmese economy has not been immune. On 3 December 2008, Tay Za, one of the regime's most infamous cronies, met with the leaders of his Htoo Trading Company and affiliated companies and informed them that the global economic downturn was severely impacting the business climate. Tay Za went on to say to those at the meeting that Burma's GDP would fall from US$3.6 billion in 2007 to just US$2.6 billion in 2008.[84]

Economists generally agreed with Tay Za's postulation and estimate that decreasing oil and natural gas prices could seriously affect the junta's revenue. The Burmese regime took in an estimated $2.5 billion in 2007 by selling natural gas to Thailand. In a conversation with *Irrawaddy,* a Rangoon-based economist explained that it is hard to know whether Burma would be impacted by the global economic downturn because the SPDC withholds official data relating to the economy. He went on to say that the Burmese regime also claimed immunity to harm during the Asian financial crisis in 1997 because of its isolation from the global community. *"But the claim was not true. The Asian financial crisis also affected Burma*,*"* he said. *"The current crisis could also impact the country*.*"* [85]

Burma's migrant worker population bore the brunt of the global financial slowdown in 2008. In Thailand, the country with the highest number of Burmese migrant workers, there are estimated to be in excess of one million documented and undocumented Burmese labourers.[86] Reports came to light late in 2008 indicating that migrant workers were being laid off in Singapore, Malaysia, and Thailand.[87] According to the *Burma Bulletin*, in late November 2008 and the first week of December 2008, more than 550 Burmese migrant workers in Malaysia and Thailand were laid off and immediately deported. The *Bulletin* reported that many of them had not earned a sufficient amount of money to cover the agent fees they had paid to get their jobs. In the Thai-Burmese border town of Mae Sot, 100 to 150 undocumented Burmese migrant workers were reported to have been arrested daily in December 2008 and hundreds of others were anticipating cuts in pay, and overtime.[88] The majority of Burmese workers have been forced to seek employment in the "three D's"—dirty, dangerous and difficult work.[89] Returning migrant workers had little hope of finding employment after losing their jobs in neighbouring countries, where factories were closing or cutting production due to the global economic slowdown. According to a Thai-Burmese border-based rights group reporting to the *Irrawaddy*, thousands of Burmese migrant workers in Thailand returned home after losing their jobs or were being put on half pay as factories cut production and labour forces because of the economic slowdown.[90] (For more information, see Chapter 21: The Situation of Migrant Workers).

Without Burma's migrant workers, thousands of families who remain inside Burma face the possibility of sinking deeper into poverty due to a lack of remittances. For many families, the money sent back to them by family members working abroad is their only source of stable income. The economy as a whole will also suffer from the events of 2008 due to the lack of foreign exchange entering the country. In a study done by Sean Turnell in 2004, the last year data was available, remittances to Burma in the formal sector totalled US$56.8 million. Remittances from Burma's estimated two million foreign workers and refugees are thought to be three or four times that number.[91]

The Prime Minister Thein Sein, claimed rather fancifully that the returning workers could be employed in the cyclone-devastated rice paddies of the Irrawaddy delta and that the country's agricultural sector could easily provide jobs for Burmese workers forced out of their jobs overseas.[92]

Divergent Exchange Rates

In Burma, the kyat trades at two widely divergent exchange rates: the military junta rate that was formerly fixed against the IMF's Special Drawing Rights; and the more realistic black market rate. The overvalued official exchange rate of around 6 kyat = US$1, contrasts starkly with the unofficial black market rate of around 1,275 kyat = US$1. This reflects an overvaluation by the military junta of around 200 times the true market value.[93] The official rate is only accessible to privileged SPDC officials and their inner-circle. This allows them to purchase goods from abroad at a discount, vastly increasing importer profit margins when selling back goods on the black market, and also allowing them access to cheap luxury goods.

According to Sean Turnell, *"Burma's dual exchange rate apparatus imposes costs."* [94] Firstly, by allowing certain SPDC officials to exchange money at the official rate, the kyat can then be sold back at the unofficial rate to make a profit, encouraging corruption. Secondly, it lowers chances for foreign investment by rightly giving the impression of an unstable economy. Thirdly, the dual exchange rates impose huge costs on existing local businesses within Burma seeking to export or import as well as others who are not operating within state owned enterprises.[95]

Finally, the use of divergent exchange rates prevents the state from receiving a large portion of the revenue it is due, instead the money ends up in the country's foreign reserves earmarked for irresponsible spending projects such as building up the military and other capital spending projects. This happens because foreign exchange coming into the country, mostly in exchange for natural gas, is recorded in the official and undervalued kyat rate effectively underplaying the potential value it would have on Burma's fiscal accounts. As Sean Turnell explains:

> *"Recorded at the official rate, Burma's gas earnings for 2006/07 of $US1.25 billion amounted to a mere 0.6 per cent of budget receipts. By dramatic contrast, if the same US dollar earnings were recorded at the market exchange rate (at that time around K1,200:$US1) their contribution would more than double total receipts, which would more or less eliminate the country's fiscal deficit."* [96]

The United Nations reported in July 2008 that some of the international assistance given to the victims of Cyclone Nargis had been lost because of the regime's foreign exchange regulations. The reason for this was the SPDC's policy of requiring all foreign exchange brought into the country to be changed into kyat, by way of Foreign Exchange Certificates (FECs). These were set above the market rate at the level that the SPDC claimed the exchange rate to be; a rate bearing little resemblance to the true market value.[97] According to the *Financial Times*, *"The FECs are, officially, at parity with the dollar but, in practice, they trade in the local market at a discount when converted into Burmese kyat to buy local goods and services."* [98] The exchange rate for one FEC hovers around 880 kyat, compared to a much higher market rate of more than 1,100 kyat per dollar, leading to a currency conversion loss of at least 20 percent.[99]

All foreign aid was required to pass through the Myanmar Foreign Trade Banks (MFTB), forcing agencies like the United Nations Development Programme to direct-deposit donor funds to the MFTB. Burmese political exiles first brought this to the attention of the UN, who claimed that as much as 20 percent of the tens of millions of US dollars of donations had been lost. The total actual losses were difficult to measure, since aid was distributed by way of cash and non-cash items such as food, clothes and shelter.[100]

In August 2008, the SPDC and the UN came to an agreement to resolve the issue of distorted official exchange rates to resume the flow of aid from jaded donors. The military regime agreed to let outside donors pay local companies directly and in US dollars, rather than via FECs.[101] The monetary loss of aid to the UN was declared to be about US$10 million by UN humanitarian affairs chief John Holmes, but following this announcement other UN officials said recalculations put the conversion loss at closer US$1.5 million.[102] (For more information, see Chapter 10: Cyclone Nargis).

Associated Press quoted US Defence Secretary Robert Gates as saying that, in addition to the fraudulent financial management of foreign funds, Burma's obstruction of international efforts to help cyclone victims cost *"tens of thousands of lives."* [103]

Fences such as this were a common sight around SPDC-controlled villages in parts of Karen State during 2008 as the SPDC continued to restrict the movements of the civilian population ostensibly so as to limit their contact with armed resistance groups which continued to operate in the area. Villagers fro Taw Gkoo village in Toungoo District of northern Karen State were ordered to construct this fence encircling their village in April 2008, leaving only 1-2 entrances. *[Photo: © KHRG]*

8.4 Economic Sanctions

The European Union (EU) first introduced sanctions against the SPDC in 1996, creating the EU Council Common Position on Burma, which called for economic sanctions against the country due to its lack of democratic transition; the continued detention of Aung San Suu Kyi; the harassment of the National League for Democracy (NLD) and other political groups; grave human rights abuses; and the increased restrictions imposed upon NGOs and international organisations.[104]

In April 2008, the European Parliament called for the adoption of tougher sanctions against the SPDC and appealed to China to leverage its influence and apply pressure on the regime.[105] The legislation (no.194/2008) primarily focused on restricting the access of the regime and its business cronies to international banking services.[106] New restrictions were imposed on Burmese exports including wood and wood products, coal, gold, silver and certain base metals, precious and semi-precious stones.[107]

Although the EU is committed to the Council Common Position in regard to relations and sanctions against the junta, in practice, the EU's 27 members seldom agree on a position. Since one member is all that is needed to veto an injunction, the EU's imposition of sanctions has been weak and inconsistent. On one side, the United Kingdom (UK), the Czech Republic, the Netherlands, Ireland and Denmark have favoured economic sanctions and maintaining a hard line against the regime. This approach has been scuppered in large part by France, Germany, Austria, Italy, Spain and Poland, who tend to be against increasing pressure, and at times attempt to roll back existing measures.[108] Notably, France's largest company, Total Oil, is a big investor in the country which may attribute to France's softer stance on the regime. However, Burma Campaign UK reported that in 2008 France supported tougher measures against the SPDC.[109] Below is a list of the EU's economic sanctions against Burma:

- Arms embargo;
- Ban on non-humanitarian aid;
- End to GSP trade privileges;
- Visa ban for senior regime officials and their families;
- Freeze of assets held in europe by people on the visa ban list;
- Limited investment ban; and
- Ban on imports of, and investment in timber, gems and metals.[110]

According to human rights organisations, such as Burma Campaign UK, the EU's sanctions have largely been ineffective in hurting the regime, and have enabled it to continue unabated with its oppressive tactics.[111] Without a world-wide ban on arms, foreign investment and the import of timber, gems and materials, the sanctions have little impact on the regime. With China and Russia supplying arms to the SPDC military; ASEAN, Australia and New Zealand freely trading with the regime; and China, Bangladesh and Thailand investing millions in the country, the EU's well intentioned sanctions have little effect on the junta's access to resources, arms and cash. Another reason the sanctions have not had their intended effect is because the EU banned investment in only a limited number of state-owned businesses according to Burma Campaign UK, and has left out the major import sectors such as timber, mining, oil and gas. Companies that were put on the banned investment list included a local tailor and a pineapple juice factory.[112]

Despite sanctions, British companies continue to invest in the country via overseas territories, allowing firms to avoid taxes and do business with the regime largely undetected.[113] In December 2008, the Burma Campaign UK published a *"Dirty List"* of 170 companies that operate in Burma, including: Toyota, Qantas, Orient Express, Schlumberger Oilfield Services, BBC Worldwide, Lonely Planet, Daewoo, Shangri-la Hotels, Siemens, Swift, Chevron and Baker Hughes, among others. Most of the international companies are tour operators or in the extractive and energy industries.

One of the most high profile companies operating in Burma is Lloyd's of London. Its chairman, Baron Levene of Portsoken, has been highly criticised by the British government because of his business dealings with Burma's military regime, despite sanctions. Senior government officials claimed that Mr. Levene is *"one of the most important Western business figures enabling the repressive Burmese military dictatorship to cling to power,"* due to Lloyd's of London's involvement with the reinsurance of the junta's aviation and shipping industries.[114] It has been suggested that the company helps prop up the oppressive military regime and that without the involvement of Lloyd's of London, the SPDC would struggle to survive. Mr. Levene also sits on the board of the French energy giant, Total Oil. It was reported that Total Oil is in agreement with the junta to extract oil and gas, paying out to the military government an estimated US$2.66 million each day.[115] In September 2008, the British Foreign Office wrote a letter to Levene criticising Lloyd's of London's relationship with the repressive regime, in turn *"urging them to consider"* their involvement.[116]

Other countries and regional groupings are attempting to strengthen their economic ties with Burma's military regime. ASEAN, New Zealand and Australia signed the free trade ASEAN-CER agreement in Singapore in August 2008, cementing the *"Closer Economic Relations"* status between the countries.[117] One of the biggest opponents to the agreement is New Zealand's left-wing Alliance Party, who has harshly criticised the deal, calling it a *"disgrace"* because it will make business with Burma much easier, thereby undermining the efficacy of sanctions coming from other quarters. ASEAN-CER covers investment and trade in goods, services, telecommunications, electronic commerce, economic cooperation and the movement of labour.[118]

In October 2008, Australia extended financial sanctions against 45 more people who are part of the military junta or are in business with the regime, bringing the total number of people singled out for sanctions by the Australian government to 463. Foreign Minister Stephen Smith cited the reasons for the extension of sanctions as *"the lack of meaningful political progress toward democracy"*, which included; the continued detention of more than 2,000 political prisoners, the SPDC's disappointing response to the devastation caused by Cyclone Nargis, as well as the sham referendum held throughout May 2008 approving Burma's new military-backed constitution. Other sanctions imposed by Australia were a ban on defence exports to Burma and the denial of travel visas to members of the regime.[119]

Malaysian Prime Minister Abdullah Ahmad Badawi announced in June 2008 that ASEAN did have the right to impose sanctions on its members for violating its charter, even though the charter does not have a specific provision for doing so.[120] This was seen as a sign that members of ASEAN were losing their patience with Burma's military regime along with its record of human rights abuses, its reluctance to restore democracy, and its continued imprisonment of Aung San Suu Kyi. In July 2008, all members of ASEAN, including Burma, ratified a new charter that commits its members to observe democratic principles and protect human rights, including the creation of a regional human rights body. ASEAN members Indonesia, the Philippines and Thailand, agreed to the charter in 2007, but are now withholding their own ratification citing the need for Burma to first clean up its human rights record.[121]

In the United States (US), the Burmese Freedom and Democracy Act, which imposes trade sanctions on the Burmese regime, was renewed by the House of Representatives and Senate in July 2008 for one year, citing *"the Burmese military's use of force against democracy demonstrators last year, and its initial blocking of international relief aid for cyclone victims."* [122] First imposed in 2003, the Act was created in protest at the government's Union Solidarity and Development Association (USDA)-led attack on Aung San Suu Kyi's convoy near Depayin on 30 May 2003, and the repression of her pro-democracy movement.[123] The legislation has extended trade sanctions against the regime until such time as fundamental changes are made toward reconciliation and democratisation, an end to attacks on ethnic minorities and the release of all *"prisoners of conscience."* [124] The Act was supported by Speaker Nancy Pelosi, Senator Joe Biden and Representative Howard Berman.[125]

The Burmese Freedom and Democracy Act has faced criticism for not following through with its plan to increase pressure on US energy giant Chevron.[126] Since the Saffron Revolution, US Congress made known its disapproval of Chevron's actions in the country and its continued support of the regime, as Chevron holds a 28 percent stake in the Yadana natural gas field and pipeline.[127] Human rights organisations had hoped US lawmakers would enact sanctions against the company, ending tax write-offs enjoyed by Chevron; in a compromise however, the provision was removed after Chevron argued that other firms in China and India would simply take over its stake if it were to pull out of Burma.[128] However, the bill does encourage all US companies to divest voluntarily if the junta does not embrace democratic reforms.

Also passed during the July session was Tom Lantos' Block Burmese JADE (Junta Anti-Democratic Efforts) Act, banning all imports of precious gems and stone, which is estimated to earn the SPDC between US$300 million and US$400 million a year.[129] Burma produces an estimated 90 percent of the world's rubies and is a top international supplier of other gems such as sapphire and jade.[130] The government-controlled sector, often criticised for harsh working conditions and poor environmental controls, is a major source of export revenue for the military. The US Department of Treasury said the sanctions targeted several conglomerates: the Union of Myanmar Economic Holdings Limited, the Myanmar Economic Corporation, Myanmar Gems Enterprise, Myanmar Timber Enterprise and Myanmar Pearl Enterprise.[131] Each company is extensively involved in a variety of sectors critical to the Burmese regime, including the gem, banking and construction industries.

Despite these new and tougher sanctions, the bill only covers the import of rubies and jade and does not forbid the sale of Burmese-origin gems legally imported to the US under prior rules.[132] The Block Burmese JADE act attempts to address the issues of gemstone laundering through third party countries before being sold to the US legally. Arvind Ganesan, director of the Business and Human Rights Program at Human Rights Watch explains:

> *"Since 2003, the US government has banned products from Burma, but a loophole permitted the purchase of Burmese-origin gems that were cut or polished in third countries such as India or Thailand. The new law eliminates this loophole for rubies and jade, by far Burma's top-selling gem exports."* [133]

House Foreign Affairs Committee Representative Howard Berman said that the 11,000 chain store, Jewellers of America, supports a ban on Burmese gem imports and other retailers have also voluntarily made the ban their policy.[134] Several European and US jewellery companies, such as Tiffany's, Bulgari and Cartier have also volunteered to stop dealing in Burmese gems.

The renewed sanctions in July came on the back of fresh sanctions imposed by an Executive Order delivered by US President George W Bush in February 2008. The US government approved targeted sanctions against well-known business cronies of the regime, several specifically related to the infamous business tycoon, Tay Za, including Kyaw Thein, the director of Tay Za's business ventures in Singapore and Tay Za's brother and business partner. The wives of four senior officials were also named, as well as ten companies based in Singapore and four based in Burma.[135]

8.5 Labour Rights

According to a report released by the US Department of State in 2008, as in 2007, *"A surplus of labour, a poor economy, and the lack of protection by the government continued to foster substandard conditions for workers"* in Burma.[136]

Burma's domestic law provides for the protection of workers' rights, but despite the existence and applicability of these provisions, the average worker in Burma continued to suffer under inadequate levels of pay and conditions, without any reasonable avenue for recourse, throughout 2008. Burmese labour law is rooted in the 1964 Law on Fundamental Workers' Rights and the 1951 Factories Act, both containing numerous articles ensuring the protection of workers' rights. These rights are rarely enforced by the courts. Domestic law allows for a five-day, 35-hour work week for employees in the public sector, and a six-day, 44-hour work week, in the private sector or for state employees; overtime payment is required for extra work beyond these hours. Standard hours for factory workers are 44 to 48 hours per week, depending on the hours of operation of the factory.[137] Additionally, a 24-hour rest per week and 21 paid holidays per year are guaranteed by the Workmen's Compensation Act of 1923 and the Leave and Holiday Act of 1951. These provisions are seldom provided to employees by employers outside of government sector jobs and practically no recourse is available to workers when infringements occur. Rules followed by the agriculture, informal and private sectors are at the discretion of the employer.

