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Some Acronyms in This Issue

- MOGE- Myanmar Oil and Gas Enterprise
- SPDC - State Peace and Development Council,
- IB - Infantry Battalion
- LIB- Light Infantry Battalion
- MNRC- Mon National Relief Committee
- AMDP- All Mon Regions Democracy Party

News

Residents Forced to Construct Military Barracks for Border Guard Forces' (BGF) troops in Myawaddy District, Karen State.

March 29, 2011

In early February 2011, the Captain of Military Operation Management Command (MOMC) No. 5, under the Southeast (SE) Command Military Operation, ordered ethnic Karen villagers to do loh-ah-pay^[1] in the form of barracks construction for former Democratic Karen Buddhist Army (DKBA) troops now turned Border Guard Force (BGF). The buildings built for the BGF army battalions include the captain's office, military barracks, officers' hostels, long-low buildings with collection rooms, garages, and ordinance stores. Though the central government has allocated funds for the construction of those buildings, villagers forced to do loh-ah-pay are not only unpaid, but are obligated to provide their own supplies as well.

Myawaddy District: In August 2010, the Democratic Karen Buddhist Army agreed to join forces with the Burmese government and transform from an armed ethnic group into the BGF. Though the Burmese government promised to build these barracks quickly, having not yet begun before February, the Burmese government is now making a push to start and finish the construction. The Burmese government plans to build advanced and modern facilities for the DKBA to show its satisfaction that the DKBA made the switch. BGF battalions have been positioned in Thin-kan Nyi-Naung village, as well as other areas



HURFOM's field reporter interviewing villagers who fled from Thin-kan Nyi-naung village

The New Government Must Respect Freedom

On the 31st of March, when the new government leader and former military commander, Lt. Gen. Thein Sein, took office in Naypyidaw, the capital of Burma, he promised a clean and good governance. This was his promise, but in practice, if he and his government do not allow various freedoms inherent in a democracy, the people will never believe that the government will bring them toward democracy.

If the government is really promoting a democratic system, they must agree to allowing the freedom of expression, political opinions, and political beliefs. They must allow the opposition parties or other political forces to analyze the government policies and its rules. First, the government should release all political prisoners or social workers imprisoned in the previous government. These political figures and activists were put in jail just for expressing their political opinions. If freedom of expression is allowed in this new government, all political prisoners must be released.

Similarly, many social activists who were working in the fields of labor rights, relief, health care, and education were arrested and put in jail for their competing activities against the previous military governments. They were working in the field against forced labour, the relief program during the 2008 Cyclone Nargis incident, and providing education for poor students. If the new government respects freedom of association and assembly and respects.

For a democratic and peaceful Burma, the new government must respect the opinions of the ethnic minority people. Ethnic people have concern for their nationality identity and territories, so the new government must talk to all ethnic minorities, asking them what their needs are to protect their national identity. The government should find a way to bring about national unity and peace in the country. If not, the democratic system will not come about peacefully.

If the government claims that they are an elected government, then they must respect all opinions from different individuals, organizations and ethnic groups.

of Karen State and eastern Mon State. Situated in northern Thin-kan Nyi-naung village, Myawaddy Township, battalions No. 1017-1019 bases are now in the midst of construction. The villages ordered to do forced labor are Par-Chaung village with 300 households, Mae Ka-nae Ta-dar village with 100 households, Mae Ka-nae Ywae Thit village with 150 households, Ah Pyin-kwin Kalay village with 300 households, Ah Htae-kwin Kalay village with 200 households, and Thin-kan Nyi-naung village with 1,000 households.

According to Karen villagers from Thin-kan Nyi-Naung village, who have now fled to the Thai-Burma border (Three Pagodas Pass area), ten new battalions have been formed and villagers who live near the battalions' barracks' construction sites have been forced to provide labor for this construction. These men, all between the ages of 20 and 40, were forced not only to provide labor on a random basis, but also provide their own supplies for construction.

A second corporal from the Karen Peace Council (KPC) explained the current construction being carried out in the area. Apart from the three battalions (1017, 1018, and 1019), seven more battalions are also being built in southern Thin-kan

Nyi-naung village.

“[The army] used the efforts of the people for the construction of battalions, and out of the 10 battalions, four battalions are being built at one time. Because of this [building four battalions at once], it is estimated that the number of villagers in Myawaddy district who are ordered to do *loh-ab-pay* must be 100 – 200. Yet, it could be more than this. For the construction of battalions in northern Myawaddy, the villagers are demanded to provide wood, bamboo, cement, sand, stone, and lime, since the allocated budget from the central government is not enough. This [not enough budget] has been explained by the Burmese army. This has not been implemented yet, but if it becomes true [demanding the citizens to provide those materials], the citizens will be very affected: not only performing forced labor but also providing those materials. This obviously affects us, the citizens.”

