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Some Acronyms in This Issue

- KNU- Karen National Union
KNLA- Karen National Liberation Army
SPDC- State Peace and Development Council
IB - Infantry Battalion
LIBs- Light Infantry Battalions
VPDC- Village Peace and Development Council
AMRDP- All Mon Regions Democracy Party
USDP- Union Solidarity and Development Party
TPDC- Township Peace and Development Council

News

1700 villagers join anti-election protests in Karen and Mon State

HURFOM, Oct. 26. Mon State and Karen State.

In a significant display of anti-election sentiment, three communities in Kyainnseiky Township and Ye Township have held large anti-election rallies within two days of each other. According to participants, all three rallies were held because none of the communities had heard of any previous instances of open protests to raise awareness about ongoing election-related abuses villages in their area had experienced. Protesters hoped that, despite the risks, because of their actions other communities would more openly display their discontent with the State Peace and Development Council's (SPDC's) current election practices.

On October 23rd residents from surrounding villages arrived at 6AM in P— Village, in Kyainnseiky Township, Karen State. There, participants, who were predominately Karen but also included some Mon and Lo-Shan community members, held large red banners bearing anti election slogans while a protest organizer spoke and lead them in anti-election chants. The protest, conducted in a guerilla style which community members arriving quickly and dispersed before any reprisal action was taken, was conducted within two miles of an SPDC Light Infantry Battalion (LIB) base. The nearly 600 participants all came from areas banned from participating in the November 7th election by a directive from the Burmese State Election Commission in September, citing section 8 (f) of the Union Election Laws, that supposed security risks were to great for the election to occur in that area.



Protesters are seen marching in eastern Ye Township on 25 October 2010.

The New Civil War and Human Rights after Elections

People all over in Burma always have expectations for peace in Burma, because they do not want to suffer more from political oppression, economic deterioration, human rights abuses, etc. But they are very unlucky because their unwanted and undesired new government, formed by military commanders and the leaders from Union Solidarity and Development Party (USDP), will not make much change. The change will be just like an old wine in a new bottle, meaning there will be a new government but with the old guard and old policies.

There is a very little expectation that the new government will stop civil war. The new government is completely formed and based on the 2008 Constitution. The constitution plans to consolidate all ethnic armed forces into the Burmese Army under the name of the "Border Guard Force" or "Militia Force". Many larger ethnic armed forces did not agree with this plan and will reject similar plans, if pushed by the USDP government. Then civil war will break out.

New civil war will extend along the whole Sino-Burmese border and Thai-Burmese border, and a bit along the India and Bangladesh borders with Burma. With the new government orders and support, an intensive military offensive against the ethnic armed forces will be conducted in order to pressure them to lay down their arms.

But learning from 5 decades civil war in Burma, nobody, not the Burmese Army nor ethnic armed forces, can win this war. The people just suffer and suffer. Human rights violations have been widespread, and there has been no safe place for thousands of displaced persons to take shelter. Refugees even now remain in Thailand and Bangladesh.

Although the people in Burma dreamed for peace, they will continuously suffer various types of abuses. The international community must understand the situation in Burma and needs to find a way to support peace and reconciliation in Burma.

The protest was conducted as a result of this ban, and residents' resulting concerns that the communities had no fair or genuine opportunity for representation in the upcoming election. According to the protest organizer, the location was chosen because of the presence of the near-by battalion; the open protest was meant to send a message to the local battalion and to Napiyadaw. Yet despite the brazenness of the 5 hour rally, the near-by battalion has not yet taken any retributive measures or reacted in any way.

A Karen youth, from Kyainnseikyi Township, who wished to remain anonymous as he helped organize the protest, described the rally:

The slogans that protesters chanted over and over again when they were marching were for people to pull down the dictatorship system, to set up tripartite dialog, and to become a real democratic country. Most of the protesters also chanted this "We want NO 2010 Election". At this protest [we] cared whether it was secure or safe to protest in advance.

One participant, Saw Ah Wong, described how he was motivated to attend the protest because of anger over the Union Solidarity and Development Party's (USDP) active voter manipulation through the collection of advanced votes and the USDP's use of names of citizens working abroad from government family lists being automatically cast in favor of the USDP.

For me... I come to protest because I am not allowed to vote in this Junta-led election. I

cannot say whether my vote will be the vote for the Junta-backed political party or if I am not allowed to vote for anyone. But I feel like this - as the candidate who is presenting for his ethnic or his people is not allowed to contest for the vote, his ethnicity is like an ethnicity unrecognized by the country's government. I am not satisfied with that. Also, we know that since the end of December [2009] and beginning of October [2010], the Township Peaceful and Development Council headmen, the civilian militia, and other authorities in Karen villages and Mon villages near Kyainnseikyi Town, have organized villagers to vote in advance. Even though Kyainnseikyi is a town, in reality it is a rural town [implying that it is not watched for election abuses]. But the residents in the town have to give a check for the USDP candidate without their desire. And most of regions have become the places where the USDP forces villagers to vote for it.... Here, we want to let everyone know instead of letting no one know. This is only able to be revealed by protesting it, and people learning about it and also the world.