Under existing labour laws, employees have the right to summarily dismiss any worker without prior notice. When this happens, the 1923 Labour Compensation Act requires that the terminated employee receive appropriate compensation. However, the Act, having never been amended to account for inflation, excludes all workers earning over 400 kyat per month which, in effect, excludes the entire labour force.[138]

The minimum wage remained below subsistence level in 2008, with salaried public employees paid 15,000 kyat (US$11.50) for an eight-hour workday. Minimum wage for day labourers was even lower at 500 kyat (US$0.38) per day.[139] Provisions for minimum wage are only followed for government positions and in a few traditional industries. Although wages for state employees are much higher than in the private sector, according to the US Department of State, *"Neither the minimum wage nor the higher wages earned by senior officials provided a worker and family with a decent standard of living."* [140] This situation continues to lead employees to resort to supplementing their income through corruption and extortion. Urban labourers in the private sector earn approximately 500 to 1,000 kyat (US$0.38 to US$0.75) per day and rural workers earn about half that much. Many of these workers have multiple jobs or maintain a side business in the informal sector just to provide basic amenities for their family. Foreign firms tend to set wages close to the levels observed in the domestic private sector and award supplemental wages and benefits so as not to set salaries greater than SPDC ministers or senior state employees.[141]

In urban areas, the salaries of Burmese workers are almost entirely dependent on monthly bonuses, which actually account for most of their wage, usually totalling over 20,000 kyat. Bonuses are received for perfect attendance and for not taking leave, thereby penalising workers who need to take a day off for reasons of health, a death in the family or for other personal reasons. Workers reported living in fear of losing their bonus, causing them to work extra hours, never taking a day off and not report violations of their rights to authorities.[142]

Many factories also introduced demeaning regulations to maximise worker efficiency. One example is a card system which regulated the number of workers who could use the restroom at the same time, to reduce wasted time and chatting, according to the employers. A Rangoon economist reported that *"in a workplace of about 70 workers, there may be as few as three toilet cards."* [143]

In 2008, women's rights in the labour force continued to lag behind men's rights. Women were underrepresented in most traditionally male occupations and were effectively barred from certain professions, such as the military. Furthermore, women did not receive equal pay for equal work and despite being legally entitled to receive up to 26 weeks of maternity benefits; these benefits were typically not afforded to them.[144] (For more information, see Chapter 17: Rights of Women).

From the perspective of business owners and factory managers, some complained to *Mizzima News* about the difficulties and pressures that threatened their operations including: *"fluctuating currency exchange rates, manufacturing cost increases, electricity shortages, fuel price hikes and, more recently, cyclone damage."* [145] Such inconveniences made the balance between running a business or factory and paying workers a decent salary almost impossible.[146]

Despite laws permitting workers to form trade unions, prior consent from the junta remained a requirement, resulting in no free trade unions being present in the country. Moreover, the SPDC ruled in 2006 that the Federation of Trade Unions Burma was illegal, claiming that it to be a *"terrorist organisation."* [147] Domestic and affiliated unions were not permitted in the country in 2008, nor were individual memberships in unions; a continuation of the policy of previous years. Labour strikes continued to be prohibited, although more than 60 informal strikes were known to have occurred in 2007 and 2008. In many cases the workers won higher wages and the strikes were resolved without intervention from the SPDC, but in some cases authorities pressured workers to resolve the problems with the employers. The junta once had a central arbitration board for the purpose of settling labour disputes. That is reportedly no longer in use, but the Ministry of Labour plays an arbitration role in some cases. At the township-level, supervisory committees attend to minor labour concerns and local labour authorities mediate informal strikes.[148] (For more information, see Chapter Freedom of Assembly, Association and Movement).

In honour of May Day, commemorating workers' rights, in 2007 600 migrant workers, many of them Burmese, and 40 representatives held a rally to draw attention to the situation of labourers in northern Thailand. The rally took place in Lamphun, 30km south of Chiang Mai. In the wake of low wages, long hours, dangerous work conditions and rising commodity prices, representatives of the migrant workers demanded *"the deputy governor to negotiate between the employees and employers about the pay."* [149] According to SHAN, *"The focus of their demands was the right of workers to have equal access to minimum fair wage, medical treatment, rest and compensation for migrant and non-migrant workers in Thailand."* [150]

In Burma, six labour activists arrested for assembling a group to discuss workers' rights under domestic labour law on May Day 2007 lost an appeal at Rangoon's Western District Court in July 2008.[151] Thurein Aung and five others appealed their prison sentences of 20 years under article 124(a) of the penal code for a second time. Thurein Aung and three others were also given an additional five to eight years each under article 13/1 of the Immigration and Emergency Act and article 17(a) of the Unlawful Association Act.[152] Then in November, labour rights activist Su Su Nway, who had successfully brought a forced labour complaint to the International Labour Organisation (ILO) in 2006 but was subsequently arrested for supporting the Saffron Revolution, was sentenced to more than 12 years imprisonment for sedition.[153] (For more information, see Chapter 1: Arbitrary Detention and Enforced or Voluntary Disappearances).

The ILO voiced its disappointment over the ruling concerning Thurein Aung and the five others arrested on May Day 2007, stating that the court's denial of the appeal, despite requests by the ILO and the International Labour Conference for their release, was *"extremely disappointing"* and ran counter to the government's obligations under the ILO convention on freedom of association.[154] Kari Tapiola, the ILO executive director for standards and fundamental principles and rights at work, said *"So we just wanted to remind the government that this issue is not going to go away, that this is a problem and that their imprisonment is against the freedom of association convention which Burma has ratified."*[155]

Burmese domestic law does not specifically prohibit forced or bonded labour by children, nor does it have a specific government agency designed to regulate and enforce child labour laws. The law does however set a minimum age for workers of 13 years, although in practice it is not enforced and continues to be a serious problem in the country. Compulsory labour is not prohibited by law. Authorities, especially in the Mandalay and Rangoon Divisions were reported in 2008 to have rounded up groups of teenage children and forced them into porterage and military service.[156] (For more information, see Chapter 16: Rights of the Child).

In urban areas, children continued to be employed in small or family enterprises or to work in the informal sector as teashop attendants, in restaurants, as street vendors, in food processing, garbage collection or on the street begging. Children in rural areas often work in the agricultural sector, helping their family attend to their plots of land.[157]

The United Nations Children Fund (UNICEF) made recommendations to the Ministry of Labour in 2006 to facilitate interagency meetings on child labour and the protection of children. This led to workshops with the Ministry of Labour, international NGOs and UNICEF held in July and November 2007, where a draft was prepared laying out minimum standards and codes of conduct for the protection of working children. In October 2007, UNICEF organised trainings for the Ministry of Labour and labour inspection officers *"on international standards, child rights, and the minimum standards for protecting the rights of working children."*[158] UNICEF reported that the SPDC cooperated with UNICEF to *"disseminate the working paper detailing minimum standards for the protection of working children."*[159]

Despite work done towards the end of 2008 to standardise and define Burma's child labour laws, children continued to be taken advantage of with impunity. This was especially common during Cyclone Nargis. UNICEF estimated that at least 428 children lost their parents because of Cyclone Nargis and these orphaned children were extremely vulnerable to child labour, often times given dangerous and unsanitary jobs with little ability to protest. Many of the children ended up in low-paid jobs in cities like Rangoon in the Irrawaddy Delta, finding work in tea shops, as domestic servants and in small businesses. Monasteries took in orphans but, according to a monk in Moulmeingyunn Township, many of the children preferred to find people to live with inside their own communities, where they worked in the fields and in fish farms. In July 2008, a senior monk in Moulmeingyunn told *Irrawaddy*, *"There are so many children who desperately need care, and we are now trying to collect information and data about orphans so we can help them."*[160]

8.6 Interference and Abuse in the Agricultural Sector

Right to Own Land

As far back as the country's first post-colonial government, Burmese law has limited land ownership and tenancy rights in rural areas in favour of socialist leaning policies put in place to redistribute land from indigenous non-Burmese landowners and moneylenders (such as the Chettyars), to impoverished Burmese farmers. The law under former Prime Minister U Nu promised extension services and agricultural credit, and was aimed at strengthening the family farm.[161] During that time citizens had the right to own small plots of land under the Land Nationalisation Act (Section 38, Part 16: Use of Agricultural Land), which protected the rights and privileges of farmers, giving them security from arbitrary confiscation.[162] The Act, along with by-laws of 1953, stipulated that: the transfer, partition or lease of land could only occur with permission from the government; the ownership and distribution of land was limited to 3.3 million acres of land; and that the cultivator could not pawn, sell, transfer or partition his piece of land. Yet, during this period the agricultural sector was productive and ownership rights were relatively secure and protected under the law from arbitrary confiscation.

Land rights in Burma drastically changed when the military junta took control and redistributed productive land under nationally administered, locally managed collective farms.[163] Although this initiative had little practical impact on farmers at first, several other Acts were implemented in the 1960s that effectively took away all remaining control of land from farmers and made them tenants of the state. These were the Tenancy Act of 1963: Protecting the Right of Cultivators Act of 1963 and the Tenancy Amendment Act of 1965.

While the Right of Cultivators Act gave household members the right to inherit cultivatable land, it still kept its transfer largely in the hands of the state by requiring official permission from township and village land committees along with the settlement and land records department. This was a long and complicated process that required sufficient documentation of ownership as well as protracted negotiations with the committees and bribes.[164] In many rural areas, such as in Karen State, the recognition of land ownership followed traditional and customary law overseen by the village elders and there has been no office accessible to legally register land. The SPDC, along with ceasefire groups in the region, such as the Democratic Karen Buddhist Army (DKBA), have exploited this situation to evict farmers who have inherited land from their ancestors.[165]

In 1974, the new Socialist Republic of the Union of Burma was declared along with a new constitution giving the state ownership over all land and natural resources and an obligation to develop, extract, exploit and utilise the natural resources.[166] Then, on 18 September 1978, the Trade Ministry issued Notification No. 4/78 which granted new powers to the regime stipulating that the junta could confiscate farmers' land for failure to plant a specific crop or produce a mandated yield, as determined by the military. Following the harvest, farmers could be penalised or have their crops seized for failing to sell the full crop quota at the appointed price, which regularly fluctuated.[167] Since the imposition of these regulations, cultivators have had no means of redressing these laws in courts and risk further abuse or harassment if they protest.

In 1988, the State Law and Order Restoration Council (SLORC), in a continuation of previous policies, declared that all land within Burma including fields, forests, mountains and reserved land were property of, and were to be controlled by, the state. To this day, although farmers in Burma have basic tenancy rights over their land, they do not have actual ownership and the land can be seized by the local SPDC authorities for any number of reasons. This practice is highly destructive for a state where 75 percent of the population depend on agriculture for their livelihood.[168]

Since Burma is primarily an agricultural society, its people's ability to survive is bound to their access and capacity to freely cultivate their land in a sustainable fashion. State ownership of rural land and arbitrary confiscation by the SPDC military and various ceasefire organisations keep farmers in a constant state of insecurity and incertitude, taking away their incentive to invest or otherwise improve their farms. Moreover, although rural farmers are eligible for 30-year inheritable 'use' rights on rural land, with such rights determined by village level land committees, as mentioned above, land cannot legally be transferred between unrelated individuals. This also means that land cannot be used as collateral for loans.[169] Furthermore, farmers are rarely, if ever, compensated for the loss of their land and sometimes the farmer is forced to continue work on their land after it is confiscated without compensation, as happened with regularity throughout 2008.

The SPDC has also created a legal basis for the confiscation of land for the purpose of large-scale agricultural development by commercial enterprises. Leases of up to 30 years can be granted for a maximum of 5,000 acres, and are often income-tax free. Foreigners can also take advantage of these terms under the Foreign Investment Commission.[170] In an effort to attract more international energy and extraction investment by foreign companies, the SPDC passed the Foreign Investment law in 1988. According to a report by the Centre on Housing Rights and Evictions,

> *"The State's attitude to natural resources seems to be 'use it or lose it.' Virgin (or 'waste') land, which is not formally occupied, is liable to be taken over by the State, and leased to agri-companies with connections to the military, and often backed by outside (often Chinese) money."* [171]

In practice, much of the land taken over for development is occupied land, leading to the mass displacement of villagers, usually with little or no compensation (For more information, see Chapter 19: Internal Displacement and Forced Relocation). According to a survey conducted by the US based human rights organisation, EarthRights International, in September 2008, 69 Chinese multinational corporations (MNCs) were identified as being involved in at least 90 hydropower, oil, natural gas and mining projects in Burma.[172] Projects included: the building of massive hydroelectric dams, at least 45 companies engaged in or planning 63 oil and natural gas developments and at least 16 Chinese companies involved in mining. Most of the energy or minerals, such as nickel, were shipped back to China with little to no benefit to the people of Burma.[173] Massive tracts of rural land throughout Karen, Shan and Karenni States as well as Tenasserim Division, particularly along the Salween River, and throughout Arakan State have been confiscated for use by MNCs from China, Thailand, India and Bangladesh, severely impacting the livelihoods of Burmese farmers and their families in those regions.[174]

Land Confiscation

Land and resources being confiscated by the military junta from village to state level is common and happens for a variety of reasons including the building of state/military infrastructure and facilities; setting up state-run plantations and agricultural projects; tourism development or 'urban renewal'; creating sources of income for military battalions; greed; and to keep minority groups in a constant state of poverty and insecurity. The last point is especially true in ceasefire areas where communities are particularly vulnerable to land confiscation by the army as well as large development and infrastructure projects.[175] (For more information, see Chapter 18: Ethnic Minority Rights).

Land confiscation naturally leads to large numbers of displaced peoples. One of the biggest causes of internal displacement in ceasefire areas as of February 2008, according to the Internal Displacement Monitoring Centre was *"acts of military occupation and land confiscation by the army, including in context of natural resource extraction."* [176] Areas with a large military presence are the most vulnerable to land confiscation and displacement. As an attempt to keep the perceived powerbase of opposition groups weak, the SPDC military confiscates land in and around rebel areas in order to relocate civilians, maintain a strong military presence and to clear the way for infrastructure development projects, such as hydropower dams and offshore gas, logging and mining ventures.[177] This is common in Arakan, Chin, Kachin, Karen, Shan and Karenni States. (For more information, see Chapter 19: Internal Displacement and Forced Relocation).

The Internal Displacement Monitoring Centre also reported that the Muslim Rohingya of Arakan State *"remain the most persecuted ethnic minority in Burma"* and constantly fall victim to land confiscation.[178] In an effort to ethnically 're-engineer' predominately Rohingya areas, such as the townships of Rathedaung, Buthidaung and Maungdaw, the SPDC has begun a campaign of confiscating Rohingya farmland to build 'model villages', or NaTaLas. After Rohingya land has been confiscated, it is common for the NaSaKa (Burma border security forces) to force the victims to build new houses and cultivate land for new NaTaLa villagers who fit the junta impression of 'Burmese Buddhists', including the poor tempted by economic promises, retired civil servants, former prisoners, and former insurgents. *Kaladan News* reported that in January 2008 alone, 517 villagers, comprising 110 families, were sent from Burma proper to Maungdaw Township to live in NaTaLa villages.[179] NaTaLa settlers have been known to steal what resources the Rohingya have left, such as cattle and fruit from orchards, often with impunity. For example, in September 2008, NaTaLa settlers stole 12 buffalo from a Rohingya farmer while they were grazing in a nearby pasture. The Rohingya farmer reported the theft to the commander of NaSaKa area #7 in Maungdaw Township, but the commander took no action. Eleven of the 12 cattle were eventually returned at a later date.[180]

In Chin State, just north of Arakan State, the SPDC started an initiative in the early 2000s to make Chin State the 'tea kettle' of the country. Farmers in this region did not traditionally grow tea, but instead grew the staple foods on which they relied, such as corn, beans and potatoes. Thousands of acres of land have since been confiscated to create tea plantations, taking away villager's livelihoods and traditional practices. Over 14,000 acres of farmland were seized from villagers in 2008 alone. In one instance, Zaw Win Htey, Chairman of the Township Peace and Development Council for Falam Township, seized 1,000 acres of farmland without providing any compensation.[181]

At times, the SPDC confiscates land from farmers for no practical reason. In June 2008, just one month after Cyclone Nargis, Township Forest Department Chief U Kan Tun announced he would confiscate 23,000 acres of farmland in the cyclone affected area of Kadone Kani village tract, Bogale Township, Irrawaddy Division, according to *Mizzima News.* The reason stated was to enlarge the nearby forest reserve. No indication of compensation or options for the farmers was given.[182] Of the farmers who were evicted, several had already purchased farming equipment and seeds from the SPDC on credit. With their land taken away, their crops lost and their livelihood gone, farmers were left with massive debts owed to the junta, estimated to be about 1.5 million kyat to be repaid within three years.[183]

Land Confiscation – Partial list of incidents for 2008

Arakan State

On 25 February 2008 in Maungdaw Township, the NaSaKa confiscated 350 acres of farmland from Muslim Rohingya farmers for the purpose of constructing NaTaLa villages. NaSaKa from Inn Din camp of NaSaKa Sector #8 confiscated land from:

1. Kol Loon (Thinn Baw Gwe) village, 100 acres;
2. Inn Din village, 100 acres;
3. Khwa Chaung village, 50 acres; and
4. Tha Win Chaung (Bassora) village, 100 acres.[184]

On 28 May 2008, NaSaKa in Aley San Kyaw, Maungdaw Township confiscated land and money from villagers at a critical period during the cultivation cycle, claiming that it was for victims of Cyclone Nargis. These villagers were:

1. Mohammed Zaffar,45, 4.8 acres;
2. Shaffi Ullah, 35, 4 acres;
3. Abdu Zabber, 37, 2.8 acres; and
4. Sayed Dullah, 29, 6 acres.[185]

Then, on 2 June 2008, the land taken from the villagers of Aley San Kyaw was returned by the NaSaKa, in exchange for 'donations' including:

1. 150,000 kyat paid by Mohammed Zaffar;
2. 2,000,000 kyat paid by Shoffiulla;
3. 1,500,000 kyat paid by Abdu Zaffar; and
4. 100,000 kyat paid by Sayed Ullah.[186]