Due to past experience, Saw Nyi Aung^[2], a young man from the Karen Literary and Youth Association from Pa-an Township, commented that the SPDC cares greatly about the armed groups that have transformed into the BGF. In line with

the Burmese government State Peace and Development Council's (SPDC) policy of splitting possible descent – the SPDC is making sure to construct modern buildings for the BGF troops, in order to show BGF troops the elevated status and higher living quality they will experience in comparison to the average Karen people. Believing that the forced labor will become unbearable, Saw Nyi Aung explained that many of the villagers will leave the area, the BGF will take over, and an influx of ethnic Burmese will move to the area. This belief is in accordance with a policy of the Burmese government frequently employed in ethnic areas, known as “Burmanization,” in which the Burmese government attempts to exert control over areas previously people by ethnic minorities by encouraging ethnic Burmans to move into these areas, and subsequently creating a divide between the ethnic minority population and ethnic Burman population[3].

On March 4th, one Thin-kan Nyi-naung villager, who had already done *loh-ah-pay* three times, explained to HURFOM reporters how he and other villagers were used continuously for forced labor, commenting that if the forced labor goes on any longer, he and others will be forced to flee the village with their families:

We are here mainly working to survive, and in fact, we are struggling for our living by depending on the pay we receive from grinding-rice mill. I have a family. Every child in the family is still young, depending on me. And since the price of everything here is rising sharply, we cannot just depend on our daily wages. When everyone is just able to survive on what they earn, the Burmese army uses them to do *loh-ah-pay* without paying. As it is ordered by the army, no one can complain about it. And to go for *loh-ah-pay*, the village head has to organize and gather the number of villagers that the army asks for. For me, because I can not put up with doing *loh-ah-pay* anymore, I will probably have to leave my home village soon. This is because I cannot do my own work. Like our family, if the members of other families are also used for *loh-ah-pay*, no one will want to remain living in this village. It can be assumed that the army wants us to leave because they ordered us to do *loh-ah-pay*. We will wait for a while, observing how the situation here is going.

According to Thar-kyi, 30, a Thin-kan Nyi-naung villager, who has carried out *loh-ah-pay* twice: once in mid-February and the second time at the end of the month, a long-low building with 80 military housing rooms mainly for officers is being built. By March 12th, 50% of the building was finished.

At the moment, the building is in the process of being completed. 50% of it is already completed.

There are 3-4 battalions for the BGF, including [No.] 1017 battalion, 1018 battalion, and 1019 battalion. Those barracks being built are more advanced and better than other barracks for other battalions. The barrack that we were ordered [to work on] in February is a type of office building, and we had to fill out that land plot for the construction of the office building. I still remember that we also had to carry stones to build the barracks of collection rooms for unmarried army members, hostels for army families, and other stores. To summarize, comparing with other battalions that I have seen, these battalions for BGF are more advanced. Of those BGF battalions, at battalion No. 1017, there is also a clinic. This was told to me by a friend of mine who had to work there [at the clinic's construction].

Thar-Kyi further explained that the Burmese army has in fact been hiring people to help. Instead of hiring local villagers, though, the army has hired skilled workers for building structure design, finishing the final steps, and other construction projects. These hired workers are paid 3,500 Kyat per day, and there are a total of 200 hired employees. He noted that those employees are not Karen natives from Ko Thar-Kyi, noticing the difference in their Burmese accents from local villagers. These employees have been hired from other regions to work in Thin-kan Nyi-naung village.

Knowing the effects that forced labor can have upon family livelihoods and the likelihood of experiencing abuses committed by army troops, some villagers fled their homes. In an interview with a Thin-kan Nyi-naung villager, Saw Nyi Naing, 33, who fled to Three Pagodas Pass Township in early March, he explained how the SPDC troops have been using villagers to do *loh-ah-pay* without compensation and that the SPDC has demanded that villagers bring their own supplies of wood and bamboo for the construction. Also notable in his description is that, different from past experiences of forced labor in which there were rotations throughout the village, those who are forced to work this time are chosen at random.