Two days later on October 25th two more protests occurred, in M— village, Kyainnseikyi Township, and in eastern Ye Township, Mon State. Both protests occurred in a similar fashion, with nearby communities turning out early in the morning and

dispersing before noon. The protests in M—village drew almost 500 participants and the rally in eastern Ye Township drew over 600 participants from 28 surrounding villages. The rally in eastern Ye township, which was also conducted close to a Burmese army LIB, No. 591, has previously been documented experiencing frequent election related abuses¹. Like the October 23rd protest, witnesses have reported USDP efforts to collect advanced votes, and violations of election law by the pro-government party such as casting absentee votes automatically in their favor, are major points of anger for protest participants.

Another significant cause in all three election protest was the perceived absence of vocal anti-election sentiment, according to several organizers. These communities, despite often times severe security restrictions by local SPDC battalions, are aware of the evolution of the current political situation. As noted by the Karen Human Rights Group's (KHRG) 2008 report *Village Agency*, this is opposed to the confused perception that only urban centers, like Rangoon, are sites for political action or resistance. Being aware of the political climate at the local level, these protest indicate recognition by villagers, that other communities are also actively tuned into the current political situation, also despite SPDC efforts to restrict dissenting information, and could be inspired to voice their political discontent. By staging protests in close relation to local battalions, these communities have shown that the target of protests is still the regime, and by so visibly conducting a demonstration, is most likely to draw attention from Naypidaw, and international observers.

Witnesses have indicated that in all three cases protests went off smoothly with out security disruptions or a crackdown by local battalions. According to one participant from eastern Ye Township, where the protest was held close to a Burmese battalions, "Until now we have heard that no one [no protest participants] has been arrested by the Southeast commander-led battalion and regional authorities yet. But the persons who led the protest have to hide for their security." The success of these protests has been attributed to the strong local connections and community amongst villages and an awareness of the security threat from possible outside sources and local battalions.

¹ For further information related to election abuses in Ye Township, please see HURFOM's September 2010 report,

35 Days Till Election: how state resources and area restrictions impact ethnic votes in Mon and Karen States

According to a local source from eastern Ye Township, who wished to remain anonymous, the protest was created as an opportunity to voice the communities opinions to other communities and to the regime, and demonstrate the communities commitment to rights they believe they should have:

This protest has started since this morning at 7 AM, and it is a guerilla protest to gather quickly and to separate quickly.. that is because of the security awareness. And the protest was over at 11 AM. The 2008 constitution was drawn only for one side – the SPDC's side. Since then, we have been protesting. Not that we have just started to protest now though. We protest because we want to get rights: ethnic rights, and rights to self-expression. Why do we have to support this predictable the-Junta-is-going-to-win election since it does not grant all rights for everyone? We also want to let the Burmese people who are in other villages, other townships, and other states and divisions know that we are totally against this unfair Junta-led election. We also do not want to keep listening to the military regime – [we want to] stop doing what the Junta wants and stop shutting up our mouths to whether we can speak up [or not] – we want [for] all [of us] to come together and protest together. We all will face with any upcoming danger, and as we work together, we will face [the danger] together. And that is the reason why we protest.

The occurrence of protests of over 1700 villagers in rural eastern Burma is a strong indicator that despite pressure on local communities by the SPDC to support the pro-government parties, and active attempts to suppress dissent, communities retain a sense of political activism and agency that they choose to express in appropriate settings. In these cases, protest organizers have been able to asses the risks of conducting large scale protests within their communities, recognized which areas would be best able to attract attention for the protest, and as indicated by accounts above, used tactics that would best ensure the security of the participants. HURFOM hopes that these accounts will indicate that local communities in eastern Burma are actively aware of the political climate of the country, their region, and see themselves as potential agents in sharing knowledge and awareness within the community.



Expansion of militia and civilian strike groups at cost to villagers prior to election

During the month prior to the election, villagers in northern Ye Township are facing increased taxation as local militias will be expanded. Resident observers believe the increase is intentionally timed to double the local government militias prior to the November 7th election date. Notably the new additions appear to be ex-soldiers loyal to the current regime. The additions, which will double monthly taxation, have caused fears amongst local residents that such costs will cause severe economic hardship.

On October 10th a special meeting regarding, “security and regional influence”, was called in Hnee Hnuu village by the local strategy officer of Burmese army Infantry Battalion (IB) No. 61. The meeting was attended by heads of the Ye Township Peace and Development Council (TPDC), leaders of local village militia units and Village Peace and Development Council (VPDC). VPDC headmen were instructed to reinforce the militia membership and to collect the money from local residents to fund the expansion.

Villages that will be included in the expansion already provide for local militias, each already containing approximately 10 members. These militias are funded by local taxes each month of between 1500 and 3000 kyat per household.