On 10 June 2008, it was reported that the village of Angu Maw, located at the peninsula of the Mayu Peninsula in Rathedaung Township, which consists of 70 households, came under threat of relocation after an unnamed Chinese company discovered gas deposits nearby. The military authorities gave villagers notice that they must relocate to Ko Dan Kauk village after the rainy season ended. Land between Angu Maw and Ko Dan Kauk village had already been confiscated for gas exploration by the Chinese. Compensation was 8 million kyat per 40 square feet, although military officials took a large portion of this money from the villagers. Land in the southern areas of Mayu Peninsula in Rathedaung Township was also seized or fenced off as were four islands located near Nantha, Wet Thet Cha, Krat Thwan, and New Maw, where new gas deposits were discovered. A villager said, *"Most of the land from Ko Dan Kauk, Shaing Khali, Angu Maw Kon Dan, and Angu Maw has been confiscated by local authorities and the Chinese company and many buildings have already been built in the area."* The Chinese company was confirmed as China National Offshore Oil Corporation (CNOOC), by a Shwe gas activist in Bangladesh.[187]

In the last week of June 2008, the Maungdaw District Peace and Development Council (DPDC), Township Peace and Development Council (TPDC) and Village Peace and Development Council (VPDC) seized graveyards from Rohingya Muslims in Maungdaw Township. Some farmers paid from 100,000 to 300,000 kyat per acre in bribes to exclude their land from confiscation. Graveyards confiscated included 'Bagonah' of NaSaKa area #6 and 'Gowyah Khali' of NaSaKa area #7.[188]

On 23 June 2008, U Hla Win, Chairman of the DPDC and U Khin Maung Htut, Chairman of the TPDC, ordered authorities to seize 32.66 acres of land from farmers in Oo Shaikya (Buraseikdarpara) and Dou Dan (Loodaing) villages in Maungdaw Township. The landless farmers were asked by the Chairman of the VPDC for a bribe of 15,000 to 20,000 kyat each on 12 July 2008. He received 7.5 million kyat from the villagers and paid 6 million kyat to the DPDC chairman, according to an aid of the chairman. As of 30 July 2008, the farmers had not received their land back.[189]

On 23 June 2008, it was reported that TPDC Chairman Khin Maung went to Rangoon to discuss seizing land from Rohingyas in Maungdaw Township in order to make way for NaTaLa villages. The authorities planned to seize:

1. Shwe Zarr village tract, 250 acres;
2. Aley Than Kyaw village tract, 160 acres;
3. Bawli Bazar (Kyein Chaung) village tract, 450 acres;
4. Khari Para, 5 to 15 acres; and
5. Pandaw Pyin (Nolbonia) Para, 5 to 15 acres.[190]

During the first week of July 2008, the SPDC confiscated land from Rohingya farmers for the purpose of creating more NaTaLa villages in Maungdaw Township. Surveyors, along with the TPDC and NaSaKa surveyed land to be seized in Ga Hla Gyi, Naribill, Phur Wut Chaung and Sain Tay Pyin village tracts. The confiscated land was to be used for the NaTaLa village of Aung Thaya settled in 2004. Additionally, in Maung Nama village tract, all Rohingya pastures were confiscated by authorities on behalf of NaTaLa villagers, thereby preventing the Rohingya residents from grazing cattle on the land. As of 14 July it was reported that authorities were planning to confiscate ten acres of orchard from Maulana Sayedul Amin of Maung Nama village for Natala villagers. The orchard contained mangoes, jackfruit trees and other fruit bearing trees.[191]

Starting on 20 July, over 80 acres of paddy fields belonging to Rohingyas were confiscated from Pan Zee village tract of Buthidaung Township. On the confiscated land, 80 houses were built for Mro, Kumi and Chakma communities. Commenting on the loss of land, a village elder explained that, *"Their plan is to seize land from Rohingyas and invite local non-Rohingya communities from Arakan State and Burmans from Burma proper for settlement on the confiscated land."* [192]

On 2 August 2008, about 100 acres of toddy, flood-tide and ebb-tide forestland were confiscated by the SPDC. The reserved forestland was located in San Tara Creek, Mrauk U Township and was home to a minority group called the Khami.[193]

On 21 August 2008, it was reported that 280 acres of paddy fields were confiscated in Ngaran Chaung village tract, Buthidaung Township by the TPDC, or MaYaKa, as they are known. The reason given by the TPDC was that the farmers did not comply with an order to grow rice paddy during the summer cultivation cycle. Furthermore, it was reported that TPDC officials ordered farmers in Ngaran Chang village and Kyinutthi village to give them 15 *tan* (one *tan*=40.9 kg) of paddy or 3,000 kyat per acre of land. The land surveying department demanded another 15 *tan* of paddy or 6,000 kyat per acre by the end of January 2009. The farmers had been instructed not to grow paddy on their seized land unless they supply either the paddy or the money on time. According to a village elder, *"It is a strategy to seize land belonging to Rohingyas indirectly by demanding … huge money."* [194]

Beginning on 27 August 2008, NaSaKa forces at outpost camp #21 of area #9 tried to confiscate 16 acres of land, including paddy fields and a shrimp dam from Noor Jahan, a 50 year old widow from Koe Dan Kauk (Donesay Para) village in Rathedaung Township. Noor Jahan refused to comply with the order and reported the problem to the TPDC and the Land Survey Department in Rathedaung Township. Both entities confirmed Noor Jahan's claims to the land after viewing her documents and asked NaSaKa to let her keep her land. NaSaKa forces later drained her shrimp dam and took all of the shrimp.[195]

On 6 October 2008, it was reported that TPDC authorities in Loung Don Village in Maungdaw Town seized 40 acres of land from Rohingya villagers and distributed the land to NaTaLa villagers.[196]

On 10 October 2008, it was reported that Vice Senior-General Maung Aye signed a contract leasing 50,000 acres of paddy fields in Myauk Oo and Man Aung Island to Bangladesh. This land had been confiscated from Arakenese farmers without compensation and farmers in that area feared that more land would be taken in addition to the 50,000 acres. According to Than Hlaing, joint secretary of the Arakan National League for Democracy, *"If they lease out 50,000 acres of paddy fields, I am certain that the people of Arakan will starve."* [197]

On 12 October 2008, authorities from the Jail Department confiscated four acres of mango trees belonging to Oo D and Daw B from Theda Village, Poonayun Township.[198]

On 13 October 2008, SPDC Light Infantry Battalion (LIB) #540 confiscated seven hundred acres of farmland belonging to Cherrypram villagers, Mrauk Oo Township.[199]

On 13 October 2008, authorities from the Jail Department confiscated a garden from couple identified only as 50 year old Oo C, and his wife, Daw A from Theda Village, Poonayun Township, Arakan State.[200]

On 15 October 2008, SPDC LIB #540 confiscated 700 acres of farmland from Latesampram village and Tharpraykam village.[201]

On 15 October 2008, authorities from the Jail Department confiscated three and a half acres of garden (mango, banana, limes and other trees) belonging to Oo C, 40, from Theda village, Poonayum Township.[202]

On 20 October 2008, the SPDC military confiscated 150 acres of land, including farm and grazing land, from farmers in Taungbro Yar. The authorities took the land to construct a free border trade zone with Bangladesh in order to increase business relations with the country, as well as to build a dam. Businessmen were later given the opportunity to buy a plot of land in the trade zone with a building on it for 17.5 million kyat. The farmers were not compensated for the seizure and were left with nothing.[203]

On 23 October 2008, it was reported that 365 acres of farmland was confiscated by the LIB #538 from 65 families in Razabil (Auk Nan Yar) village in Rathedaung Township; no reason was cited. Authorities then demanded nine *tins* of paddy per acre as a ration for the military from anyone wishing to cultivate their lands. According to a farmer in Rathedaung Township, *"We are working in our land, but, we have to give paddy to the army. We will starve, if the weather destroys our crops. We have to give paddy at any cost to the army."* [204]

On 27 October 2008, authorities from the Jail Department confiscated seven acres of gardens from Oo A, from Theda Village, Poonayum Township.[205]

On 27 October 2008, authorities from the Jail Department confiscated a mango orchard containing 3,000 trees, valued at 700,000 kyat belonging to Oo B, 60, from Theda Village, Poonayun Township.[206]

On 15 November 2008, 1,000 acres of land from Rohingya villagers in Aley Than Kyaw village tract in Maungdaw Township were confiscated for the Hloon Tin Battalion by a TPDC Chairman and U Hla Tun Pru, the land-survey officer of Maungdaw Township. Although Hloon Tin Battalion only requested 50 acres of arable land from Aley Than Kyaw authorities, the TPDC chairman and the land-survey officer instead took 20 times that amount. The TPDC Chairman demanded 400,000 kyat per acre in bribes from any Rohingya who wanted to keep their land. A local farmer complained, *"All my farm lands are confiscated. I have five family members and have no alternative business and the restriction on movement still exists. I am unable to think about my family member's future."* [207]

On 18 December 2008, it was reported that 200 acres of farmland in four villages in Awa Daung village, Kyauk Pyu Township were confiscated by the SPDC military for the purpose of setting up a military headquarters, Operation Bureau #3. Over 50 farmers were left landless as a result. They received no compensation and were being forced to build roads and work on the construction site. Land was also confiscated in the surrounding areas of Dwe Cha, Maue Chaung and San Pay Chaung, as well as grazing land for cattle. Nearly 300 soldiers occupied the headquarters and forced the villagers to give them rice, chilli and other food items as rations.[208]

As of 15 December 2008, the TPDC of Buthidaung Township forced villagers to supply them with rice paddy so that the authorities could make a profit off of the goods.[209]

Chin State

On 5 January 2008, the Chairman of the TPDC, Zaw Win Htey of Falam Township confiscated over 1,000 acres of farmland from locals in Taal village without compensation. The land was slated to become a tea plantation.[210]

Irrawaddy Division

In February 2007, 3,000 acres of farmland was seized from Ngwe Saung Township by family members of SPDC officials including Nyaw Hnaung Khin Maung Than and Min Zeya Hlaing, the daughter and son-in-law of SPDC general Khin Maung Than. No compensation was given for the land that was reportedly destined to become a rubber plantation. Villagers were charged or forced to work on the land if they wanted to travel across the confiscated property.[211]

On 23 June 2008, it was reported that land was seized from farmers in Kyarkuyal, Danyinphyu, Mondinegyi, Mondinelay, Salugyi, Salulay, Tayawchaung, Myarchaung and Narnapauk villages in Bogale Township. Since the farmers had just leased farm equipment from the SPDC following Cyclone Nargis, they were left landless and in debt.[212]

On 24 June 2008, it was reported that the SPDC seized land left without owners after Cyclone Nargis, regardless of whether or not the farmers were still alive but in other locations, or had claims to the land.[213]

Kachin State

On 28 May 2008, the Artillery Battalion (AB) #372 led by Major Ye Yint Twe confiscated 27 cattle from local Kachin merchants who were taking the cattle to be sold at a market. Warrant Officer Myint Thein claimed that the seizure was to collect funds on behalf of cyclone victims in the Irrawaddy Delta. The cattle owners from Manna City were:

1. Maung Shwe;
2. Shan Ko; and
3. Thet Oo.[214]

On 25 August 2008, it was reported that the SPDC military seized at least 500 acres of pasture on a mountainside in Myitkyina, the Kachin State capital. Afterwards, the villagers had nowhere to graze their cattle because if the cattle were seen grazing on the confiscated land, the owner of the cattle would be fined. A villager reported that the confiscated land was turned into rubber plantations and medicinal plant plots. Farmers were thereafter forced to work on these plantations since they had lost their land.[215]

On 15 December 2008, it was reported that a Chinese national named Lixi organised the confiscation of 200 acres of village land with the help of local authorities. All of the saplings and trees were dug up and mechanical equipment was destroyed in order to build a rubber plantation near Washawng and Nam Wa villages. It was reported that the plantation owner bribed local authorities to carry out the confiscation. Angered farmers burnt down the rubber plantation in response on 7 December 2008. Lixi reported the damage and asked authorities to arrest those responsible.[216]

Karen State

On 23 December 2008, it was reported that SPDC authorities confiscated nearly six acres of farmland near Htaungwat village on the Rangoon–Pa Highway near the Salween River. The land was taken on behalf of Ngwe Moe from Moulmein in order to construct hotels in the area, because the farmhouses were situated with a nice view of the famous Zwekapin mount to the east. The farmers were promised compensation of 25 million kyat, but when the farmers attempted to claim the money, no department or authority would take responsibility.[217]

Magwe Division

On 11 February 2008, it was reported that the forestry department in Taungdwingyi Township were cultivating privately owned land without giving compensation to the rightful owners and were destroying the owner's crops. Forestry officials claimed that the SPDC ordered them to take over the fields as part of the regime sponsored *"Greenfield Project."* [218]

On 18 November 2008, it was reported that authorities banned work by villagers on three thousand acres of land in 20 village tracts in Yesagyo Township, including: #1 block, Pargaung, Bonetawpyae, Kai and Nayin. Farmers had been growing mainly chilli, onion, garlic, peanut, peas and tobacco on the alluvial lands for the past eight years. Farmers were later allowed to continue working the land if they paid a bribe of 30,000 kyat per acre to village authorities. Some farmers paid the bribes and others complained to higher ranking authorities. Two farmers had already been arrested as of 18 November for working on the land without paying the bribe.[219]

On 3 December 2008, it was reported that the local SPDC military confiscated 5,000 acres of land from fifty farms from Myetyeh-kan, Nyaungywalay, Ywathit and Nyaukpauk villages in Natmauk Township. Physic nut saplings were growing on the land and the authorities demanded the farmers pay 30,000 kyat and 20 *tins* (25 kg) of physic nut. In response, four farmers named Ko Zaw Htay, U Hla Soe, U Nay Lin and U Sein Steen, filed a complaint with the ILO and were subsequently charged by the TPDC under the Official Secret Act for Leaking State Secrets, section 33(B). Twenty families were later threatened by the local SPDC military and were banned from harvesting cotton and tomato crops from their fields.[220]

On 28 December 2008, commonly used fertile alluvial land formerly used by farmers in Yesagyo Township was confiscated from villagers who previously used the land to plant peanuts, tobacco and chilli. Whereas previously villagers could plant anywhere they wanted in the area around the Irrawaddy River and Sin-te-wa Creek, land was divided following confiscation in late December 2008 among 376 families in Yesagyo Township with each family having access to only one half acre. The remaining, and most fertile land was instead allocated to:

1. TPDC, 6 acres;
2. Land Survey Department, 2 acres;
3. U Nay Win, 0.8 acres;
4. U Kyaw Kyaw, 3 acres;
5. U Kyaw Zaw, 2.5 acres;
6. Aung Naing Lin, 2 acres; and
7. VPDC, 2.5 acres.[221]

Mandalay Division

On 4 December 2008, it was reported that land on alluvial islands legally owned by villagers were auctioned off by local authorities in Htanaung Taing village in Myin Chan province. Considered to be the best stretches of land in the area, 200 Class A plots were auctioned off starting at 70,000 kyat per block, 185 Class B plots began at 15,000 kyat, with the worst plots, Class C, starting at 10,000 kyat. Each plot was one half acre of land. Villagers had been highly dependent upon this land, especially during onion growing season.[222]

On 8 December 2008, it was reported that in Myin Chan and Taungtha Townships, including Hnanphat, Phattaw and Sakha villages, over 1,200 acres of land were confiscated by Union of Myanmar Economic Holdings, known locally as U Paing. The land was used to create a military-owned steel factory, roads and electric cable towers. Farmers were unable to harvest their crops after armed authorities came to seize the land. Farmers were promised reimbursement if they paid 3,000 to 4,000 kyat for an application form. Villagers reported that even after purchasing the forms, no compensation was given. The Union of Myanmar Economic Holdings is part-owned by the Burmese Ministry of Defence and part-owned by senior military officials and their families.[223]

On 29 December 2008, it was reported that 20,000 houses were relocated in order to make way for a new train station in Pyinmana Township. The relocated blocks were: Gon-tan, Yan Naing Hu Sein, including Yan Aung (II) and Gwa-Gyar in Taung-Tha near Pyinmana Railway Station. Victims were mostly civil servants and day labourers and they were relocated to Sinphyu and Lay-twin Mountains, 7 miles (11.27 km) from Pyinmana. Not only did those who were relocated lose their employment and community, but the Lay-twin Mountain is in the vicinity of Paung-laung Hydroelectric Power Project, a dangerous area rife with malaria.[224]

On 31 December 2008, 1,000 acres of sugarcane farms were confiscated by the SPDC military in Pyan-ka-pyay, Taut-htein and Letpan-kha-hla villages near Naypyidaw. Authorities prevented the farmers from harvesting their sugarcane on the land, which was their main, or sometimes only, source of livelihood. Bulldozers were sent to destroy the farms so that a Chinese company could put up a building.[225]

Mon State

In July 2008, 200 acres of land were seized from rubber plantation owners in Mudon Township by the AB #318 which was based in Ah-bit village in Mudon Township.[226]

In August 2008, AB #315 in Thanbyuzayart Township confiscated 200 acres of rubber near Wei-win-kara and Panga villages.[227]

On 2 July 2008, it was reported that LIB #587 based in Thaungpin village, banned villagers from fishing in a ten acre public lake. The villagers in the area typically relied on fish from the lake for food and to sell. The lake is estimated to generate at least one million kyat of fish annually.[228]

In October 2008, AB #318 confiscated land from rubber plantation owners in Mudon Township.[229]

On 5 November 2008, the Burmese Military Training School #4 in Wekali village, Thanbyuzayart Township confiscated about 140 acres of land from nearby a monastery. The authorities then started reselling the land. At the time of reporting, 100 acres had been resold at 500,000 kyat per acre. Although the land was not officially registered with the government, the monks in the monastery had turned the land into an animal sanctuary, where hunting was forbidden, 20 years ago. The military had been using the reserve for training exercises prior to the seizure.[230]

On 7 November 2008, AB #318 contacted at least seven rubber plantation owners in Ah-bit, Set-thawe, Doe-Mar and Yaung Doung villages in Mudon Township to inform them that their land would be confiscated. The plantation owners were also banned from visiting their land and their travel permission cards were taken away. One hundred and twenty acres of land, which contained 3,000 rubber trees, was seized so that AB #318 could extend their land. The rubber plantation owners were:

1. Nai A Shwe;
2. Nai A Mon;
3. Nai Halae;
4. Nai Thant;
5. Nai Balie;
6. Nai Zaw Lat; and
7. Nai Pan Shein.[231]

Pegu Division

On 12 December 2008, it was reported that SPDC column #101 had ordered farmers from ten villages in Kyaukkyi Township to turn over hundreds of acres of plantation sites between Baw Ka Hta and Pa Aye mountainside by the beginning of 2009. The seizures were reported by Saw Ber Htoo, the Secretary of CIDKP from Kler Lwee Htoo, Nyaunglebin Township, to *Kwekalu News*.[232]

Rangoon Division

On 3 March 2008, farmers from 22 villages in Dagon Myotthit Township who had their land confiscated by village authorities organised to discuss their plight on Peasant's Day. The farmers demanded that the junta authorities help to solve the issues they were facing as a consequence of their land being taken. A letter was sent to the authorities on their behalf.[233]

On 8 July 2008, it was reported that U Zaw Weik's 10 acres of land and fish farm were seized in Ta-Gun-Daing village, Twante Township. The seizure was based on a contract U Zaw Weik was forcibly made to sign by VPDC Chairman, U Maung Khaing in 2004, which gave over his land as collateral to U Aung Shein and Daw Khin Myint in Phone-Kan-Bay village in exchange for 2 million kyat. When U Zaw Weik refused to give up his land, he was sued by U Maung Khaing and the judge ruled against U Zaw Weik. As a result, his house was destroyed and his farmland and fish farms were taken from him.[234]

Shan State

At the end of April 2008, 12 acres of farmland owned by 12 farmers were confiscated in Mong Pan by Mong Pan Area Commander, Lieutenant-Colonel Kyaw Than and Chairman of Mong Pan TPDC, Sai Zam Win. Summer paddy seeds were subsequently planted for LIB #520, LIB #332 and LIB #385, and were guarded by three soldiers from each battalion for security.[235]

Forced Sale of Crops

As a means to support and feed the military, the SPDC has institutionalised compulsory contributions of food and money demanded from villagers for military battalions and their families stationed around the country. Under the Paddy Procurement Policy, villagers are responsible for supplying the armed forces occupying their village and quotas are set up for the weekly or monthly collection of goods. The prices villagers receive in exchange for their goods are normally one third or one half the market price, or they are paid with fertiliser. Although the Paddy Procurement Policy was officially ended in 2003, the practice continues around the country, especially in towns with a large military presence.