The Burmese soldiers (including not only the regular army, but members of the engineering army from Moulmein Southeast Command) organized and ordered [villagers] to do *loh-ah-pay*. The villagers have been ordered to do *loh-ah-pay* since the beginning of this month [February]. The villagers have to bring their own meals. Worse yet, no one gets paid. The orders given are not regular. The villagers are ordered to go for *Loh-ah-pay* not in turn [not ordered by rotation]. They [the army] ordered whoever they see to do *loh-ah-pay*. To give

Report

“To Whom Do We Report?”: Land Seizure by MOGE for the Expansion and Straightening of the Kanbauk to Myaing Kalay Gas Pipeline

For the past four months, the government owned company, Myanmar Oil and Gas Enterprise, has administrated extensive repairs and expansions to the gas pipeline from Kanbauk, Yebyu Township, in Tenneserrim Division to Myaing Kalay, Karen State. Repairs include the substitution of old parts of the pipeline, the straightening of the curved pipeline, as well as digging new roads for bulldozers and cranes to carry equipment to the pipeline areas. When expanding the pipeline, and paving new roads for the bulldozers, MOGE has cut through cultivator's land and plantations, splitting up their plots and destroying their crops and livelihoods. Local landowners have expressed frustration and upset that not only has their land been destroyed, or broken into multiple parts, but that this acquisition of their land is the second time locals have lost their landholdings, whether it be rubber plantations, paddy land, or other farmland.¹

Background

The construction of the Kanbauk to Myaing Kalay gas pipeline began in 2000. It is a 180-mile long pipeline meant to supply cement factories and electricity generation projects along Burma's southern peninsula. Documented in HURFOM's May 2009 report, *Laid Waste: Human Rights along the Kanbauk to Myaing Kalay gas pipeline*, construction of the pipeline resulted in the seizure of more than 2,400 acres of land from cultivators, with insufficient or no compensation. This current report also reveals that nine out of the 13 (70%) interviewees for this month - farmers and land or plantation owners - had already lost land during the construction of the pipeline from 2000 to 2001, in addition to losing land for a second time during the current expansion.

According to MOGE, after ten years, the pipeline is in need of refurbishing. Though the Burmese government claims that the remodel of the pipeline and substitution of 20-inch diameter pipes for 30-inch diameter pipes is necessary due to the pipeline's destruction by various insurgent, ethnic-armed groups, engineers working with MOGE have elaborated that the first construction included low quality pipes and materials and the pipes are in subsequent decay. HURFOM's report, *Laid Waste*, also detailed the fact that most pipeline ruptures occurred from leaks in the pipeline and the low-grade pipes².

The initiation of the pipeline, in conjunction with the increasing presence of army battalions to guard it, has resulted in numerous human rights abuses for villagers living nearby.³ Though the repair of the pipes could have the potential of being beneficial to residents⁴, the seizure of residents' lands has limited, and even destroyed, many living near the pipeline's livelihoods. The army consistently does not take the shape or outline of the resident's acreage or land into account before bulldozing or excavating right through the middle of their land, either ruining or dissecting it.

Whereas in the past, villagers, land owners, and cultivators did not not receive compensation, certain villagers whose land has been destroyed, declared that this time they would not watch these abuses in silence, but instead, would document the land seizure in detail, and petition the government for compensation.

¹Paddy is a field where rice is grown.

²p. 43-46 in *Laid Waste* details the pipeline explosions, and villagers views of the causes for the explosions.

³*Laid Waste* specifies that "battalions responsible for the pipeline have seized more than 12,000 acres of land as well as demanded daily support from local villagers... 'pipeline battalions' have also been responsible for a raft of violent abuses including torture, murder and rape."(2)

⁴Residents living nearby pipelines that are leaking, or have ruptures, are forced to pay the damages and the price of the leaked gas. Please see HURFOM's July 5, 2010 report, *We All Must Suffer: Documentation of Continued Abuses During Kanbauk to Myaing Kalay Pipeline Ruptures* (<http://rehmonnya.org/archives/1492>).

Interviews

The following interviews were recorded between February 20th and March 15th. Documents were collected from the households of local cultivators in northern Ye, Thanphyuzayart and Mudon Townships. Though HURFOM tried to cover all three regions aforementioned, local security conditions, strict checking of the government toll gates and check points, and the monitoring of the local pro-government groups and their secret informants, the information from most of the impacted local cultivators could not be collected. However, those interviews that HURFOM was able to conduct were in person and victims were able to explain and summarize the events in detail. The personal information and the names of the regions have been changed for the due security of the interviewees.