Nai Maung Sein, 48, worked as a teacher at a New Mon State Party (NMSP) Mon national school, before becoming a plantation worker and living in Andinn village-track, Southern Ye Township, Mon State. Nai Maung Sein believes that the increased taxation for the expanded militia will be devastating, and that the presence of militias is only a means by which the regime can exert its influence over the community and create divisions:

To increase the militia forces, they [IB No. 61 officials] have ordered [us] to send more from our little hard-earned income... Before the occurrence of this order, there are always 10 militia members [in our village]. For them, I have to pay at least 1500 kyat, sometimes over 3000 kyat, monthly... In some villages, even the houses of widows – which are very poor and need pity – were also collected from. [The collected fee] can vary more or less. The fee has been collected since 10 years ago after the formation of the militia in the village. Now IB No. 61 ordered [that the collected fee] be increased, so you [speaking to interviewer] can guess, using your brain, whether [this order] is fair or not for us – the needy. If we don't pay the fee, they [the battalion leader and the village headmen] will really get us into trouble... In reality, the increase of them [militia] is not good for our village. The militia, the village authorities and the [governmental] staff are assumed to be higher class in the village. They can live easily. They needn't pay [the fees] like

us... The state needn't pay the cost and yet gets a staff [for the militia]. So only we will die of starvation, being the downtrodden. Now we have to vote. In the VPDC office, it is posted [on a sign] in big size that the USDP must win. I think [this poster] was put up to show to whom they want us to vote for. It is sure that the ghost who is worse than the tiger will appear. I think nothing will be different.

The current expansion of local militias extends to the villages of Andinn, Hnee Hnuu, Gu Hataw, Hnin Tayoke and Thar Garan villages, all of which are in Andinn village-track. Each village contains approximately 300 to 500 households. These homes will fund the expected cost of 700,000 for each village, resulting in an increase of 10 to 15 more militia members per village. These costs include money for weapons, uniforms, food, a daily stipend and possibly housing. Doubling the size of the militia will double the overall monthly tax for local residents. Such heavy taxation will significantly impact local residents, whose average daily income is only 3,000 kyat per person, and already pay an average food cost of 5,000 kyat a day for a family of 5.

According to residents in these 5 villages, these new members have not been recruited locally. The newer recruits, often older, or suffering from debilitating wounds, appear to be retired veterans from the Burmese army. It is likely that the addition of retired soldiers is intended to place already loyal Burmese in predominantly ethnic communities, and provide soldiers with additional power despite retirement.

According to Mehm Tun, 25, who knows about the recent order given to expand the militia at the Hnee Hnuu village meeting, the introduction of outsiders into a local militia is preparation to manipulate the election, and create, as he describes, a long term problem:

Now, unlike the old village militia, the militia they expand does not include Mon. In the past, there were 8 Mon militia members in our Hnee Hnuu village. For them, each house had to pay from 1500 to 2000 kyat as a monthly fee. If they demanded more, sometimes [we had to] pay about 3000 kyat. Now the [new members] of the militia expanded by IB No. 61 are not from these Mon villages. [We] don't know where they are from. Their appearances are like those of thieves or vagabonds. Some of them are persons retired from the army because of injuries during battle... Normally, if different communities live together, there must be equality. I want to say that there is no problem if Mon, Burmese, or Karen get equal rights together. Now they [Burmese army] are the governors and we can't work at the same level, so I think this will become a long-term problem. I don't think the cost of the militia is

a good thing. It is possible there will be more oppression and abuse....the cost of the militia might be directly related to the security for the coming election. The army or the powerful party of the ruling government may not manage to force the voters to cast their votes in the poll-boxes as they want. I think [therefore] the newly formed pocket militia will be instructed to force the civilians to vote for the party they [the government] wants. Therefore, I perceive [this election] is not honest. We have to monitor whether it will be or not.

According to Mi Ei Be, 40, an ex-NMSP teacher, from Andinn village-track, the costs for local militia will be larger than average local salaries, and be entirely covered by local residents:

These new members of the militia are persons who retired from the army. According to my brother who has a close relationship with our headman, [we] have to pay fifty thousand kyat [foundation cost] per member [of the expanded militia]. And then, as they serve for the village security, the village has to take responsibility in every case for them. Even for our abbot, we needn't donate as much as this amount.

Since November 2009, when HURFOM first documented the practice, local commanders and members of the Mon State PDC have continued the recruitment of non-official pro-regime squads (known as *Swan Arshin* in Burmese). These non-militia civilian groups are composed of volunteers and members of local civic development organizations in exchange for gifts, privileges, or other benefits. In exchange, these civilian groups are given weapons and are trained to assist the local militia in its possible duties. HURFOM has documented such trainings including crowd breaking tactics, and through education in the current regime's policy¹.

The area in which the orders have been given, in northern Ye Township, is relatively more stable than areas to the south in Yebyu Township, Tennaserim Division, and Khaw Zar sub-township, Mon State, which are considered open conflict zones, or "black" areas. Northern Ye Township, however, retains a strong presence of the NMSP. At least 2 villages that are subject to the militia expansion order were included in the NMSP controlled area during the 1995 cease-fire with the SPDC. The NMSP, which has refused to participate in the November 7th election, and has openly urged members to boycott, has also continued to resist pressure by the regime to reform its armed wing to the standards of the regime proposed border guard force (BGF). Some local residents, who are currently members of the NMSP, have voiced concerns that post election, these militias and civilian groups, will be used to apply pressure against the NMSP, without making an incident official.