Quotas, usually of rice paddy, are normally arranged by the military through meetings with village leaders who are then forced to be responsible for the collections of goods from their own people and deliver it themselves. Quotas apply to farmers and non-farmers alike, forcing those who are landless or who do not grow rice to buy paddy at the market price. They then sell the rice to the military at the reduced price, at a considerable loss.[236]

The amount of rice paddy demanded is set by acreage, rather than the actual yield. This leaves farmers with failed crops - due to flooding, weather, poor state agricultural policies or in the case of Chin State, an invasion of rats - in debt.

While the stated reason for the compulsory collection of crops from villagers is to feed the armed forces, part of the goods are exported for SPDC profit. In fact, on some occasions military commanders sell off the quotas for a profit and expect the soldiers to take what they need from local farmers.

Forced Sale of Crops – Partial list of incidents for 2008

In January 2008, farmers from 10 villages in Hawng Kaang village in Mong Pan village tract, Shan State were forced to sell six baskets of unhusked rice to SPDC troops from LIB #43 and LIB #360 at 10,000 kyat. The market price at that time was 20,000 kyat. Those who were not farmers or who did not have a plot of land were required to supply the military with four baskets of rice at the same rate. They therefore had to purchase rice at the market price and sell it at a much lower price to the battalion.[237]

In January 2008, villagers from Murng Pu Long village tract in Mong Pan Township, Shan State were ordered to sell rice to SPDC troops of LIB #528 regularly at a rate much lower than the market price.[238]

In January 2008, villagers from Pung Pa Khem town in Pung Pa Khem sub-township, in Mong Ton Township, Shan State, were forced to sell rice to the SPDC military LIB #519, stationed at Pung Pa Khem.[239]

In January 2008, villagers from Mae Ken village tract in Mong Ton Township were ordered to sell rice to SPDC troops from LIB #519 stationed in Mae Ken village tract.[240]

Also in January, villagers from Kengtung sub-township in Mong NaiTownship, Shan State, were ordered to provide the SPDC military with rice paddy and money once every two months to support the families of the soldiers.[241]

On 1 January 2008, village representatives in Murng Pu Long village tract, Mong Pan Townships, Shan State, were told by SPDC troops of LIB #528 that all villagers in Murng Pu Long were required to sell half a basket of husked rice to the battalion once a month at the price of 2,200 kyat; many times lower than the market price, which was 7,500 kyat per half a basket at the time. The village leaders were responsible for collecting the rice from the villagers and transporting it to the base each month.[242]

On 3 January 2008, village representatives from Mong Ton Township, Shan State, were told by the troops of LIB #519 that all farmers in their towns must sell the troops unhusked rice at a rate of four baskets for each acre of land that they worked, at 2,000 kyat per basket. The market price at that time was 5,000 kyat per basket or more. Farmers were threatened with arrest and land confiscation if they failed to sell the required quotas to the troops by the end of January 2008.[243]

On 5 January 2008, village leaders of Mae Ken village tract, Mong Ton Township, Shan State, were gathered together and ordered to have their farmers sell unhusked rice at the rate of four baskets per acre of their rice paddies, at the price of 2,000 kyat per basket. At the time the market price was 5,000 kyat per basket. There were four villages in Mae Ken village tract, with a total of 1,590 acres of rice paddies. The village tract and acreage of rice paddies each village had at the time was as follows:

1. Mae Ken village, 672 acres;
2. Mawkzali village, 314 acres;
3. Wan Mai village, 238 acres; and
4. Naa Pakaao village, 366 acres.[244]

On 20 January 2008, village leaders from seven village tracts in Kengtung area, representing 1,000 villagers, were gathered together for a meeting with SPDC authorities at the Ton Hung sub-township office. The SPDC ordered the villagers to help support the military battalions and their families with food, money and basic necessities once every two months due to the economic difficulties experienced by the military. Villagers were divided into two categories: Category 1-villagers with rice paddies and relatively more money, had to provide 16 *pyi* of husked rice and 8,000 kyat of money; and Category 2-those who did not have rice paddies who were landless and poorer, had to provide four *pyi* of husked rice and 1,000 kyat of money per household.[245]

On 8 February 2008, it was reported that villagers in Matupi Township, Chin State, were taxed 2,000 kyat per household and 12 *tin* (240 kg) of rice paddy upon harvest by Colonel Zaw Myint Oo, Commander of Tactical Command II, based in Matupi Township.[246]

On 14 June 2008, as villagers were dealing with severe food shortages due to the bamboo flowering, Captain Tin Aung Win, company commander of Burma Army LIB #140 stationed at Sabawngte camp and operating under Tactical Command II based out of Matupi Township, Chin State, forced 11 village tracts in Matupi to supply rations to his troops. Each village was ordered to supply 9 *tin* of rice (about 180 kg) to the troops despite the food shortage. The affected villages included:

1. Kase village, Kase village tract;
2. Lunghlaw village, Kase village tract;
3. Ki Hlung village, Kase village tract;
4. Tibaw village, Kase village tract;
5. Tangku village,Tangka village tract;
6. Amlai village,Tangka village tract;
7. Rengkheng village,Tangka village tract; and
8. Pakheng village,Tangka village tract.[247]

On 30 June 2008, it was reported by Oo Zaw Win of Pa Cheh village and Mo Aung Tin of Paung Lin village that farmers in the two villages had been ordered to sell the local military four baskets of rice each at 1,500 kyat per basket. The market price was 5,000 kyat at the time. Those farmers who did not grow enough rice to meet the quota, were obliged to make up the difference by buying it at market prices elsewhere and selling it at a loss.[248]

On 11 August 2008, it was reported that LIB #89, stationed in Natchung village tract, Kale town, Sagaing Division, forced villagers to supply two *tins* of paddy (86 kg) for every acre of land owned, without compensation. Villagers in Tamu and Khanpat areas in Sagaing Division reported receiving similar orders from LIB #89 in the previous year.[249]

On 3 December 2008, it was reported that U Tun Zan from Pya Lay Chaung village, Arakan State was ordered by the military to supply paddy for two army battalions because his farms were located near the army headquarters. U Tun Zan had had his 20 acres of farmland confiscated previously by an army hospital and LIB #270. Since he could not supply the paddy because he had no land, he appealed to a higher authority and received six acres of his land back. At the time of the report he was being forced to pay four *tins* of rice per acre to the two army battalions.[250]

Enforced Cultivation and Dry Season Paddy Crops

Farming practices in Burma have been developed over generations in the hills and plains of the country where fertile, nutrient rich soil and a good climate have ensured that when properly maintained, farmers have a plentiful harvest. Farmers have traditionally produced one crop per year per plot and farmers with multiple plots have rotated their crops between fields to allow nutrients in the soil to replenish before the next crop was planted.[251]

Throughout 2008, as well as over the past decade, the SPDC forcibly promoted destructive and irrational crop planting policies, coercing farmers to disrupt the normal summer season cultivation to plant an additional crop during the dry season. The junta's Two Crops Policy was imposed on Burma's agricultural sector in order to double the country's annual rice output; to generate more income through taxation and crop procurement; to supply more food to the military; and to be exported to neighbouring countries for a profit.

Planting a second crop during the dry season has put significant demands on the land by not giving the soil enough time to recover its nutrients, lowering the yield of both the first and the second crop and requiring more water, which is scarce at that time of year.[252] Each year the soil produces less and less until it becomes unproductive from overuse. To counteract this problem, farmers have had to purchase expensive chemical fertilisers from the SPDC at exorbitant prices. Planting two crops is also much more labour intensive year round and can require mechanised farming equipment and the construction of dams and irrigation systems, which are also expensive. Dry season paddy cultivation has been enforced in areas where there is not enough rainfall or irrigation for the crops to produce a high yield. Although the Two Crops Policy has failed almost everywhere throughout the country, the SPDC has continued to confiscate land on farms that have not met the prescribed production quota. Farmers forced to plant in the dry season have in turn become trapped in a cycle of debt and starvation as their land suffers, cultivation becomes more expensive and land is confiscated due to low productivity. In Karenni State for example, a farmer explained, *"Villagers, in fear of the SPDC, have no other option than to grow the second crop or face having their land confiscated if they do not comply with the SPDC's demands."* [253]

The second crop that farmers have been forced to cultivate is often determined by SPDC policy with little consideration of its suitability to the environment. These crops have included physic nut, sunflower, sesame and tea, as well as designer strains of rice which tend to be more expensive than normal strains and also require more water. Farmers have been given little instruction as to how to cultivate these non-native crops, which has often led to low yields and failing crops. A farmer from Mon State, Nai Soe, explained*, "If we profited from growing summer paddy, groundnut, and sun flowers, the government would not need to force us to cultivate. We would cultivate even if they didn't tell us to."* [254] One example of mandated crop planting occurred in Magwe Divison in August 2008. Due to a severe drought, local soil type and its general usefulness, villagers in Khin Shay village planted maize during the dry season. Authorities from Agriculture Department and Land Survey Department forced the villagers to destroy the maize, which was two feet high already, and replace it with rice paddy within four days. This was despite the fact that the environment in this region was not suited to rice cropping, there was a lack of water and the resultant yields would be paltry.

Villagers have often been given rice strains from the SPDC which requires more water and expensive fertilisers which they cannot afford.[255] In Pegu Division's Tharawaddy Township, farmers have only been allowed to grow *sinnweyin* rice seeds bought from the agricultural department for 5,000 kyat for one *tin*, compared to 2,000 kyat for a *tin* of regular seedlings. *Sinnweyin* rice seeds are supposed to grow at a faster rate by 20 to 30 days but farmers do not favour it because of its high cost and the large amount of water for irrigation that it requires. Farmers in Chaung Thone-gwa village in Tharawaddy Township were forced to grow 500 acres of this strain using the junta's seeds in 2008. Farmers in the village reported that affordable fertiliser would have made a bigger impact on the season's yield. SPDC fertiliser in Pegu costs 21,000 kyat, which is cheaper than the black market rate of 21,500 kyat, but the bribes required to get the SPDC fertiliser make it more expensive in the end.[256]

The country's most dramatic and devastating example of enforced cultivation has been exemplified by Senior-General Than Shwe's, 2005 nation-wide campaign to grow the poisonous, physic nut tree for biodiesel production. Originating in Mexico and Central America, the toxic physic nut has two varieties in Burma: jatropha and castor. Both strands can be turned into a bio-fuel that is a cheap, clean and renewable energy source and they have been planted extensively throughout the country. According to research done by the Ethnic Community Development Forum (ECDF):

> *"Each of Burma's states and divisions, regardless of size, are expected to plant at least 500,000 acres. In Rangoon Division, 20% of all available land will be covered in jatropha. In Karenni State, to meet the quotas, every man, women and child will have up to 2,400 trees."* [257]

In 2006, SPDC interest in the plant surged and the chief research officer at the Myanmar Oil and Gas Enterprise aimed to replace the country's oil imports of 40,000 barrels a day with *"home-brewed jatropha-derived bio-fuel"* [258] SPDC officials declared that the country would soon start exporting jatropha oil.[259] Enforced cultivation of the crop became wide-spread across Burma, often at the expense of edible crops that farmers depended on. Reports began to emerge of land confiscation, forced labour, and the enforced cultivation of physic nut as the SPDC planned to massively expand the project to grow 8.36 million acres of physic nut by the end of 2009.[260]

Seen by most as a failed initiative, evidence of several problems began to emerge in the fourth year of the project. The intense investment in bio-fuels drove up consumer prices, echoing what had already happened as a result of growing crops for bio-fuel in the rest of the world.[261] The toxicity of the physic nut is high if ingested and should not be planted in close proximity to children, pregnant women or livestock, a message the junta did not widely convey. In India and China the physic nut is only planted in land where food cannot be cultivated, but in Burma, it is planted in the country's most fertile land.[262] Monique Skidmore, a professor at the Australian National University said,

> *"People were being forced to grow it everywhere- fields, schools, along the sides of the road. It goes to show how [the generals] have no concept of how to properly run the country, especially in the aftermath of this cyclone."* [263]

Meanwhile, school children who could easily mistake the poisonous nut for the much loved betel nut have fallen ill and died after ingesting the physic nut. *Mizzima News* in August 2008 reported that 27 children fell ill after eating physic nuts.[264] In Kachin State, 8 children aged 8 to 11 were poisoned in June 2008 after they ate immature castor-oil-tree fruits growing near their playground.[265]

The promise of the mass plantations of physic nut is yet to be seen. The physic nut has a low survival rate in Burma, *"leaving up to 75 percent of the plants dead,"* due to the unsuitability of the tree to the amount of rainfall and soil type in much of the country.[266] Farmers have been left *"bewildered"* by the enforced cultivation of the physic nut and lack the knowledge needed to produce high yields. They have cultivated the plant simply to avoid punishment.[267] An agriculture official in Arakan State claimed that jatropha trees have only a 45 percent success rate, due to bad weather and a general lack of knowledge; a civil servant in Kachin State said that only 70 percent of his trees survived, while a school teacher in Kachin State noted that one in four of his plants survived. According to research done by the ECDF:

> *"Although there is a lot of hype and promotion about jatropha, practical knowledge and growing techniques are still lacking, as well as sufficient fertilisers or seeds. Due to lack of incentive, the project has been implemented quickly and haphazardly simply to avoid punishment and comply with orders, not to ensure success."* [268]

Jatropha takes four years to reach its optimum ripeness making any benefits available only in the long-term, while land used to plant the crop could be used for edible harvests. Processing the oil can either be done by hand, which is labour-intensive and difficult or it can be produced chemically by a reaction with vegetable oil and alcohol that, according to the ECDF report, is both expensive and dangerous.[269] If the bio-fuel is not properly refined, the carbon deposits have the ability to damage an engine in which it is used. Although physic nut fuel can be bought in many villages, locals reportedly stay away from it to protect their machinery.[270]

Nevertheless, planting continues throughout the country. An official memo from the office of the Chin State SPDC on 25 April 2008 stated that: *"an additional 60,707 acres of land will be used for jatropha plantation in Hakha and Thantlang Townships for the year 2008-2009."* The memo goes on to detail instructions to local officials on the amount of money that should be taken from each villager to cover the cost of buying seeds for the project.[271]

Furthermore, the SPDC signed a memorandum of understanding in November 2008 with the South Korean company Enertech Co Ltd to construct a new 2,000 acre bio-diesel plant for physic nuts in Burma along the Pathein-Mawtinsun motor way in Rangoon. The Japan Development Institute and Japan Bio-Energy Development Cooperation will join forces with the Myanmar Ministry of Agriculture and Irrigation to form the Myanmar Bio Energy Company to produce high-grade bio-diesel using Jatropha physic nuts and to create a trading centre; a raw edible oil factory; and a school to train experts in bio-diesel technology.[272]

Enforced Cultivation and Dry Season Paddy Crops – Partial list of incidents for 2008

Arakan State

On 1 August 2008, it was reported that villagers in Kwee Day, Amyint Kyunt, Par Dalike, Nga Tauk, and Chi Li Byint in Sittwe Township were forced by local authorities to work on a castor oil plantation without compensation. The plantations sit on land confiscated from the villagers.[273]

Chin State

In July 2008, it was reported that villagers who owned gardens in Thantlang Township were forced to purchase tea seed for 4,000 kyat per bag from the SPDC authorities and to replace their vegetables with tea crops or else face seizure of their land.[274]

Kachin State

On 20 June 2008, it was reported that the SPDC used villagers from Myitkyina Township to plant thousands of physic nut trees without compensation. Eyewitnesses reported that they saw over 100 civilians with knives and mattocks in Du Mare (Du Kahtawng), Shatapru and Tatkone areas planting physic nut saplings between the hours of 6 am and 9 am in heavy rain.[275]

On 1 July 2008, the SPDC military forced 100 civilians in N'Jang Dung village, three miles north of Myitkyina Township to work on a physic nut plantation. Villagers were threatened with incarceration and land confiscation if they *"oppose or criticise over the physic nut tree plantations either by word or action."* [276]