As a low-level engineer, working for MOGE, one 28-year old man explained that the Kanbauk-Myaing Kalay gas pipeline is being reinforced because it is 10 years old and decaying from inadequate technology and frequent explosions. This engineer explained that the number of pipeline sections will increase and the pipeline route is being modified and upgraded. On March 3rd, MOGE began the extension of the pipeline in Mudon and Thanbyuzayat Townships using welding machines, bulldozers, and cranes to carry the pipelines. Wae-thon-chaung village, Thanbyuzayat Township, Mon State:

In the past, most pipelines were extended along with the railways and roads. The railways and roads are excessively curved because they were constructed during the Japanese era [World War II]. For example, the route near the Thanphyuzayart exit and the Mudon entrance route are excessively curved. Now, the MOGE of Naypyidaw are straightening the curved parts of the main route of the pipeline. Welding technology of the pipeline sections was modernized, so that there is almost no chance for accidental ruptures. Moreover, the pipelines were ordered to be made with thicker walls and Korea-made steel. [The steel] can prevent the underground ionization process. These pipelines can be used longer and an accidental rupture becomes less likely. It is more secure because 97 percent of the pipeline is underground.



New pipeline sections placed near the railroad outside of Lamine.

By explaining that MOGE is installing superior quality pipes, this engineer essentially admits that the previous pipeline was made badly. MOGE never publicly admitting that leaks in the pipes may have resulted from its own construction of the pipes, has led to blame and subsequent taxation of villagers living near these pipes for ruptures and leakages. This taxation has been a very common form of punishment in which villagers were targeted solely for living near the pipeline in that area. Interviews with Sakhangi villagers in Thanpyuzayart Township revealed that 75% of the human rights violations committed against the villagers came in the form of levying taxes [fines] by the local authorities for pipeline leaks.

Min Tint Tun, a resident of a Mon village in northern Ye Township, during an interview in early March, explains how the pipeline, which is situated underneath a pond in his village, has a leak, and gas seeps into the water.

There is a pond near our village. The pipeline passes underneath that pond. That valley is where Daw Myint Than [aka Daw Mya Than]'s rubber plantation is situated. Now, the State confiscated the plantation saying it is pipeline land. When you look at the pond in the valley, you will see bubbles coming out due to a pipeline leak. There is a terrible gas smell that always comes out [of the pond].

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Because of that, no one dares approach it. The particular authorities always come to supervise [check the leak]. Now [the land] has been re-excavated there. Daw Mya Than's rubber plantation has been seized again [first in 2001]. The old area of the pipeline was not used and a new route was

made. What is left of Daw Mya Than's plantation is a long and thin shape. The rubber trees are still productive so it is really miserable [the rubber tree production was a current form of income for her]. Some trees are left.



Lining up the pipes before construction of the pipeline straightening

Due to the weakness of existing pipes during the extension of the gas pipeline, gas leaks or pipeline ruptures occur on average one time per month. According to Min Tint Tun, ruptures result from the use of low quality parts used by MOGE and that it is the villagers who suffer the most from pipeline ruptures:

We accept that they repair the pipeline and prevent the pipeline from leaking because we are [the ones] who directly suffered from ruptures in the pipeline. The minimum [repercussion villagers have to face] is having to pay for the leaked gas or being involved in countless [instances of] long-term forced labor. The worst is to be arrested and tortured. More than two times the pipeline ruptured near our village. The authorities forced the villagers to take responsibility for the consequences [of the rupture]. Now, we have accepted that we must repair [the pipeline], but we haven't accepted that the villagers' land has been unfairly seized. As everyone knows, we are really reliant on this land for our living so we are impacted even if one inch of land is lost. A huge number of rubber trees around our village were

destroyed due to the new route of the pipeline. Betel-nut trees were also destroyed. Also, there has been no compensation for the land we lost in 2002. Now, again, I do not hear anything related to compensation. It seems that [this project] is a State operated project so no permission is needed from anyone.

Unfortunately, for the villagers living in pipeline areas, this new construction of the pipeline is not just simply the replacing of faulty and rusted pipes with better quality pipes, but also includes the expansion of the pipeline into areas previously untouched by it. These areas may be only a few feet over from the currently standing pipeline, but after the land seizure that took place from 2000 to 2001, villagers had to relocate their fields. These relocated fields of paddy or rubber plantation may have been just a few feet over from the former pipeline. What is seen in many of these interviews, though, is that many of those villagers whose land was seized over a decade ago, are experiencing land seizure of their property for a second time due to the pipeline.



New pipeline sections placed near the railroad outside of Lamine in preparation for construction.