Moreover, an former member of the NMSP who is part of the Ye township administration group, and who has been studying the Burma election and the political situation, believe these smaller unofficial units will be positioned in advance to pressure the NMSP over its refusal to participate in the BGF program:

I assumed the expense of the militia-forces will be for the election. It means that they will disguise the cocks of the same house to fight each other...I want to say that they [the government body or the USDP] themselves will not pressure [civilians]. If they did like this, this will make the news. Therefore, they indirectly ordered the privileged groups – the Swan Arshin – the Fire Brigade, the governmental staff who agree with them, [pro government civilians] and the armed militia [to pressure civilians]. In this way, they will get the votes and can be victorious without losing their reputation. I have already guessed the election will run in this way...The international [communities], the ambassadors who are base in Rangoon and Nay Pyi Daw, and the persons who monitor the election, can't reach out up to these regions...Another point I guessed is that they are afraid of the NMSP. Because [the NMSP] has decisively refused every demand, they [SPDC] need to manage step by step for the possibility of armed [conflict]. Therefore, to guard the local situation, increased numbers of militia and village-security forces are needed. According to the situation, they [SPDC] needn't pay the cost [for the militia], so the more persons who will work for or protect them, the better for them. But what benefits do the civilians get back? It is sure that paying various taxes, oppression, and ethnic conflicts will occur again in the village.

The expansion of militias at the village level will place a significant economic burden on local communities that already struggle for survival daily. Such a financial burden could lead to an increase in displaced families looking for better financial opportunities along the Thai-Burma border. While the area is somewhat more stable than more heavily contested black areas, the addition of new outside pro-regime militia members has the potential to cause tension among local groups or lead to further human rights violations. Similarly, the continued intentional use of civilian and civic development departments as pro-regime strike groups will significantly divide local communities prior to and during the election, as well as likely cause increased tension long term. Though these changes may help secure the election of a pro-regime party, they are not sustainable for either the communities' economic survival or long-term security.

¹ For additional reading on training of pro-regime civilian bands, please see HURFOM's reports, [Burmese government pressure on communities for support in 2010 election](#), HURFOM, December 2009; [Election preparations round off a year of abuses against farmers in Mon territory](#), HURFOM, January 2010; ["We have to try": Mounting pressure in election preparations and responses from the Mon State community](#), HURFOM, February 2010.

Report

Waiting in Tears: Impacts of impending cement factory development in Kyaikmayaw Township

Summary

Local communities in Kyaikmayaw Township, Mon State are facing the immanent threat of land seizure by local authorities, for the construction of a large scale cement factory and processing plant for the limestone from a nearby mountain. Nearly 600 acres of paddy land have already been surveyed for construction. The community, which is heavily dependent on the surrounding farmland passed on from generation to generation, has received no opportunity for input in the project, and only paltry warning of an impending “State” ordered seizure of its land. The project will have severe environmental impacts as it calls for the leveling of Ni Don mountain, the construction of a processing plant and factory, and construction of secondary infrastructure such as roads and a jetty into the nearby river. The company spearheading the cement plant construction is predominantly controlled by key members of the regime-backed political party the Union Solidarity and Development Party (USDP). Profits from the completed cement factory will be used to finance the government-backed USDP. In addition, the mountain is home to significant sacred Buddhist sites, relics, and cave paintings and drawings, which will be lost as the mountain is destroyed.

Eye-witness paddy fields owners, retired government staff who have been involved in key project development in the area, 12 monks and other local civilians who are familiar with the ongoing process, have been interviewed to provide the material for this short report. As the project has yet to begin, security in the region has increased significantly, therefore, for the sake of individuals’ security HURFOM has omitted personal information. For further information regarding individual cases and interviews, please contact HURFOM directly.

Farms to Factory



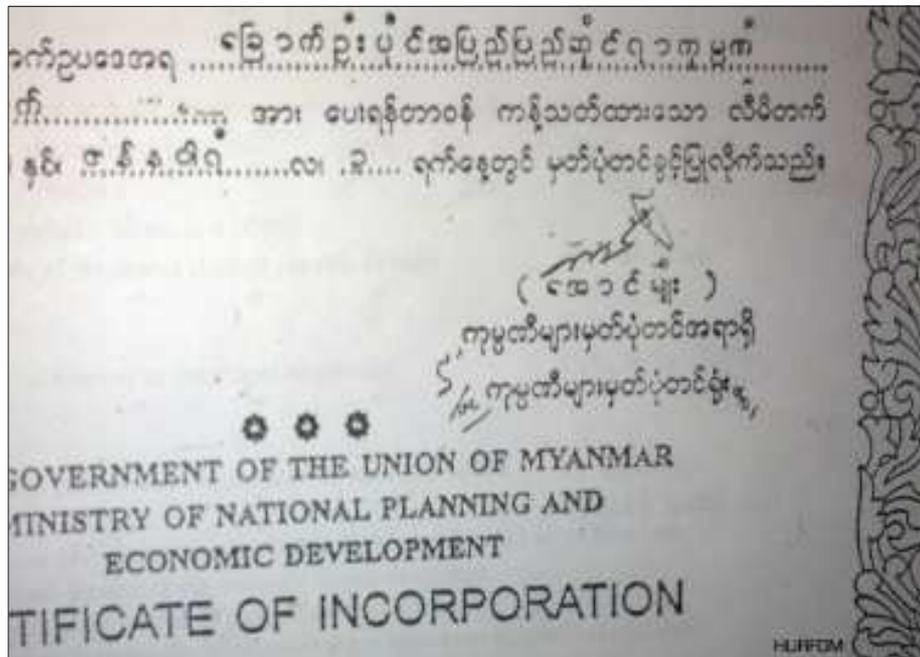
Ni Don mountain is seen as it stands now, before the cement plant construction.