Mon State

On 11 June 2008, it was reported that Senior-General Than Shwe, ordered junta run schools in Mon State to grow 1,000 jatropha trees, 50 areca palms and 1,000 peppers to raise school funds. School Principals complained that the school could not afford this. A principal in Mon State said *"Most schools have to pay about 100 Kyat per castor oil plant. Our school bought it at the beginning of the project. But this year, I don't want to waste money because our school never received benefits from it."* Schools in the state must submit progress reports to the Department of Education each month.[277]

Pegu Division

On 15 January 2008, it was reported that residents of Daik Oo village were forced to buy sunflower seeds for 1,200 kyat to 2,000 kyat per *viss*. When the authorities were low on seeds, villagers still had to pay the same price but got less seeds. Although they were forced to cultivate sunflowers, no one wanted to buy them since it is difficult to make oil out of the seeds.[278]

On 16 December 2008, it was reported that authorities in Nyaunglebin district forced villagers to buy two *pyi* of sunflower seedlings per acre of land. Six farmers in Taloke-kone village in Kyavandaing tract had already been notified that their land would be confiscated because they did not purchase the seedlings. The farmers were reluctant to plant the seeds because the sunflowers would interfere with the growth of their other crops. It was the third year in a row that authorities forced the farmers to plant sunflowers, despite the crop failing each year.[279]

Shan State

During late April and May 2008, villagers in Kengtung Township were ordered to buy physic nut seeds from the TPDC and were forced to cultivate the plant on empty lands in and around their villages. Then, SPDC authorities gathered together community leaders from ten village tracts to tell them to plant more physic nut and ordered them to buy seeds from the authorities or face consequences. Villagers reported that physic nut grown in the village in previous years had already born fruit but the authorities would not buy them as they had promised, and they were still forced to plant more. The village tracts and the amount of physic nut seeds they were required to purchase at a rate of 45,000 kyat per basket were:

1. Kaad Pha village tract, 15 baskets;
2. Yaang Kaeng village tract, 12 baskets;
3. Kaad Tao village tract, 15 baskets;
4. Wat Saao village tract, 12 baskets;
5. Kaad Thaai village tract, 15 baskets;
6. Loi Long village tract, 15 baskets;
7. Yaang Kham village tract, 12 baskets;
8. Murng Zaem village tract, 15 baskets;
9. Murng Laab village tract, 12 baskets; and
10. Murng Lang village tract, 15 baskets.[280]

In April 2008, SPDC troops from IB #64 and IB #286 forced farmers from 20 villagers in Lai-Kha and Kae-See Townships to grow 150 physic nut plants at places designated by the SPDC troops while also taking care of those planted in previous years. Furthermore, each household was required to provide labour three times per week or be fined 5,000 kyat each time.[281]

On 11 June 2008, it was reported that between April and June, villages from Kengtung Township were forced to buy at least 12-15 *tang* (*tang*= 54 litres) of Jatropha seeds from the SPDC for 45,000 kyat per *tang*. Village tracts that could not afford this still had to pay, and village leaders had to collect the money from their own villagers. Although authorities forced villagers to buy the seeds, farmers reported that they did not buy them back once the crops were ripe. A farmer commented, *"I don't know why the government is so crazy about Jatropha plantation. We have never seen the advantages of it."* [282]

From 22 August 2008, LIB #99 based in Lin Khe Township forced villagers to grow physic nut and sesame for the military. Villagers were told to use their own tillers or use their hands to manage the crops. Six villages were given a similar order by LIB #99 in September 2008. The six villages were:

1. Wan Nong Lum;
2. Wan Than Kan;
3. Wan Nam Thoke;
4. Nam Thim;
5. Nam Naw; and
6. Lom Kaw.[283]

8.7 Self-Reliance, Development and Counter-Insurgency

Land confiscation, the forced sale of crops, forced cultivation and forced labour by division, village and township authorities are symptoms of the Self-Reliance Program, an SPDC scheme imposed on the armed forces and civilians. Under the program introduced in 1988, military battalions are responsible for their own food and supplies, which are to be taken from the local communities in which they reside. Despite 40 percent of Burma's annual spending going to the military, army units on the ground must still procure goods beyond the set quotas already demanded from the people.[284] A good proportion of those supplies go straight to high commanders. In March 2007, an article by *Jane's Defence Weekly* based on an obtained internal document from the SPDC exposed internal directives ordering *"battalion commanders to increase the amount of money that they raise on their own in order to supplement central salary and ration disbursements."* [285] The directive went on to condemn military commanders who do not abide by this policy, describing them as *"sucking oil"* from the SPDC.

The military junta's policy of self-reliance has allowed military authorities to target civilians, confiscating their land, their crops and causing them to perform forced labour on military bases. Military personnel receive such meagre rations and insufficient pay, that the self reliance policy is embraced in order for soldiers and leaders to sustain themselves and supplement their income.[286] Farmers become tenants of their own land, reduced to serfdom on farmland that may have been in their family for generations. Village leaders are forced to carry out the military's orders, collecting goods and delivering them to army bases, greatly diminishing their standing. Civilians are rarely compensated for their expropriated land, crops or time and live in a precarious state, not knowing when military personnel will next demand goods from them.[287]

Self-reliance has also found its way into the educational system, particularly in rural areas. (For more information, see Chapter 15: Right to Education) Local people must share the cost of school buildings, teacher's salaries, material and other expenses. Since rural villages are suffering from poverty, in many places education is not possible under this arrangement.

Similar policies are in place with regard to development projects and the building of infrastructure. It is the responsibility of the people to provide the money, materials and labour. In Kachin State, a villager reported that an announcement was made at all local churches that every household must provide one person per week to work without compensation to widen a footpath on a road. No food or shelter was provided for them. Speaking about the project, a local villager said, *"The local authority had told the villagers they were to work without pay on a 'self reliance' program to develop their region."* [288] In Mon State, villagers reported that 'self-help' development projects were common. In the townships of Moulmein, Mudon and Thaton, civilians were forced to build and repair roads to connect the three towns, build schools, clinics and hospitals while providing the funding and labour for the projects themselves.[289]

In addition to the aforementioned vulnerabilities faced by Burmese citizens, villagers living in states with ceasefire groups or rebel activity are subject to further abuses by the junta's Four Cuts Policy. Introduced in the late 1960s as a counter-insurgency tactic, the Four Cuts Policy is a campaign designed to cut off insurgents from food, funds, intelligence, and recruits. Ethnic villages are turned into free-fire zones where SPDC military forces, accompanied by villagers forced to be porters and minesweepers, destroy villages and relocate any survivors. The strategy has been designed to fragment communities, scattering groups of people so the SPDC can consolidate its control over contested regions. This policy is known to occur in the Kachin, Shan, Karenni, Mon, and Karen states. In north-west Burma the Four Cuts Policy is also used to destroy links between the civilian population and the Chin and Naga ethnic resistance forces.

Through this campaign, aid agencies estimate that in eastern Burma alone, at least half a million people have been internally displaced, with 160,000 people left living in Thai refugee camps. Charm Tong, a 26-year-old Shan activist in Goong Jor refugee camp recalled her experience of the Four Cuts Policy, *"The SPDC steal crops, burn villages, enslave villagers as army porters or roadbuilders, sow fields with landmines, rape women and children and murder villagers and anyone connected with the resistance."* [290] (For more information, see Chapter 20: The Situation of Refugees).

Forced Labour

Despite having signed the Forced Labour Convention in 1955, and Order #1/99 in 2000, officially banning the practice of forced labour and making its imposition punishable by law, forced labour is a pervasive and institutionalised practice used throughout the country as a means to build the country's infrastructure and maintain its military, especially in border states.[291] In tandem with the Self-Reliance Policy, local soldiers are directed to use forced labour to build development projects, such as roads and bridges; to maintain military bases; to assist in field operations, by portering and guiding; and to provide food and money through forced cultivation. While being forced to work on such projects, villagers must bring their own food, equipment and shelter if necessary; they receive no medical care and rarely receive any compensation. (For more information, see Chapter 7: Forced Labour and Forced Conscription).

When villagers are mandated to engage in forced labour, they must spend days, weeks or months away from their own livelihoods. If a member of the household is unable to partake in the work, they must pay for someone to take their place, often at a high cost, or face arrest, fines or land confiscation. The economic and physical strain of the extra work takes a high toll on already overburdened households trying to feed their families, who are forced to plant extra crops during the dry season under the Two Crop Policy. Forced labour is especially detrimental during labour intensive times in the crop cycle. Those considered by the authorities to be *"unwilling, slow, or unable to comply with a demand for forced labour"* can be subject to severe punishments such as *"physical abuse, fines, torture, rape and murder."* [292]

In February 2007, the ILO and the SPDC agreed upon the establishment of a mechanism to deal with forced labour complaints from its citizens. Under the agreement, the SPDC and the ILO have the power to jointly investigate allegations of labour abuses referred by the ILO. Under Article 1 of the Supplementary Understanding, Burmese citizens can, with protection from reprisal, seek justice under the law if they are subjected to forced labour. Yet, villagers in rural areas have little access to the justice system since forced labour is an authorised practice and the perpetrators are the representatives of the military junta. Those who do complain to higher authorities, such as the ILO, are met with intimidation and abuse. For example, in Magwe Division, after four farmers complained directly to the ILO because they were forced to cultivate physic nut and then had their land confiscated, along with fifty other households in the village, the TPDC charged the farmers under the Official Secrets Act for leaking state secrets. The TPDC also threatened 20 other families related to the case.[293]

Forced labour remains an ongoing threat to the livelihoods of the men, women, children and the elderly of Burma. In spite of international obligations, pressure from nations around the world and human rights organisations, the practice remains pervasive and well-documented. Since Cyclone Nargis ravaged the Irrawaddy Delta region, reports from survivors have provided evidence that the military regime used forced labour in reconstruction efforts, forcing survivors to work in order to receive humanitarian assistance.[294]

Arbitrary Fees, Taxation and Extortion

Taxes in Burma are amongst the lowest in the world, with overall revenue as a percentage of GDP hovering around 4.9 percent, compared to 18 percent in most other developing countries.[295] At the root of the problem has been the SPDC's inability to collect taxes consistently and at realistic rates, as well as the tax concessions it has made to business cronies in order to attract foreign investment. Ordinary citizens continue to bear the brunt of the regime's extensive system of officially sanctioned fees and taxes as well as their unofficial and arbitrary demands for money and goods.

Villagers have been left with various arbitrary taxes and fees collected under the banner of the state, which in many cases goes toward lining the pockets of authorities at various levels of the bureaucracy. Burdened with supporting the military presence in their towns, people are also taxed on various necessities such as collecting firewood and bamboo, cultivating their own crops, keeping animals, as well as birth, death and marriage certificates. The constant demands on the little income that villagers earn, coupled with the high cost of living, threaten people's ability to earn a living and provide for their family. Unable to meet the regular demands, many villagers are often forced to flee their homes to avoid punishment by the authorities.

Those living in ethnic states must also endure a second wave of taxation from ceasefire groups operating in their area who tax everything from their land to rice paddy to border-crossings. For example, in Chin State, despite the ongoing famine due to flowering bamboo, the Chin National Front (CNF), the biggest tax collector after the junta, decided to reduce its imposed taxation, but only on a temporary basis. It was reported in February 2008 that the CNF would be lowering the charge for border passes from Burma to India and taxes on the home. CHF argued that it must continue to collect taxes in order to protect the Chin people and their homeland.[296]

In another example, Karenni villagers reported paying taxes on annuities, rice, cars, tractors and ox-carts to both the SPDC and the Karenni National Progressive Party, a ceasefire group in Karenni State.[297] Villagers also complained of having to pay taxes to other ceasefire groups including the Karenni Nationalities People's Liberation Front, Karenni National Democratic Army and the Karenni National Solidarity Organisation (KNSO).

State authorities have often collected taxes under the guise of providing services and infrastructure, playing to rhetoric central to SPDC rule. This runs counter to the fact that services are often nonexistent; the development projects tend to run counter to the needs of the population and are built using forced labour. Despite the collection of taxes, health and education services are grossly under-funded and villages have generally been left to build their own schools and pay their own teachers. Basic services such as road maintenance and street lights are absent in most towns, forcing villagers to make their own arrangements. For example, in Myitkyina Township, Kachin State, authorities collected mandatory fees of between 20,000 kyat (US$17) and 90,000 kyat (US$76) per year from shop owners for the collection of garbage, but claimed that only the junta's Northern Command military headquarters could utilise this service.[298]

Checkpoints are another method used by the junta to control the movement of civilians and to extort money. Set up to encircle villages and along connecting highways, checkpoint guards charge arbitrary fees (levels are at the discretion of the personnel manning the station). It is common for farmers to own land located at the edge of their village and they sometimes have to pass several checkpoints to visit their land to tend their crops. This monetary burden often leads to less access for the farmer, or to the farmers having to abandon their land. In ceasefire areas, villagers have been forced to erect fences, leaving only a few points to pass through. Travellers who the guards deem suspicious, or who cannot pay the fee have been arrested in the past, assaulted and their travel passes confiscated.[299]

Following Cyclone Nargis which devastated the Irrawaddy delta in early May 2008, authorities operating in areas not affected by the disaster demanded money and goods from villagers, claiming that the money was going to a fund for the victims of the cyclone. No such fund was ever reported and villagers who refused or were unable to pay were harassed, arrested or penalised in some way.

Arbitrary Fees, Taxation and Extortion – Partial list of incidents for 2008

Arakan State

On 7 and 8 February 2008, two men were arrested for possessing Bangladeshi mobile phones; items which are illegal in Arakan State without the necessary permission and paperwork. Authorities are notorious for planting phones in people's homes or shops as a method of extorting large sums of money. One of the men, Abul Kasim, 55, from Naya Para village was found with a mobile phone in his house, although he claims he had never seen it before. He was taken to a police station after authorities searched his house and found the mobile phone. He was asked to pay 600,000 kyat for his release, but could not afford the sum.[300]

On 8 February 2008, a man identified as Abdullah, 20, from Ward #4 in Maungdaw Town was arrested in his tea shop when Officer Nyi Nyi Hlwin Soe and three other officers found a mobile phone, apparently planted by another officer, in some empty tins of condensed milk. Officers demanded 50,000 kyat for his release but his father would not pay and Abdullah remained incarcerated. The police involved in extorting money from farmers and shop owners by planting mobile phones have been identified as Major Aung Htwe, the Superintendent of Maungdaw District, U Thin Tin, the Assistant Superintendent of Maungdaw police station and head of the police surveillance group, and Khin Maung police personnel.[301]

On 8 February 2008, villagers who renovated Sayed Ali mosque in Myoma Ka Nyin Tan (Shikda Para) in Maungdaw Township were fined because they did not get the necessary permission. Abdul Amin, 36, was arrested by the TPDC Chairman on 9 February 2008 and was released after 200,000 kyat was paid to the TPDC Chairman.[302]

On 13 February 2008, it was reported that residents of Sittwe were forced to pay 15,000 kyat to have water meters installed in their homes. Many households could not afford this and were left without water. A local said, *"Many people have no money even to buy food, how can they give the authorities the demanded money for the water meter box?"* [303]

On 21 April 2008, 400,000 kyat was taken from Maulana Jaffar, 40, from Auk Pyoma village in Maungdaw Township by police from the Bawli Bazaar. Maulana Jaffar went to the Bawli Bazaar to return a loan of 1.5 million kyat. Police stopped him on the way while he was passing through Loung Don village, and searched his bag. When the money was found, he was accused of money laundering and was fined 400,000 kyat and released.[304]

On 27 April 2008, Buthidaung Town police arrested Tayaba Khatoon, 40, from Aley Chaung village of Buthidaung, over claims that her son Mohammed Zaker, 25, had illegally travelled to Malaysia. She was jailed until 29 April 2008 and released after paying 40,000 kyat.[305]

On 28 April 2008, at 8 am, Azizul Hoque, 35 years old, from Aley Chaung village of Buthidaung, was arrested by police of Buthidaung Township and had four bags of rice (50kg per bag) seized because the police accused him of being a rice trader. The rice was for his 16 member family to eat.[306]

On 19 May 2008, the SPDC Military Intelligence, SaRaPa, arrested Sayedullah, 38, a Rohingya from Loung Don Village tract in Maungdaw Township, for filling a pond with soil so that he could plant paddy on the unused land. Sayedullah was detained at a SaRaPa camp and charged 300,000 kyat for his release. On 21 May 2008, the victim was released after paying 30,000 kyat.[307]

On 21 May 2008, at Thri Mingla Hall the Western Command Commander announced that villagers in Maungdaw Township would have to pay into a fund for cyclone victims. TPDC Chairman, U Khin Maung Tun, ordered the VPDC to collect from 2 million to 2.2 million kyat per village depending on the size of the village. Many businessmen in Maungdaw were reportedly forced to contribute to the fund.[308]

On 29 May 2008, it was reported that labourers from Oo Shaikya village tract working for neighbouring NaSaKa areas #2, #4 and #6 in Maungdaw Township, were extorted for 5,000 to 10,000 kyat as tax by the VPDC. The labourers went to work in NaSaKa areas after VPDC authorities were paid money for 20 days to write them letters of recommendation. After working for 20 days for the NaSaKA and returning to Oo Shaikya village tract, the VPDC required them to pay a tax or be put into stocks (a wooden structure with holes for the feet and hands) until the money was paid. Some of the labourers had to sell their cattle to pay the tax and many could no longer support their families as a result. The authorities were identified as the Village Chairman of Oo Shaikya village tract, his younger brother Mohammed Alam, former Chairman Abdul Hakim and member Aman Ullah.[309]

On 6 June 2008, two Muslim Rohingya men were falsely arrested, tortured and their families extorted for money on allegations of human trafficking by NaSaKa personnel from sector #3. The victims were Ahmed Ullah, 27, and Osman, 28, from Lake Ya village, in Maungdaw Township. Both men were severely tortured, their families forced to pay 800,000 kyat each and each man was subsequently forced to report to the NaSaKa camp every day. After their release, the victims were told not to go to any hospital or NGO clinic. Local villagers claim that Major Thu Rain Kyaw frequently made false allegations to extort money using torture.[310]