On October 6th, 2010, a 6 member team, including a township-level officer of the Land-Surveying Department of Kyaikmayaw Township, representatives from a cement-production company, Hexa International Company LLC. and local township authorities, arrived Ni Don village. Approximately 50 paddy field owners, who had been gathered together in advance by the village headman, were informed by the team that the “State” needed the land for cement production. According to farms at the meeting, they have until the end of the harvest season before government forces move to seize their land, approximately 2 months.

Nai San (not real name), 57, is an owner of a 5-acre parcel of land included in a land-survey conducted by the Kyaikmayaw Land Survey Department for the cement factory’s construction:

We have heard the bad news for a long time that the government authorities will produce the cement from raw-materials using

limestone from [the] Ni Don Mountain. I said ‘for a long time’ because [we had first heard a rumor] five years ago. Now the bad news is 90 percent sure... They introduced themselves by saying their positions and where they come from, but not their names. And then [they said] the State needs raw-materials to fulfill its cement needs. The cement raw-materials will be produced from Ni Don Mount nearby our village, as they need. Therefore, (they) need our valuable freehold. land which is now cultivated with paddy. They didn’t mention they will “confiscate” or “buy” or “compensate” [us for the land]. Therefore, the farmers like us who depend on annual-paddy-production of these freehold¹ paddy fields have been worrying a lot. We can’t eat and sleep. No one can [advise] how to stop this process. The village abbot has been feeling grievous a lot dealing with this case. We are really worrying about this. We don’t know how to manage.



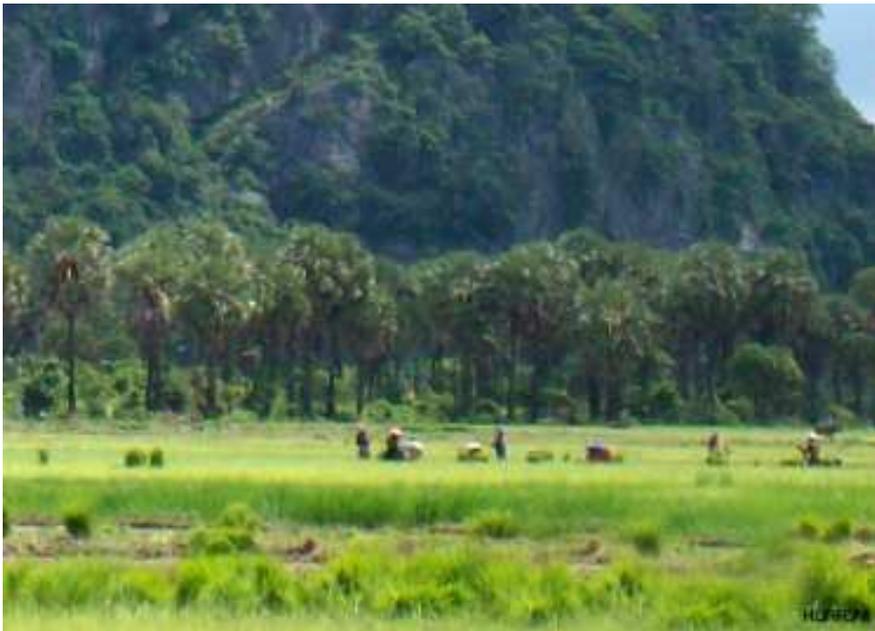
A copy of the Hexa International Company Limited’s certificate of incorporation is seen, from the government’s Ministry of National Planning and Economic Development.

Impact

According to a project report that HURFOM has received, plants at Ni Don, at Pyar Mount nearby Kaw Panout village, and at Kawkalot Mount nearby Kawkalot village, are all planned by the Hexa Corporation to increase cement production, which has been in increasing demand. According to the report’s figures, Burma needs nearly 3 million tons of cement yearly, but the current production level is less than 1 million tons. The Pyandone project is only slightly bigger than the Ni Don project, and is expected to produce around 146,000 tons a year tons of concrete a year.

The Ni Don project will consist of several central buildings that will be used in processing the raw limestone ore into cement. Analysis that was conducted by the State Peace and Development Council’s (SPDC) Land Survey Department for the project indicates that the project will eventually process all of Ni Don mountain, located only 2 miles from Ni Don village, due to its large volume of limestone and a chemical composition favorable for

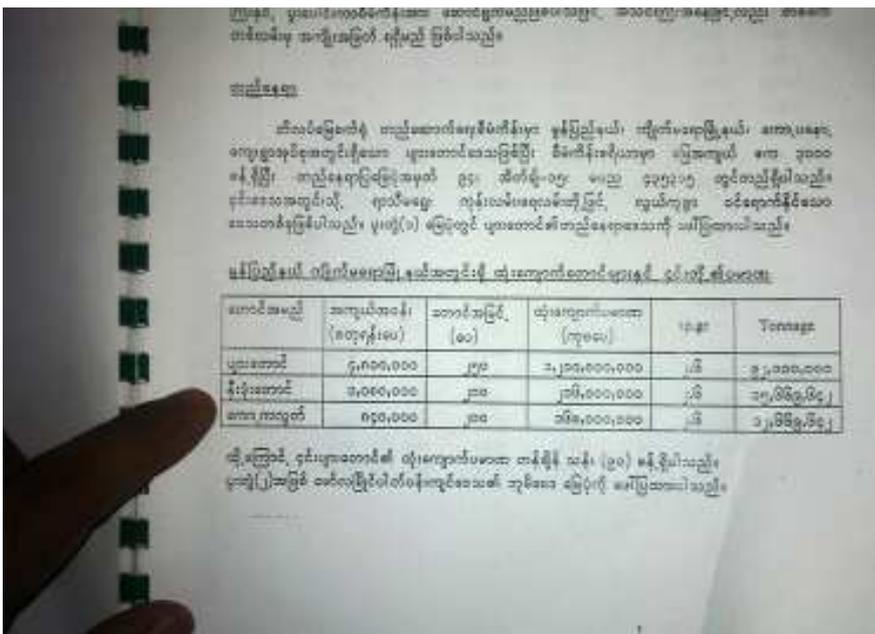
¹ In this case freehold most closely translated from Burmese, refers to land that has been passed on for generations, and so no title or document exists to clarify ownership. The 2008 constitution states that all land is automatically owned by the state.



Ethnic Mon farmers seen working here will loose their rice fields once the Ni Don cement factory project is begun.

I know, they had already made laboratory experiment for cement production. They mainly measured the amount of Calcium Oxide (CaO), Magnesium Oxide (MgO) and Silicon Oxide (SiO₂) the limestone. They came and measured four times. As I studied, the Ni Don Mount where the project is planned to operate, is a real limestone-mountain. I often encountered that the locals made lime by heating limestone when they want. If the project really starts, land-confiscation is sure to occur. In the case of Pyar Taung Cement Factory in Kaw Panout village, they openly confiscated the land without giving any compensation to the locals, but no one can complain. The State government confiscated (the land), so to whom do we go for trial?

The construction and operation of the cement factory, as well as the destruction and processing of Ni Don Mountain, will have extremely high environmental impacts on the area. Besides the construction impacts



A list in the project report for the Ni Don cement factory shows Ni Don and the two other cement factory projects.

producing concrete.

A Mon man, 30, who graduated from university in with a degree in Geology and who used to serve in a field study for the Ministry of Mining, describes his point of view on the current Ni Don project from his experience working in research:

If you calculate according to the height and area, the amount of limestone-raw-material [in Ni Don Mountain] for cement [production] is about over 200 million tons. The geology department has measured [the limestone amount] in the past. As I

significant amounts of pollutants will be produced by the completed factory in the form of carbon dioxide (CO₂); poisonous heavy metals in the air that are known to cause neurological problems and cancer; and heavy metal contaminants that will seep into the river, irrigation and drinking water. Additional high impact infrastructure will also eventually be required including roads; the construction of a jetty into the river, disrupting water flow; and the construction of a gas line to power the plant.

Dirty Money

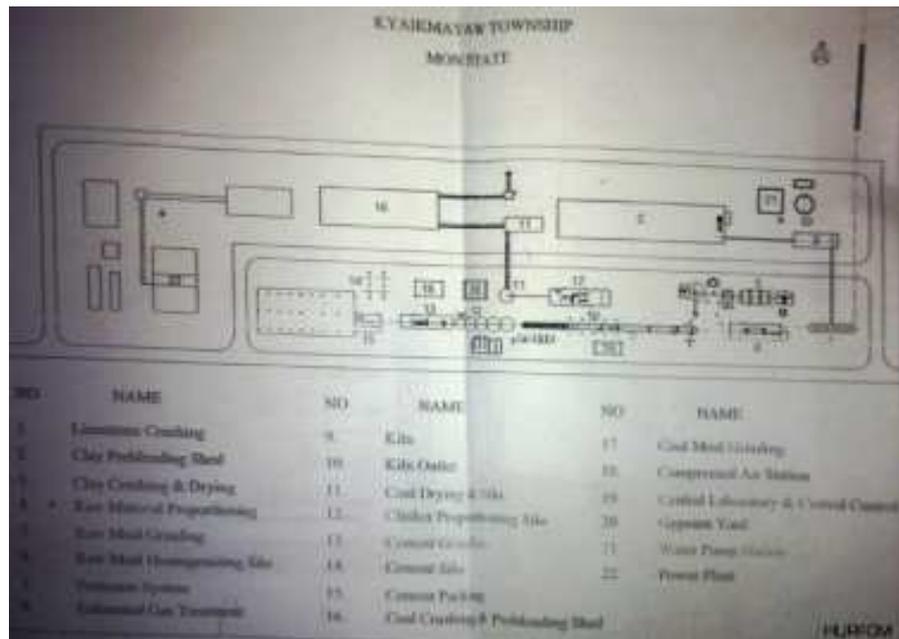
The project report detailing the construction project, its investors, and project goal, lists the USDP as the