On 27 June 2008, it was reported that from 12 June 2008 onwards, NaSaKa officials were taking registration photographs of villagers in Dabruchaung and Sarakkuni villages in Buthidaung Township on the orders of the Commander of NaSaKa camp #21 under NaSaKa area #9. Authorities charged 5,000 kyat if a person was not present for the photographs, 5,000 kyat if a person's name needed to be deleted from a family list and 3,000 kyat per photograph. Photographs of all villagers are taken once or twice a year to keep track of the Rohingya population and the process provides a convenient way to extort money from this demographic.[311]

On 7 July 2008, it was reported that 600,000 kyat was extorted from Ziaul Haque, 20, from Kan Hpoo (Gozobill) village of Aley Than Kyaw village tract in Maungdaw Township by authorities. The Ward Peace and Development Council (WPDC), along with police, claimed the victim had not submitted a guest list for his wedding to the appropriate authorities. However, he did submit a list to WPDC Chairman and Secretary Mohammed Ali, but was told that it was not necessary and there was no problem. An hour later he went to visit his mother-in-law when the WPDC chairman and the Secretary, accompanied by policemen from Maungdaw police station, came to his mother-in-law's house, arresting and torturing him because he did not inform them that he would be at his mother-in-law's house that evening. He was released after paying 600,000 to the police.[312]

On 20 July 2008, NaSaKa officials from area #9 of Buthidaung Township extorted money from four Rohingyas from Ngaran Chaung village in Taung Bazaar village tract of Buthidaung Township. The NaSaKa officials went to the victims' village in the evening with family lists for each household to make sure no extra people were asleep in the houses, but none were found. However, they did find four men missing because they were asleep in their farm huts. The four missing men were forced to pay 40,000 kyat each in order to stay on the family lists. The next day, the four men were summoned to the NaSaKa headquarters and arrested. They were forced to pay 40,000 kyat to be released, so as not to have been tortured. The victims were identified as:

1. Shikander, 40;
2. Ahmed Hussain, 50;
3. Abusiddique, 50; and
4. Abdu Khalek, 40.[313]

On 28 July 2008, authorities in Maungdaw Township falsely accused Mohamed, a tea shop owner, of involvement in the illegal cattle trade to Bangladesh, despite the fact that witnesses said that he spent everyday working in his teashop. Mohamed was forced to pay 300,000 kyat for his release from jail and was threatened with an extensive jail term for illegal border crossing and smuggling to Bangladesh if he did not pay. According to a local resident, *"In Maungdaw, most of the Rohingya community shopkeepers face allegations whenever the police want to extort money."* [314]

On 21 July 2008, authorities from Arakan State extorted money from villagers purchasing furniture made by NaTaLa villagers in Myoma Kayan Dan village, Maungdaw Township. U Myo Oo, a clerk of TPDC office of Maungdaw, along with police, arrested and tortured Faroque, 17, from Myuma Kayandan village and arrested his mother for buying a small bench from a NaTaLa villager. They were released after paying 20,000 to 30,000 kyat each, even though it is legal for Rohingyas to buy furniture from NaTaLa villagers.[315]

On 29 July 2008, Mohammed Ayas, a tea shop owner in Myuma Kayan Dan village, was arbitrarily fined 300,000 kyat by TPDC authorities for having a sewing machine owned by a NaTaLa villager. The sewing machine had been brought to a village mechanic for repair. Since the mechanic was absent, it was left temporarily at the tea shop.[316]

On 1 August 2008, NaSaKa authorities arrested Maulana Oli Ahmed, 35, from Tha Yai Gone Bong in Maungdaw Township and detained him for one month. He was arrested for constructing a house without permission. Although he had obtained permission from the TPDC, VPDC and Magyi Chaung NaSaKa camp #5, he failed to also ask NaSaKa area #7, so he was arrested. The victim was released after paying 2.5 million kyat to the NaSaKa officers.[317]

On 24 August 2008, it was reported that LIB #535 in Buthidaung had been collecting toll tax from Loung Chang, Inn Chaung Badana village tract, Mee Gyaung Gaung Swe (Kurkhali Para, Raung Para and Phesabor Para) village tract in Buthidaung Township for the past four years. Victims were from the Rohingya and Chakma communities.[318]

On 24 August 2008, it was reported that since January 2008, in Loung Chang, Inn Chaung Badana village tract, Mee Gyaung Gaung Swe (Kurkhali Para, Raung Para and Phesabor Para) village tract in Buthidaung Township, military authorities had been collecting 5,000 kyat per acre of thatch field and two *tans* (81.8 kg) of paddy per acre where villagers grew paddy in the summer season. The victims were from Rohingya and Chakma communities.[319]

On 16 September 2008, it was reported that residents of Thandwe Township were forced to pay 2,000 to 3,000 kyat per household to the VPDC to support their football team.[320]

On 18 September 2008, two villagers from Du Chee Yar Dan village were forced to pay ten million kyat to two police officers and a corporal of Maungdaw police station to release villagers arrested after a clash with the authorities over use of mobile phones. Commander of Magee Chaung NaSaKa camp of NaSaKa Area #7 of Maungdaw Township gave villagers permission to use mobile phones to make contacts abroad after they paid him monthly fees. The next day, the commander of Magee Chaung camp arrested Moulvi Ismail as well as two other villagers and sent them to NaSaKa Headquarters. Inspector Nyi Lwin Soe, who had received 6 million kyat previously, demanded a further 10 million kyat from villagers. Six people, including Moulvi Ismail, Haji Ismail, Eliyas, Sulton, Moulvi Mustobiz and a man identified only as Forok were arrested while they were collecting money from villagers for the police officers. Those involved in the extortion were named as District police Inspector Aung Htay and the inspector of Maungdaw police station Nyi Lwin Soe. The two were being investigated by the Bureau of Special Investigations of Arakan State at the time of the report.[321]

On 7 October 2008, Abul Fayaz, 22, from Tha Yai Gone Tan village in Maungdaw Township was charged one million kyat and detained at a NaSaKa camp for having a Bangladeshi mobile phone. The report claimed that Major Than Tun, NaSaKa area #6 commander, tolerated the use of mobile phones in his jurisdiction in exchange for 100,000 kyat per month. Pro-NaSaKa villagers charge the other villagers high prices to use these phones to communicate abroad. Any villager found in possession of a mobile phone without permission is liable to be fined and arrested.[322]

On November 6 2008, it was reported that Captain Kyaw Kyaw, the commander of camp #10 of Zeebin Chaung village in NaSaKa area #4 in Maungdaw Township went to houses that could afford to have a mobile phone or SIM card pretending to check guest lists. He planted these items in their homes and forced them to pay him 50,000 to 300,000 kyat when he claimed to find the item somewhere in the house.[323]

On 11 November 2008, police in Loung Don village tract in Maungdaw Township arrested, tortured and beat Maulvi Sayed Amin, 28, until he was unconscious for cutting some branches that were blocking the sun from his paddy crop. Another gardener, Abdu Zabber, informed the police about the situation and Maulvi Sayed Amin was promptly arrested and tortured. The victim's elder brother and a VPDC member went to the police camp to have the victim released. The policemen said the victim would be beaten until they received a payment of 50,000 kyat. When the victim was released, he was taken to Bawli Bazaar clinic where he was reportedly in critical condition.[324]

On 17 December 2008, it was reported that a family in Pauk Taw Township was forced to give a total of 900,000 kyat to authorities to release their son, Maung Tun Wai, 19, from the military after he was deceived into joining. While Maung Tun Wai was travelling from his job in a garment factory in Industrial Zone #1, in Shwe Pyay Tha Town in Rangoon, to his home in Arakan State, a man befriended him in Prome and invited the victim to his home. Instead, the stranger took Maung Tun Wai to an army recruiting unit in Prome where he was registered and sent away for training. His parents desperately tried to get him released to no avail until an army broker arranged for his release. His family was forced to pay 300,000 kyat to the chief trainer, 400,000 kyat to the principal of the training school and another 200,000 kyat to the broker and other officials.[325]

On 31 December 2008, it was reported that following the first week of December, MOC #9 in Kyauk Taw has been charging villagers a fee for treatment at a free clinic. Opened in April 2008, the clinic saw an influx of people after November as the winter season began. Higher MOC authorities ordered the clinic to only allow villagers with MOC permission to be treated and to charge villagers 2,000 kyat for a check-up. Villagers were also obliged to pay for medicine, which many could not afford. It was also reported that patients who visited Dr Aye Myint had to bring gifts in order to receive a better standard of service.[326]

Chin State

On 8 February 2008, it was reported that the TPDC in Thangtlang Township issued an order to the quarter and village leaders to collect 2,000 kyat from each household in the township, including areas hit by the famine caused by flowering bamboo. Khuang Hlei Thang, chairman of the Thangtlang TPDC, was claimed to have extorted money from villagers in order to recover the previous year's expenses incurred entertaining state guests.[327]

On 20 June 2008, villagers accused of assisting unknown Chin language-speaking kidnappers were fined 6 million kyat by Captain Thang Cing Thang, Camp Commander of LIB #20 in Shinletwa village, Paletwa Township. The captain also threatened to set fire to the whole village unless his demands were met. Kidnappers took two people hostage from Pawng Hmu village in Paletwa Township and demanded 7 million kyat for their release. The hostages were held for six days until villagers paid the ransom of 2 million kyat. Since the assailants hid in Ma U village, residents there were extorted for money as well.[328]

Irrawaddy Division

On 26 June 2008, it was reported that residents in 97 village tracts and 5 wards, including Ain Mae Township, were made to pay 100 *tin* of paddy (6,400 kg) and a buffalo to Chairperson Thein Win, allegedly as donations for farmers affected by Cyclone Nargis. In addition, VPDC authorities collected two *tin* of paddy and 5,000 kyat from each farmer and 7,000 kyat from each non-farmer.[329]

On 21 July 2008, it was reported that victims of Cyclone Nargis living in Labutta Township were forced to bribe officials to get access to machinery needed to till the paddy fields, seeds and diesel. A villager explained,

> *"You have to bribe the village head if you want to use the tillers [to work the paddy fields]. If you want to receive a tin (about 15 kg) of government-provided paddy seeds you have to pay about 1,000 to 1,500 kyat to the village authorities. Diesel costs 1,000 kyat per gallon."* [330]

The extra fees delayed the ability of farmers to plant the monsoon season rice crops on time.

On 4 August 2008, it was reported that local SPDC authorities were pressuring villagers in areas devastated by the cyclone to pay a construction tax for repair work on their houses in Bogale Township. Villagers were told they must apply for construction permits that cost from 100,000 to 200,000 kyat, depending on the house size. Villagers who paid the tax did not receive receipts.[331]

Kachin State

On 21 February 2008, it was reported that residents of Lekone village, Myitkyina were forced to pay 120,000 kyat (about US$99) to the junta authorities to build a new pylon to supply electricity to the quarter. Buga Company, run by the Kachin Independence Organization, provides electricity to the town, although most of the electricity goes to the military camp and its buildings.[332]

On 7 March 2008, it was reported that authorities in Phakant Township had demanded money for issuing new family documents and national identity cards. A local reported that *"The immigration officers and quarter administrators are demanding 5,000 kyat for issuing a new family unit and 10,000 to 20,000 kyat for a new national identity card."* [333]

On 10 June 2008, it was reported that jade miners in Phakant Township had been forced to give money for victims of Cyclone Nargis by the Military Strategic Command. Two million kyat was collected from owners of jade mines, five million kyat from organisations running jade mines and 200,000 kyat from illegal jade and gold mines operating in the region.[334]

On 16 June 2008, it was reported that Military Operations Command #3 located in Mogaung Township had collected rice from rice mill owners in Kachin State along the Myitkyina – Mandalay railway line from early June onwards. The rice was collected allegedly on behalf of cyclone victims, and the mill owners received no compensation. Village authorities collected 30 *tin* from big rice mills and 20 and 10 *tin* from medium and small mills. Rice mill owners unable to produce the rice for the authorities were forced pay 5,000 kyat per *tin*, or face closing down their rice mill.[335]

On 1 September 2008, it was reported that residents in Bhamo Town were forced to buy fire extinguishers priced at 40,000 kyat from the local fire brigade. A fire extinguisher could easily be bought in the town for 13,000 kyat. The fire brigade also harassed businesses, charging them 5,000 kyat to ensure their businesses were safe from fire hazards.[336]

On 30 September 2008, it was reported that residents of Myitkyina Township were forced to pay monthly electricity bills for public roadside lighting as of the first week of September 2008. The directive was issued by Kachin State Commander Major-General Soe Win of the Northern Command. It was reported that villagers were ordered to pay for the bulbs strung on poles on the left and right of the roadside for a stretch of nine miles from Balaminhtin Irrawaddy River Bridge to Northern Command headquarters in the township, with an electricity pole every 200 feet.[337]

On 11 October 2008, it was reported that junta authorities in Myitkyina Township forcibly collected money from shops owning printers in order to offset the costs of copier use by personnel at the Township Government Information Centre. Copier owners were charged 5,000 kyat or 10,000 kyat depending on the size of the copier. The order for money collection was issued directly from the ruling junta in Naypyidaw.[338]

On 21 October 2008, police arrested and severely tortured Na Tat, 30, a Naga gold dealer. Police accused him of being a rebel and of having a truck emblazoned with the National Socialist Council of Nagaland-Khaplang (NSCN-K) on the side. Na Tat was detained at the Burmese Army's Regional Operation Command headquarters (ROC or DaKaSa) in Danai (Tanai) commanded by Brigadier-General Khin Maung Aye. He was severely beaten and locked in a *Chauk Pauk*, a torture tool made of thick wooden planks with six or more circular holes where the legs are inserted and locked. His family paid 700,000 kyat for his release and took him to a hospital. According to villagers in Namti, where Na Tat is from, he has no connection to any rebel movements and was probably targeted because he dealt in gold and was likely to have money.[339]

On 27 December 2008, it was reported that earlier in December, authorities had been charging 500 kyat, at three separate checkpoints, from all vehicles crossing the Ledo Road in the NC HQ compound. The road is the main connection from Myitkyina to Danai (Tanai), Hpakant, Namti, Mogaung, Mandalay and the rest of lower Burma, with over 100 cars on the road every day.[340]

Karen State

On 16 March 2008, accompanied by eight soldiers, SPDC commander Chan Nyin Aung demanded 4,000 kyat from every saw mill owner in Kyo Kweh village of Kyone Doh Township.[341]

On 2 June 2008, on the edge of Aw Ler village, in Dooplaya District soldiers from DKBA Battalion #907 fought KNLA soldiers from security column Battalion #18. After the fighting ended, DKBA soldiers reportedly demanded compensation from the villagers totalling 700,000 kyat. Then, on 3 June 2008, Officer Na Khan Mway ordered soldiers from DKBA Battalions #907 and #999 to burn down 18 houses in Gkya Gka Wa village.[342]

On 20 June 2008, the DKBA Battalion #999 operation commander, Gkya Aye, announced that all villagers with motor boats in T'Moh village tract, Pa'an District would have to pay a tax. The victims and the taxes taken were:

1. Saw E--, 25,000 kyat;
2. Saw G--, 25,000 kyat;
3. Saw R--, 25,000 kyat;
4. Saw M--, 25,000 kyat;
5. Saw P--, 25,000 kyat;
6. Saw Ma--, 25,000 kyat; and
7. Saw N--, 25,000 kyat.[343]

On 27 June 2008, Deputy Company Commander, Pah Toe Heh of DKBA Brigade #999, 2nd Company extorted money from villagers in Dta Greh Township in order to buy herbicide to kill grass on his rubber plantation. The villages and amounts were:

1. Pa-- village, 100,000;
2. W--village, 100,000;
3. R--village, 100,000;
4. H-- village, 100,000;
5. D-- village, 60,000;
6. P-- village, 60,000;
7. Ta-- village, 60,000;
8. To-- village, 20,000;
9. O-- village, 20,000; and
10. G-- village, 20,000.[344]

Then, on 30 June 2008, DKBA Battalion #999 second in command, Pah Dtoh Heh based at the Pah Ee Gkyo military facility, also forced motorboat owners in T'Moh village tract to pay more taxes. Those who were charged are listed below:

1. Saw M--, 100,000 kyat;
2. Saw T--, 100,000 kyat;
3. Saw D--, 100,000 kyat;
4. Saw G--, 100,000 kyat;
5. Saw E--, 100,000 kyat;
6. Saw Ma--, 100,000 kyat;
7. Saw Gk--, 100,000 kyat;
8. Saw Gky--, 100,000 kyat;
9. Saw P--50,000 kyat;
10. Saw N—50,000 kyat;
11. Saw H--, 100,000 kyat;
12. Saw Pa--, 100,000 kyat;
13. Saw L--, 100,000 kyat; and
14. Saw K--, 100,000 kyat.