primary investor in the company. Hexa International, which is spearheading the series of cement factory construction projects, is primarily owned by key members of the USDP. When the project was first devised, the Burmese government's civilian front group, the Union Solidarity and Development Association (USDA) was the primary benefactor, but as all USDA funding and property was transferred to the USDP despite apparent violation of election law. U Tun Way, Kyaikmayaw Town, Mon State, is a former government servant and has first hand knowledge of the land survey department. Based on his extensive knowledge about the current cement production project, he commented to HURFOM about the financial connection of the USDP to the project:

The land confiscation case due to [the need for] cement raw-materials is directly related to the USDP which is formerly known as the USDA. I want to mention they are directly responsible for [this case]. To establish this project, the Mon State USDA has negotiated with Hexa Company Limited which is based in Rangoon and has had a good relationship with the government for a long time. Since 2006, when I was a government staff, as my duty, I attended the meetings related to this case with them. The main point is that they held negotiating-meetings many times to negotiate [the profits of] the prominent businessmen like Hexa Company Limited but to secretly use most of the profits as USDP fund. Every meeting was directly managed by Nay Pyi Daw...I say this according to my experience of what I saw with my own eyes that about over 500 acres of valuable paddy fields and plantation owned by nearby Kaw Panout's cultivators were confiscated for the Pyar Taung cement raw-material factory in Kyaikmayaw between 2006 and 2008. I saw with my own eyes that our Mon cultivators gritted their teeth in tears because their freely held family heritage land was confiscated. Now I feel awfully for the Ni Don farmers. It is sure that [their land] will be confiscated as soon as cement-raw-material production starts.

Maung Thet Paing who lives in Htone Pho Ward, Kyaikmayaw Town, and whose parents are Ni Don residents described how he sees the impending land seizer and construction as part of a larger political problem:

If the government were free, they [would] have authorities who [would] do [their project] only after getting the agreement of the local civilians and compensating [the local civilians] for the land many times more than the current value. The military government knows nothing about this. Over two years ago, their Hexa Company Limited – the company in which the USDA invests its shares - constructed a cement raw-material limestone-producing factory after confiscating over 500 acres of paddy fields, plantations and the land which belonged to the farmers nearby Kaw Panout village and its surrounding area. I have never heard that they gave any compensation for the land. No one dared to complain of the land-confiscation by them. There is no news in the media. Because of being a dictatorship, they confiscated the land and they didn't care about anyone. Now (they) will confiscate (the land) nearby the Ni Don Mountain. I think they will follow exactly as [they did] in the past.



A map is seen in the Ni Don Project report indicating the lay out and function of buildings slated for construction.

Essential for Life

According to local residents, the impending seizure of farmland in their community will be devastating to families and their livelihoods. For community farmers who are dependent on crop cultivation, the loss of their land will mean the loss of their livelihood and the likely breakup of close family and cultural ties. Moreover, the construction and operation of the Ni Don cement factory will offer no opportunity for either sustained job creation or longer-term development of the local economy. Due to the local skill in farming and lack of technical training of most locals, the only possibility for work that will be created will be through hard labor during the construction and blasting processes.

Ni Don is home to an estimated 800 house holds, and over 80% of the population is dependent on farming for their livelihoods. All of the farms have been passed on through generations, and are the product of years of investment and cultivation. While it is not year clear if farmer will receive compensation for their crops, looking at the Pyar Taung project – the first of the three planned cement plants – all farmers who lost land due to construction received no compensation. Many farmers have reported that the loss of their land will be the loss of their only source of income and they will be forced to flee.

Nai Kon Hla, 50, a paddy farmer from Ni Don, describes the impact the threat of land seizure is having on him and his family:



Farmers in the Kyaikmayaw area are seen working on a paddy plantation in 2009. Ni Don mountain is seen in the background.

I have 10 acres of paddy fields in total.

In my surroundings, only my relatives [are] situated. In combination, the paddy fields of me and my relatives are at least about 200 acres. All are on the list of confiscation. According to them [visiting government and company representatives], it is in the area of land needed for the forthcoming project. My paddy fields are on the list and if they confiscate the land, my life is sure to fall apart. Unlike others, I have no property, but two pairs of cattle, an old house and 10 acres of paddy fields given [to me] by my father before his death. I depend on completely on this property. Now [that my paddy field] is on the confiscation list, my wife is crying every day. My children can't be happy as usual. I don't know what to do after confiscation. I can't do any trading like others. We have been cultivating [paddy] since the period of my father and grandfather. I guess that [my fields] are valued at at least about 10 million [kyat].

Maung Thet Paing who lives in Htone Pho Ward, Kyaikmayaw Town, and whose parents are Ni Don residents explained how family land is essential for the local cultivators:

The 600 acres of paddy fields in our Ni Don village that they surveyed to confiscate are the best paddy fields in our village. It is rich soil and even if any kind of paddy is cultivated, the output is good. The paddy fields owners have been keeping their land with reverence because the fields are the heritage of their past generations. They have been working on traditional cultivation as their main living....Now, if the government and Hexa Company Limited will confiscate this sort of land for cement factory construction, the farmers in the village will suffer like they hit rock bottom. According to the conditions, [the paddy fields] will be confiscated as soon as the paddy is harvested. My friend, a land-surveying clerk, said like this. I have a great attachment with the paddy fields because they are our freehold land. I feel unhappy. I can hardly believe that our traditional cultivation will be destroyed because of cement factory construction which is due to [the existence of] Ni Don Mount.

Information on HURFOM and Invitation for Feedbacks from Readers

Dear Readers,

The Human Rights Foundation of Monland (HURFOM) was founded in 1995 by a group of young Mon people. The main objectives of HURFOM are:

- monitoring the human rights situations in Mon territory and other areas Southern Burma,
- protecting and promoting internationally recognized human rights in Burma

In order to implement these objectives, HURFOM produces the monthly “Mon Forum” newsletter. If publication is delayed it is because we are waiting to confirm information, and it comes with our heartfelt apologies.

We encourage you to write to us if you have feedback or if you know someone who you think would like to receive the newsletter. Please email or mail a name and address to:

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With regards,

Director
Human Rights Foundation of Monland

Loss of Culture

The Ni Don cement factory project requires dynamiting Ni Don Mountain before it can be processed as concrete. However the mountain is home to a series of Buddhist cave temples with numerous items of Buddhist and Mon history. These objects include pagodas, temples, clay votive tablets, ancient paintings and ink inscriptions on the inside walls of the limestone-caves, and antiques. Due to Buddhist tradition, these artifacts, which date back to before local recorded history, cannot be removed as they were already donated. A 29-year-old monk in Ni Don village, Kyaikmayaw Township, who has been monk for 15 years and teaches Buddhist literature, described the value of the artifacts and the impact of their loss:

Looking only at their own benefits, the government will confiscate the civilians' land. Moreover, they are trying to destroy the Buddha images in the cave of the Ni Don Mount, the pagodas and temples which was built by the past generations and is antique heritage. If [this heritage] is destroyed, the non-substitutable things of our Mon people, which are in the natural limestone-cave of the Ni Don Mount, which they will [use] to produce cement, will be lost. We have to feel inconsolable for the whole [of our] lives. In the inside of the cave of Ni Don Mountain, there are pagodas, clay tablets, votive tablets and Mon traditional painting. Moreover, there is a cave locally called “the plate-cave” in which there are antique plates, bowls, ladles and other man-made materials from an unknown period which were donated by the ancient people. All [of this] will be destroyed if the stone mountain is exploded with dynamite in order to produce cement. I think they do not consider about this. I grieve and worry a lot. I can do nothing but pray that [the project] will not really occur.

Resistance

While the Ni Don project is in its infancy, HURFOM research has so far indicated that this project is developed off of locally based and USDP investment, and SPDC regime support. While construction has not yet begun, it appears that the best opportunity for changing the current project will lie with local residents and

community leaders. One such example was described by Nai Kon Hla, who proposes a letter writing campaign with the assistance of local leaders from the monastic community:

I imagine that we [could] all write an appealing letter to the particular authorities, but in our community, there is no one who can lead this activity and make it successful. I will discuss [this] with the village abbot again to do, as my idea. If the land was confiscated, I have no alternative but to go to Thailand for random hard labor.

Conclusion

The creation of large cement processing plants is overwhelmingly destructive for local communities and will never be a potential source of jobs for the communities that are disrupted. Residents are completely cut out of the decision-making



Farmers near Ni Don mountain are seen returning from work at the end of the day in 2009.

process regarding the project's development, denying them the opportunity to shape the impact of the facility on their community, or the opportunity to save significant local cultural artifacts and structures.

The victims of the immanent land seizer face a complete loss of livelihood through the seizer of farmland worth hundreds of millions of kyat after generations of investment and cultivation. The expected course of the factory construction and operation will at no point offer real jobs or economic development that is destroyed through the loss of farmland. In addition, the environmental impacts of this project will likely have significant knock on effects on the community, environment, and subsequently the surviving local economy.

Additionally the USDP, which is set to be the dominant party in the coming election, will play a significant role in the formation of the new government. But with a clear hand in the current development of the Ni Don and other cement factories, the USDP bears a significant amount of responsibility in the impending seizer of land and future construction. This current willingness to lead projects that undermine and destroy local communities strongly indicates that such practices will continue even after formation of a new government.

However, the intentions of local residents, like those of Nai Kon Hla, are one way in which community members could be active in attempting to improve the current situation. This and other locally based initiatives should be seen as a space in which local communities can be effectively supported to resolve such conflicts by their own effort.

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