On 2 September 2008, in Kaw Hai village, DKBA soldier Shwe Aung accused Ko M--- of contacting the Karen National Liberation Army and arrested him. His family was told that Shwe Aung would be executed if his family did not pay 120,000 kyat.[345]

On 17 September 2008, villagers in Myitkyina were forced to pay 550,000 kyat per phone for a mandatory phone number change. Included in the payment was 50,000 kyat to the State Telecommunication Office for a recommendation and 500,000 Kyat to the Ministry of Post, Communication and Telegraph in Naypyidaw, through the Myanma Economic Bank.[346]

On 9 October 2008, DKBA Brigade #333, Battalion #1, under the control of Battalion Deputy Commander Thaw M'Nah extorted 510,000 kyat from 11 villages in Thaton District, including:

1. Noh Law Bplaw village, 100,000 kyat;
2. Bpwoh village, 100,000 kyat;
3. Htee Pa Doh Kee village, 50,000 kyat;
4. Meh Theh village, 50,000 kyat;
5. Meh Theh Kee, 30,000 kyat;
6. Noh Kar Day, 30,000 kyat;
7. Meh Gk'Na Kee, 30,000 kyat;
8. Gkyaw Kay Kee, 30,000 kyat;
9. Htee Gkyaw Kee, 30,000 kyat;
10. Tar Thoo Kee, 30,000 kyat; and
11. Htee Gkyoo, 30,000 kyat.[347]

On 11 October 2008, villagers from Mi Chaung Ai, Htee Nya Pau, Ma Yan Gone and Ka Law Ker were forced to supply Captain Tin Myint from LIB #3 with 15 villagers and three ox carts to build a bridge.[348]

Karenni State

On 20 October 2008, it was reported that villagers in Deemaw Hso and Loikaw Townships had refused to pay a tax on ox carts imposed upon them by Karenni armed groups. Villagers had already been forced to pay taxes on a variety of items such as rice, cars and tractors. The taxes were paid to the SPDC as well as the numerous armed groups operating in the area including: the Karenni Nationalities People's Liberation Front, Karenni National Democratic Army, Karenni National Solidarity Organisation and the Karenni National Progressive Party. Residents of the towns could not afford these charges but were forced to pay anyway.[349]

Mandalay Division

On 11 April 2008, villagers in Zapyu, in Popa province, were threatened with 14 years in jail if they did not vote 'yes' in the SPDC's May referendum. Each household had to pay 2,300 kyat for ballot stations; the money was collected by village headman U Khin Maung Htay. Nearby, Dah Gout Gone village paid 45,000 kyat to SPDC authorities for the referendum to be held. Tayat Taw, Kyee Kan and Le' Yar villages also reported money being collected to pay for the referendum.[350]

On 17 December 2008, households in Bagan were forced to give authorities 200 kyat to provide security for junta leader Senior-General Than Shwe's visit to the town. The people of Bagan were also ordered to suspend trading activities, traffic diversions were put in place and all guests had to be registered for a fee of 50 kyat.[351]

Mon State

On 20 February 2008, it was reported that police went to Mon State in order to confiscate, fine and arrest motorbike owners without licenses. Villagers in Moulmein and Ye cities were fined up to 40,000 kyat and verbally abused when they asked for their bikes to be returned. A villager from La Mine explained,

> *"At the moment it feels like everyday our township faces the same thing with motorbikes being seized and villagers being threatened with significant fines. The traffic cops wait outside the village, often concealing themselves until the last minute, so they are almost like robbers, sneaking out and seizing the bikes, threatening and fining the villagers."* [352]

On 21 February 2008, it was reported that tractor-trailer owners in Thanbyuzayart Township were forced by the TPDC to buy sand for 4,000 kyat a load for the purpose of revamping the Shwe Phyu Yatana golf course. Tractor-trailers are common in the 43 villages that make up Thanbyuzayart Township, with even the smallest town owning two trailers and the largest owning up to 20. Traffic police were also making money from the situation by charging 25,000 kyat to allow the victims to drive around in Thanbyuzayart Township and a 21,000 kyat wheel tax from each driver per year.[353]

On 25 May 2008, five village tracts in Mon Township were forced to pay 150,000 kyat to LIB #590 Army Battalion Commander Ko Ko Oo II, claiming the money was needed for victims of Cyclone Nargis. The villagers and amounts paid were as follows:

1. Lay Tain Daw, 350,000 kyat;
2. Tee Dto Lo, 700,000 kyat;
3. Aung Chan Tha, 350,000 kyat;
4. Paw Bpi Der, 400,000 kyat;
5. Myaung Oo, 350,000 kyat.[354]

On 14 July 2008, it was reported that authorities forced the village headman in Yin Ye village to collect 15,000 kyat from each family in the village. At least 5.4 million kyat was collected. Farmers were also forced to fence in their village without compensation to keep out Mon rebels. Villagers near the battalion also had to send their motorcycles and family members to chauffeur the soldiers as needed.[355]

Pegu Division

On 25 February 2008, it was reported that the state-run Electric Power Corporation demanded extra money from villagers of Tharawaddy Township and were withholding electricity services from those who could not pay. Residents reported only receiving two or three hours of electricity a day, although they were supposed to receive six hours per day. According to residents, *"The EPC is asking locals to pay extra charges, and they provide 24-hour electricity to households who pay them the money."* [356]

On 28 May 2008, it was reported in Zigon Township that authorities were taking almost one fifth of farmers' state agricultural loans by charging 1500 kyat for each acre of land. A local farmer reported,

> *"They told us we had to pay 700 kyat to the township authorities, 300 kyat for ballot station expenses, 200 kyat for cyclone victims and the rest goes to the Myanmar Women's Affairs Federation's funds and the government's custard plant growing program."* [357]

The villagers also reported that the VPDC chairman took money that was supposed to be delivered to victims of the cyclone for himself and also forced villagers to grow summer paddy, which is not appropriate for that time of year.

On 4 June 2008, it was reported that farmers in Zigon Township were forced to give money, rice and buffalo to village authorities who claimed to be collecting the money and goods for victims of Cyclone Nargis. Farmers had to pay 1,000 kyat from their agricultural loans into the cyclone fund. Some villagers had to give three *viss* of rice for each acre of farmland. Each village group was forced to donate three buffalo, worth around 350,000 kyat. In addition, in Nyaunglebin Township, authorities collected rice grain or 48,000 kyat for the cyclone victims and business owners had to pay between 30,000 and 50,000 kyat. Other villagers from Nwartehgone village in Zigon were forced to give the SPDC one fifth of their agricultural loans and 200 kyat per acre for the cyclone victims. There were no guarantees which indicated that any of the villagers' money would go toward helping the cyclone victims.[358]

On 13 June 2008, it was reported that farmers receiving state agricultural loans in Tharawaddy Township were arbitrarily charged up to 3,000 kyat in administrative fees. Sixty-nine village groups were forced to pay between 1,500 and 3,000 kyat towards their village group's costs. A resident explained the complicated and expensive process:

> *"In order to get the agricultural loan, each village group has to pay 20,000 kyat to the agricultural administration manager, 3,000 kyat to the deputy manager, 2,000 kyat each to the two administration secretaries, 8,000 kyat to the agricultural administration's approval letter and another 8,000 kyat for the landmark department's approval letter. Each farmer has to give an additional 500 kyat for an application form and 100 kyat more as a form filling fee. And then the village group has to pay another 15,000 kyat as an account checking fee."* [359]

In one of the villages within the township, Sein Na-khwa village, 30 families still did not receive their agricultural loan despite having paid the arbitrary fees required.

On 26 June 2008, it was reported that village authorities in Thanatpin Township were taking deductions from agricultural loans, claiming to give the money to victims of Cyclone Nargis. Villagers reported 100,000–200,000 kyat being deducted from their loan. Some farmers had 200 to 400 kyat withheld for each acre, while others had 2,000-3,000 kyat deducted regardless of their acreage.[360]

Rangoon Division

On 9 February 2008, it was reported that four villagers in Thongwa Township were fined 25,000 kyat and threatened with arrest by TPDC chairman Ko San Naing, three police and Ko Than Htay Aung from the VPDC for failing to register a guest. The victims, U Than Htun, U Tin Win, U Hla Myint and U Phoe Htaw failed to register the guest because it was during the crop harvest.[361]

On 10 June 2008, it was reported that cyclone affected residents in Kyaikkasan Housing, Tamwe Township, were forced to pay 200,000 kyat to EPC (Electric Product Code) officials to use electricity, which they could not afford under the circumstances. In South Okkalapa, residents were charged 250,000 kyat to the EPC office for electricity use. VPDC member of 29th Block Thuwanna, U Thein Han demanded 2,000 kyat to fix lampposts and 2,000 kyat for electricity, even if electricity was not provided.[362]

On 11 July 2008, it was reported that U Nay Win, secretary of the Rangoon Division Myanmar Video (MVO) had been extorting money from shops selling VCD movies and CDs in Mayangon, Mingaladon, South Okkalapa and Insein Townships. For the few months previously, U Nay Win had been finding out details about the investments of shop owners and extorting 30,000 to 50,000 kyat per month. Shop owners were threatened with closure if they did not pay.[363]

Sagaing Division

On 12 September 2008, it was reported that 250 households from Letpanchaung village in Kale Township, were forced to pay 2,000 to 2,500 kyat per household for the construction of a middle school in the town. Traders and high income groups were forced to pay 2,500 kyat and lower income families, such as manual workers, paid 2,000 kyat. In addition, each household also had to provide 5,000 kyat and one *tin* of rice for the construction workers.[364]

Shan State

On 29 January 2008, it was reported that residents from Namhkam Town in Northern Shan State were forced to pay for a ceremony celebrating the opening of a suspension bridge on Bamaw-Namhkam road, at the entrance of Namhkam city. Each household had to pay 2,000 kyat to pay for uniforms for official attendees of the ceremony. The bridge was said to be of no use to the local population.[365]

In February 2008, it was reported that villagers in Mong Ton Township were extorted for money and forced to work as labourers to build dams in two locations in Mong Ton Township, one near Mong Ton town and another near Naa Kawng Mu village in Murng Haang village tract. Each day, 50 people and two mini-tractors were ordered to work at the dam building site. The victims had to use their own tools and provide their own food. The collection of money was done according to three socio-economic strata and the authorities informed the villagers that more money would be collected as necessary. The levels were as follows:

1. Wealthy individuals such as company owners, etc. = 3 million kyat each;
2. Traders = 1.5 million kyat each;
3. Small traders = 1 million kyat each; and
4. Others = 400,000 kyat each.

A total of two hundred and twenty households were forced to pay. Twenty were believed to be ‘rich’ and were required to contribute 2,000,000 kyat each, and the other 200 households were required to provide at least 300,000 kyat each.[366]

On 27 February 2008, it was reported that at a high school in Tachilek, Shan State, teachers were extorting money from students to pass their end-of-year exams. Teachers Daw Kyi Kyi Soe, Daw Moe Thandar Hla and Daw Myintzu Aye demanded money from students and asked for money in advance for the next academic year. A passing grade cost 500 baht a subject or 6,000 baht in total.[367]

On 30 June 2008, it was reported in the Mawk Si Li area, southeast of Mong Ton, that farmers were forced to pay a tax of 14 *tins* of rice for every acre of land they owned. Farmers also had to transport the rice to the local military facility without reimbursement for labour or gasoline.[368]

In July 2008, it was reported that authorities in Kengtung Township were extorting money from families who were burying their dead. The costs were as follows:

1. Registration fees at the village or town quarter level office, 1,000 kyat;
2. Registration fees at the township municipal office, 45,000 kyat;
3. Fees for burial place, 5,000 kyat;
4. Fees for municipal workers, 5,000 kyat;
5. Fees for vehicle transporting the coffin, 20,000 kyat;
6. Fees for each of other transporting vehicles, 15,000 kyat; and
7. Fees for burial service, 10,000 kyat.

Prices were double during the rainy season.[369]

On 13 November 2008, it was reported that authorities had neglected to repair the road between Kengtung, eastern Shan State and Taunggyi, but continued to collect exorbitant taxes along the road. The taxes included:

1. Kengtung's car station - 900,000 kyat (US$ 709);
2. Tong Ta checkpoint - 280,000 kyat (US$220);
3. Mong Ping checkpoint - 500,000 kyat (US$394);
4. Takaw checkpoint - 1,600,000 kyat (US$1,260);
5. Kunhing - 800,000kyat (US$630);
6. Kholum - 150,000 kyat (US$118);
7. Nansang - 400,000 kyat (US$315);
8. Loilem - 1.6 million kyat (US$1,260);
9. Mong Pan authorities - 70,000 kyat (US$55);
10. Hopong - 50,000 kyat (US$39); and
11. Taunggyi checkpoint - 500,000 kyat (US$394).[370]

Looting and Expropriation of Food and Possessions

As part of the Self-Reliance Policy, soldiers and village authorities are expected to follow a policy known as 'living off the land.' [371] Instead of receiving adequate salaries and rations, SPDC units loot and expropriate food and possessions as a means of survival and to garner personal wealth. Villagers are ordered to provide items such as chickens, rice, alcohol, clothing, soap and oil. Demands are often made through the village head who is forced to collect the items from villagers on behalf of local military units and deliver the goods to the base himself, usually at his or her own cost.[372] In other cases, soldiers passing through a village or encountering a person on the road will demand food and goods on the spot. Compensation is rare, and when it occurs the payment is usually well below the market rate.

Raw materials, such as wood, bamboo, mud brick, logs, timber and thatch, are also demanded of villagers for construction projects and for the maintenance of military bases. Expropriated goods are not only used by authorities but are also sold on the commercial market for a profit.[373]

Looting is also rampant in rural areas, especially in remote communities. Livestock, rice, machinery and other goods are taken by force, leaving villagers helpless and vulnerable. Soldiers and others in power have been known to walk into stores and take what they want without paying.[374]

Villagers who complain do so at risk of harassment, arrest, torture and more expropriations and payments. The repeated demands for food and possessions, at times occurring on a daily basis, work to undermine the livelihoods of farmers and labourers, making their survival insecure and unsustainable.[375]

Looting and Expropriation of Food and Possessions – Partial list of incidents for 2008

Arakan State

On 1 April 2008, authorities from NaSaKa Headquarters of Gyikan Pyin (Kawarbill) robbed 1.6 million kyat from Mohammed Yunus, 20, from Ngakura village in Mungdaw Township. A rice trader, the victim had gone to Maungdaw to buy rice, but when he returned home, his money had been taken.[376]

On 28 June 2008, a cow was stolen from Maung Aung's cowshed in Sunsera village. Maung Aung watched outside her window as soldiers from Nag Kyi Dauk camp were patrolling the town. Along with several other villagers, the victim reported the incident to Captain Tin Maung, but he denied that soldiers were on patrol that night and did nothing.[377]

On 21 August 2008, NaSaKa forces from Bawli Bazaar camp #14 looted 125 litres of cooking oil and 35kg of Semi (vermicelli) from a man identified only as Rofique, 18, of Bawli Bazaar village in Maungdaw Township. Rofique worked as a trader bringing in goods from Bangladesh with the understanding of the NaSaKa, to whom he paid 50,000 kyat per month for free passage. After being tipped off, a group of NaSaKa went to Rafique's home in the middle of the night and looted most of the goods. Rofique lost 125 litres of oil worth 275,000 kyat.[378]

In the first week of October, Nyi Lwin Soe from Maungdaw police station confiscated 2.7 million kyat from a retired schoolteacher named Ali Zuhar from Skikdar Para in Maungdaw Township. Ali Zuhar had received the money from his son in Saudi Arabia to perform Hajj with permission from the SPDC. The victim informed higher authorities but no action was taken.[379]

On 17 October 2008, it was reported that the Ah Ngu Maw army patrol team from Mayu Peninsula in southern Rathedaung Township, demanded fish and fuel from boats while they were working at sea. A fishing boat owner from Sittwe, U Aung Ko, claimed that ten gallons of diesel and several valued fish were taken from him while he was at sea. The army patrol team are said to cruise around the area in a speed boat on the lookout for smugglers carrying items from Burma to Bangladesh. *"It is a new system for the army team to loot fuel and fish from us, and many fishing boat owners have faced this style of the army asking for fuel and fish"* said U Aung Ko. He went on to say that *"If we refuse the army's request for fuel, they can arrest us and accuse of being smugglers. So we give whatever the army team asks."* [380]

On 20 November 2008, in Dil Para of Myoma Kayindan village tract in Maungdaw Town, a policeman entered a shop and tried to take several items without paying for them. The shopkeeper argued with the policeman about the goods and a fight broke out. The policeman threw away the goods and severely assaulted the shopkeeper. Female relatives of the shopkeeper retaliated against the policeman. More police arrived on the scene and brutally beat the shopkeeper and arrested a man. As a third wave of policemen entered the shop, more villagers were assaulted and money was demanded for the first policeman's injuries and to stop further harassment. No further arrests were made.

Chin State

On 10 October 2008, it was reported that members of LIB #268 stole 20 chickens and two pigs from villagers in Sa Ek, Thangcang and Lianhna village in Rih Sub-town of Falam Township. The market price of a chicken at the time was 5,000 kyat and a pig was worth between 50,000 and 100,000 kyat. In addition, villagers from Rih were forced to build a fence around army camps in Rih and Tibual village in September. Villagers from Tiddim Township were forced to build a fence around the LIB #269 army camps based in Tuithang and Kaptel villages in Tiddim Township.[381]

On 11 December 2008, it was reported that in Khawthlir, Rih sub-township, soldiers from the LIB #268 stopped travellers on their way to look for work in Aizawl, India. The soldiers took 150,000 kyat and three hens from the travellers. Reportedly, soldiers wait along forest roads to extort money from those crossing the border.[382]

Karen State

On 4 May 2008, Burma Army LIB #590 captured a villager identified only as 'Saw XX' in Poe Thaw Suu village and demanded 200,000 kyat from him without any stated reason.[383]

On 5 May 2008, DKBA soldiers confiscated and ate one pig, priced at 80,000 kyat, from Mae Theh village.[384]

On 20 May 2008, DKBA authority Thaw Ma Na took seven bullock carts from Pwa Gaw, Noh Aw Lar, 4 bullock carts from Noh Law Plaw and 3 bullock carts each from Ta Thoo Khi and Kyu Kyi to transport timber for their saw mills.[385]

In July 2008, Pah Gka, DKBA Battalion #555 camp commander demanded the following items from Gk--- village:

1. 5 July, one *viss* of chicken;
2. 6 July, one *viss* of chicken and one bowl of sticky rice;
3. 10 July, one *viss* of chicken and one bowl of sticky rice; and
4. 15 July, one bowl of chili and one or two *viss* of fruit and vegetables.[386]

On 18 July 2008, troops from LIB #590 under the Paung Zeik Camp Commander Aung Win Htay demanded 50,000 kyat from Paung Zeik villagers and 50,000 kyat from Aung Chang Tha villagers.[387]

On 19 July 2008, Tun Win, the Myaung Oo camp commander, demanded 50,000 kyat from Myaung Oo villagers, 25,000 kyat from Paung Zeik villagers and 25,000 kyat from Aung Chan Tha villagers.[388]

On 20 July 2008, troops from LIB #590 battalion, under Commander Ko Ko Oo, demanded 75,000 kyat from Myaung Oo villagers, 75,000 kyat from Aung Chan Tha villagers, and 40,000 kyat from Kyauk Tan villagers.[389]

On 22 July 2008, in Kler Lar (Bawgaligyi), the commander of Military Operations Command #10 forced citizens from 12 villages to pay him 800,000 kyat.[390]

On 3 September 2008, SPDC forces under the command of Kyaw Zay Ya went to Kaw Tha village and stole many items from villagers, including two baskets of rice, 400,000 kyat, one gold necklace and one ring from a local pastor.[391]

On 3 September 2008, IB #75 led by military officer, Kyaw Ze Ya, looted money and goods from Kaw Tha Kaw village, including:

1. 40,000 kyat;
2. One golden ring;
3. One gold necklace; and
4. Two *tins* of rice.

The total value of the stolen items was approximately 250,000 kyat.[392]

On 7 September 2008, authorities from IB #24 and the Democratic Karen Buddhist Army (DKBA) demanded money and a pig from villagers in Ta Yweh Khi village, Thaton Township. The villagers and amounts extorted were as follows:

1. Maw Myint Than, 50,000 kyat;
2. Maw Myint, 10,000 kyat; and
3. Ko Gyi, one pig worth 70,000 kyat.

The troops remained in the village for several days. On 9 September 2008, they also took 20kg of rice from the village.[393]

On 30 September 2008, residents from Ta Rot Mae village were forced to pay 20,000 kyat to Second Company Commander, Than Sein Aung, from LIB #3.[394]

On 30 September 2008, residents from Kyet Chay village were forced to pay 350,000 kyat to Pah Ker Ler from the DKBA.[395]

On 26 September 2008, Thaw Ma Na of the DKBA demanded bamboo from Ha Ta Rai village tract. Eleven village tracts provided 710 pieces of bamboo and Pya Gaw village was forced to pay 1,000 kyat per household. In Pa New Klar (Painnedaw) authorities from MOC #1 also demanded 2,550 roofing leaves and 1,400 pieces of bamboo from Ha Ta Rai village tract.[396]

On 16 October 2008, villagers were forced to pay DKBA #333 100,000 kyat in Ei Hai, 70,000 kyat in Ei Hai Pa Doh, 60,000 kyat in Ler Ka Kya and 70,000 kyat in Noh Naw Wah.[397]

On 16 October 2008, villagers in Htot Klaw Hki had two *tins* of rice and eight *viss* of pork confiscated by Kyaw Min from DKBA #333.[398]

Mandalay Division

On 24 May 2008, it was reported that in cyclone damaged areas, under-paid soldiers were looting in the restive border areas, such as in Kale Township. Seizures of rice, fish and firewood were reported by villagers. At checkpoints, soldiers stopped villagers returning from the market and took their cash. Victims and eyewitnesses reported that the surge in demands was due to the soldiers fearing their pay would be diverted to the cyclone-hit areas.[399]

Destruction of Property

The destruction of property is a persistent and widespread tactic used by the junta authorities to forcibly displace and relocate civilians in ethnic areas not entirely under the control of SPDC forces. The SPDC's Four Cuts Policy aims to cut all suspected supply lines of food, funds, intelligence, and recruits from the civilian population to armed resistance groups. To achieve this goal, SPDC forces depopulate civilian areas by destroying their food, property and community, in turn depriving the rebels of the use of these resources. As a result, homes, farms, community property and businesses are destroyed. Villages are burned and mined so as to discourage civilians from ever returning. The victims are relocated to SPDC controlled areas were they can be monitored, extorted and used for forced labour by local military garrisons.

Crops and food supplies are also targeted in this policy. Fields are burned and mined just before the harvest and hidden caches of food are targeted and destroyed. Soldiers prematurely burn felled trees and scrub in civilian fields resulting in an uneven burn that reduces the amount of land that can be used for planting during the next season.[400]

Land is also indiscriminately destroyed for development and infrastructure projects, forcibly evicting villagers from their land, usually with little notice and no compensation.[401]

Development-induced displacement is common in ethnic areas where villages are destroyed and populations displaced to make way for projects such as hydroelectric dams, free trading zones, hotels and motorways among others. (For more information, see Chapter 19: Internal Displacement and Forced Relocation).

Destruction of Property – Partial list of incidents for 2008

Karen State

On 11 May 2008, MOC #10 shot mortars at Koe Haw Der and Thay Mu Der in Maw Koe Der village and burned down the villagers' beetle nut trees and cardamom farms.[402]

On 10 May 2008, SPDC troops from IB #241 from MOC #16 burnt down Mae Li Ki village, where 16 families used to live. Although the military attempted to destroy all of the houses in the village, because of the rains, only 11 were completely destroyed. Other items lost in the fire included 83 sacks of rice paddy and three sacks of rice. The soldiers ate four large pigs, 166 chickens and stole all of the villager's belongings.[403]

On 7 June 2008, LIB #368, under the command of Tin Ko Ko in Kaw Thay Der village, burnt down cardamom plantations belonging to local villagers.[404]

On 10 June, in Tay Mu Der area LIB #240 destroyed the roof of a Christian church and broke a musical instrument inside the church. The soldiers then burnt down three farmhouses along with 120 baskets of paddy and destroyed one sugar cane processing machine. The troops left the area the next day.[405]

On 17 September, Colonel Soe Tha, operation commander in Ler Doh Township, ordered all farm and garden huts to be destroyed, and refused permission for anyone to live in their fields.[406]

On 1 October 2008, DKBA soldiers burnt down four corn barns in Blah Toe village belonging to:
1. Saw Pla Per Moo;
2. Saw Nay Tha Moo;
3. Saw Paw Jet; and
4. Saw Me Wa.[407]

On 1 October 2008, DKBA soldiers burnt down two corn barns in Kaw Hser village belonging to Saw Ah Lah and Saw Jet Tha.[408]

On 2 October 2008, DKBA troops burnt down 20 corn barns in Meh Klaw Khee village belonging to:
1. Tu Nu;
2. Saw Pa Thu Be;
3. Saw Me Nyat;
4. Saw Baw Ler;
5. Saw Pu Lu Soe;
6. Saw Po Doh Kwa (two barns);
7. Saw Ma Leh Pa;
8. Saw Thaw Thee Pa;
9. Saw E'Si;
10. Naw La Hay Moe;
11. Saw Tay Ei, Saw Thoo Dah (two barns);
12. Saw Thoo Du;
13. Saw Kyi Pa;
14. Saw Tu Yin Moo;
15. Saw Htoo Kha;
16. Saw Ter Per Ler; and
17. Saw Hser Gay Ler.[409]

On 3 October 2008, DKBA soldiers burnt down a house belonging to Saw Pa Da Ray from Meh Klaw Khee and at 5:30pm DKBA troops killed Saw Daw Naw Poe.[410]

On 5 October 2008, the SPDC burnt down 11 houses in Mu Li Khi village. Residents lost the following items:
1. 83 baskets of paddy;
2. 166 chickens;
3. 4 pigs;
4. 11 cooking pots;
5. 30 dishes;
6. 10 *viss* of tobacco;
7. 5 *viss* of chilli; and
8. clothes.[411]

On 6 October 2008, five homes were burnt down in the village of Gah Law Klu.[412]

On 7 October 2008, in the village of Da Kaw Ka, eight homes and one primary school were burnt down.[413]

On 10 October 2008, DKBA soldiers killed KNLA soldier Saw Tha Pwee in Wah Kay Klo village, and then destroyed pots, clothing, soap and other items that had been sent to the village as aid.[414]

On 11 October 2008, DKBA troops burnt down homes and left landmines in villages close to the Thai-Burmese border.[415]

On 14 October 2008, DKBA battalions #907, led by Commander Blah Na; #906, led by Yah Sah; and #333, led by Thay Way, displaced more than 200 people, burned down homes and destroyed food supplies in attacks on residents and KNLA positions in Dooplaya District. Troops shot anyone they found, destroying all property they come across and mined the area so villagers could not return.[416]

On 28 October 2008, it was reported that DKBA troops burnt down houses in Ker Law Lu and Htee Per Kee villages. Four villagers were also injured by newly-planted landmines.[417]

On 28 October 2008, it was reported that troops destroyed more than 14 houses, 26 corn barns and four primary schools in the villages of Khaw Poe Kee, Paw Bu Lah Hta, Oo K'ray Kee and Kaw La Mee. Soldiers also left behind landmines, making it very difficult for villagers to return and salvage food or belongings.[418]

On 31 October 2008, troops from LIB #320 destroyed the rice fields, rice stores, gardens, and stole everything they could find in Ka Wor Ko village.[419] IB #60 moved into Thet Baw Der, fired their weapons, and found a secret storage area of farm materials. They took the materials, and destroyed the store house. The materials taken by IB #60 were: 1 rifle, 4 bottles of cooking oil, 5 machetes, 5 packets of seasoning, and 4 packs of dry tea leaves.

Mandalay Division

On 11 December 2008, the Deputy Chief of the Township General Administration Department, Myo Han, along with the fire brigade chief and 12 members of *Swan Arr Shin*, burnt down a market belonging to stone workers in Mahlaing Township. This was the second time this group had burnt down market stalls in the village, according to residents of Kyatphyu, Zigon and Hnawkan. In retaliation, villagers attacked the perpetrators with stones, sticks and catapults, wounding Aye Thaung of the fire brigade as well as Than Htay U. Led by township authority chairman Myo Thant, police returned to the Hnawkan quarry and burnt down more shops and arrested 14 male workers and three female shopkeepers. As of 16 December, the workers were issued with a restraining order and their motorcycles were confiscated.[420]

Tenasserim Division

In early January 2008, LIB #557 attacked IDPs in the Htee Law Kee and Htee Po Lay area, in Mergui-Tavoy District. The troops burned down 11 homes and destroyed over 150 baskets of rice paddy along with the victims' belongings.[421]

Restrictions on Trade, Travel and Cultivation

Year-round restrictions on movement in ethnic states greatly impede the ability of villagers to tend their fields and maintain their livelihood. Special permission must be acquired and travel passes carried whenever a person leaves their village, even to tend their fields. Obtaining travel passes can involve a series of bribes, negotiations and several months of waiting. Permission to leave is usually granted for a finite period of time, typically confined to the daytime in areas of unrest or a period of a few days in areas subdued by the military. People caught travelling without a pass are liable to be shot on site or arrested and tortured on suspicion of colluding with rebels. Since it is common for farmers to have their plots on the outskirts of the village, sometimes several hours travel away, the limited time they have access to their land is detrimental to the success of their crops. For example, farmers must spend two to three weeks during harvest time on their land to scare off birds, rodents and wild animals to maintain their crops.[422] Travel restrictions force farmers to neglect their main source of food and income, resulting in a lower yield.

Business and trade are strictly limited throughout the country but they are limited with particular severity in border areas where anyone found to be trading is liable to have their goods and money confiscated. The virtual eradication of trade has created large-scale food insecurity, breaking down traditional methods of acquiring income and goods when crop yields are insufficient or inaccessible. These tactics are yet another technique used by the junta to destroy livelihoods, making life in villages unsustainable, starving minority ethnic villagers out of the hills and into junta controlled territories.

In an attempt to consolidate power throughout the country, SPDC troops brutally evacuate villages, burning down houses and mining villager's land and food stores to deter them from ever returning. Landmine use was on the rise in 2008, as the military attempted to block all trade and travel in rebel held territories in Karen State. One person described the situation of Karen civilians in Papun District in Karen State and Nyaunglebin District in Pegu Division:

> *"Villagers are characteristically given short notice periods prior to relocation and villages are often burned down and mined in order to prevent return. The tatmadaw [Burmese military] has in many cases operated a shoot-on-sight policy for persons found in their villages after the expiry of the notice period for relocation. Villagers have been told that they would be killed if they failed to comply with relocation orders, and that any persons who remained would be taken to be supporters of armed opposition groups and therefore a legitimate military target during counter-insurgency operations or combat."* [423]

Soldiers commonly plant landmines along the borders of relocated villages and on pathways to markets to further restrict the movement of civilians and rebels. According to Clear Path International, the use of landmines is on the rise in border areas, including Karenni State, Karen State and Shan State. The number of people maimed or killed by landmines, a number widely believed to be underreported, doubled from 243 in 2006 to 438 in 2007.[424]

The Rohingya population in Arakan State faced its own set of restrictions, aimed at the eradication of its religion and ethnic group from the country. The Rohingya must undergo a lengthy and expensive process to procure permission to leave villages or seek medical attention in Bangladesh. Travellers receiving permission must inform authorities where they are going and with whom they are lodging, facing fines and arrest if they are not found to be in their reported location. Even after permission is granted, the villager remains vulnerable to harassment and extortion by authorities and often must pay the NaSaKa more fees lest they be arrested under fabricated charges. Businessmen assumed to have gained wealth through trade are targeted, their goods confiscated and arbitrary fines imposed upon them.

For example, on 8 March 2008, after paying the NaSaKa to obtain the correct documents for permission to export goods to Bangladesh, seven businessmen loaded 300 water melons and 10 goats in a row boat to take the merchandise to Bangladesh. As the businessmen crossed the Naf River, NaSaKa officials stopped the boat. Despite having the correct papers, all goods including their boat (worth a combined total of 4.4 million kyat) were confiscated. All of the men were arrested and detained for two days without water or supplies. The victims were finally released after paying 800,000 kyat to the commander of the Kunnapara NaSaKa camp of Maungdaw Township.[425] (For more information, see Chapter 18: Ethnic Minority Rights).

SPDC control over the trade and transport of rice has also led to severe food shortages and loss of income due to the prohibition on transporting rice across state or division lines. In an ill-fated attempt to stabilise rice prices, the ban has destroyed the livelihoods of rice traders who can no longer sell rice in markets outside their village where they fetch a higher price, in turn bringing a profit. Areas with a shortage of rice have seen prices skyrocket beyond what households can afford. Especially hard hit in 2008 were Arakan State, Karen State and Shan State, where trade by anyone other than state actors and cronies was made virtually impossible.

Restrictions on Trade, Travel and Cultivation – Partial list of incidents for 2008

Arakan State

On 1 October 2008, four traders went into hiding for fear of repercussions from the NaSaKa in their village after being accused of involvement in rice smuggling to Bangladesh by NaSaKa Sector #4. The four victims, Mohammed Hussain, 27, Mohammed Hassan, 26, Mohammed Siddique, 25, and Shab Meah, 25, were small traders who paid money to the authorities for permission to send goods from Burma to Bangladesh and vice versa. The four rice traders fled after they were summoned by the NaSaKa because they feared arrest and torture. Relatives of the victims claimed that the NaSaKa regularly extorted money from traders in the area.[426]

Karen State

On 30 June, troops from LIB #599 forbade villagers from leaving their village due to the defection and surrender of two SPDC soliders to the KNLA from LIB #439. The villages affected were: Ta Kaw Pwa, Wai Swan, Nge Pwa Daw, War Do Klar, Ko Ni, Kyun Pin Zeik, No Nya La, Si Pa Ler, Haw Hta Plaw, Al Law Si and Shan Lay Si. These restrictions on movement made farming and trade very difficult for people in the affected areas.[427]

In August 2008, SPDC stopped all trade between villagers from Kler La and Toungoo, preventing them from collecting food such as durian fruit, mangosteens and betel nut in the mountain areas to sell in Toungoo. Since the villagers were highly dependent on trade for income, the prohibition of trade caused serious financial difficulties.[428]

On 4 August 2008, as MOC #10 troops based in Bawgali Gyi patrolled the area between Bawgali Gyi and Ler Koh village, they shot Saw Da Cho Cho, 38, in the spine and killed him. He was a local villager who happened to be walking in the area.[429]

On 22 August 2008, a soldier from MOC #21, LIB #276 defected to the KNLA. In response, SPDC forces blocked the passage of the plains villagers to Wah Kee village and shut down local trade between the mountains and plains areas. The villages affected were: Ka Wor Ko, Thet Baw Dor, Yaw Ke, Play Ke, Nwa Lay Ko, Ta Na Ta, Ka Pa Hta, Na Htee Ko, and Nya Mu Ke.[430]

On 12 September 2008, Saw May Htoo, 15, was killed when SPDC forces from MOC #10 and LIB #364 shelled Klay Soe Kee village. Soon after, they also shelled a nearby betel nut plantation and seriously injured Saw Da Boe Bo, 14.[431]

On 13 September, troops from MOC #10, commanded by Ko Ko Hla, stopped 200 villagers from the plains of Pa La Wah from cultivating their fruit and cardamom plantations.[432]

On 17 September, Division #101 Lieutenant General Maung Maung Oo ordered all villagers in Ler Doh Township to stay out of the jungle or be killed, making it extremely difficult for villagers to harvest and/or forage enough food to survive.[433]

Not only must villagers living in areas of ongoing armed conflict contend with the threat of SPDC army attack and oppression, but also with the unseen threat of antipersonnel landmines. This photograph, taken in June 2008, shows the body of a dead buffalo which had stepped on a landmine soon after this village in Papun District, Karen State was attacked and burned to the ground by SPDC army soldiers from IB #240 on 4 June 2008. *[Photo: © KHRG]*

Mon State

On 21 November 2008, Mon rebels known as the ‘Chan Dein group’ kidnapped and ransomed 102 villagers in Ye Township while they were on their way to their rubber and betel nut plantations. The victims included 62 plantation owners and 40 workers from Sin Koo, Toe Thet Ywar Thit, Yin Ye, Yin Dein and Kabyar villages. Plantation owners were forced to pay the rebels 300,000 kyat and workers 30,000 kyat in order to be released. In response, LIB #31, led by Lieutenant Han Win Kyaw went to Yin Ye village and arrested and interrogated six people, accusing them of funding the rebels. Those arrested were tortured with fire until they informed the troops of how to find the rebel group. SPDC Army Lieutenant Commander Myo Swe also went to Yin Ye village and arrested seven more people, including three women. Then, on 22 November, the village head announced that the farmers in Yin Ye village were no longer allowed to visit their plantations. The decree was particularly devastating for the betel nut farmers because the nuts had just been picked and would spoil if they were not gathered.[434]

Endnotes

[1] Source: "Burma junta faulted for rampant diseases," University of California, 28 June 2007.
[2] Source: "A Day of Shame and a Day of Hope," *Irrawaddy*, 18 September 2008.
[3] Source: "Steep Rise in Food Prices Continues," DVB, 15 August 2008.
[4] Source: *Ibid*.
[5] Source: *Asian Development Outlook 2008: Myanmar*, Asian Development Bank, 2008.
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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 15th 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.

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