Interviews collected between March 5th - 8th revealed that more roads were made for the bulldozers, which ruined the paddy land and plantation. The land was bulldozed for rerouting the pipeline and cranes were used to carry sections of the pipeline on the newly bulldozed roads. Nai Ah-Nyan, 45, a resident of Kwan-

Hlar village of Mudon Township who makes his living from paddy fields explained:

Ours [the land] was ruined because of both the expansion [of the pipeline] and the construction of new roads for their bulldozers. My paddy mound⁵ was destroyed because of the excavation for a new road for their bulldozers. According to their land needs for the pipeline extension, six squares [sections] of my paddy land was taken. Among these six squares of paddy, three squares were separated into two parts. Three squares were completely damaged and the others are salvageable. [The construction team] did not ask for permission. We are the people who are suffering the most trouble from this pipeline. Ten years ago, we lost our land because of this pipeline. My parents passed away in disappointment because [the seized land] was the land they inherited from their parents. They were truly unhappy. Now, we also can't escape from the troubles caused by the pipeline. This land is our rice-pot [sustenance]. I have no [other] plantation and have to rely on this paddy land. [My land] has been ruined now and it means my rice-pot has been broken. I don't want to go to Thailand for work but because of today's situation, I must go.

Nai Ah-Nyan continued that his elder brother was included in a group of people who were arrested on suspicions resulting from a 2003 gas pipeline rupture in Kwan-Hlar village, and his family had to pay around 80,000 kyat to guarantee his brother's escape.

With no belief that he will be compensated for his land, the only other option for Nai Ah-Nyan appears to be leaving his home town and migrating illegally to Thailand for work opportunities. The pipeline construction has been quite successful in pushing ethnic people off of their land and forcing them to relocate either within their home state or traveling illegally to Thailand for work option. Currently, there are over two million migrant workers from Burma working in Thailand.

In the 1960s, the Burmese government began a campaign called the "Four Cuts." This campaign was designed to put pressure on ethnic minority groups and living in the border areas to



an area of the pipeline that has already been replaced but not yet covered up, southwest of Lamine Sub-Township

weaken the connection between insurgent groups and ethnic villagers. The four cuts pertains to food, funds, intelligence, and recruits. The "Four Cuts" affects locals by forcing them to leave due to land seizure, forced labor, arbitrary taxation, and other forms of punishment that make it impossible for locals to sustain a livelihood in their home areas. Though the "Four Cuts" strategy had officially discontinued for a time, on March 4, 2011, the War Office in Naypyidaw ordered the reinstatement of the "Four Cuts" campaign⁶. The gas pipeline expansion and construction of new roads is one method of ruining villagers livelihoods and forcing locals to move out of their homes.

A document collected on March 5th, revealed that during the construction of the new pipeline route in Mudon Township, at least seven villages lost between 200 and

400 acres of paddy land or rubber plantation land. As claimed by Nai Tun Nai, a 55-year old farmer from Set-twe village, it is more likely that more land will be ruined. His own paddy land has already been devastated:

About two of my four acres of land were ruined. The team who constructed the pipeline made a line with bulldozers [through it] without asking my permission...a fifteen foot wide [strip] of my two-acre land was all destroyed, though I begged [them not to do so], but they replied that they were acting according to higher officials' orders. I already lost two acres of my six acres of land during the land confiscation for the pipeline in 2002. Now, about two acres of my land has been included

⁵Area where farmers collect harvested paddy and do the threshing to release the rice from the husks.

⁶Please see the Irrawaddy's article, "Naypyidaw Orders New "Four Cuts" Campaign," by Wai Moe. http://www.irrawaddy.org/article.php?art_id=20880

[in this confiscation]. What's worse is that that land is paddy threshing ground⁷. To whom do I have to report? Like my own land, Ko Thein Tun's land was also bulldozed.⁸ His paddy land is now separated into two parts because the digging was done in the middle [of his land]. Another plantation owner's [land] has also been ruined. No compensation was provided [in any of these cases].

Nai Seik Rot, a farmer living in Yaung-daung village, Mudon Township, provides the details of how his 1.8 acres of farmland was destroyed by the government project of reconstructing the Kanbauk-Myaing Kalay gas



Pipeline which has not yet been placed in the ground. The ground will be excavated adjacent to the pipeline, dug five feet deep and the pipeline will be placed there.

To repair the pipeline, they, a group of government engineers, came to check out my farm often. That was in November 2010 [when they came to check]. When the time came to install the new pipeline, they did not dig up the old pipeline. Rather, they measured another new route which is 7 ft. from, and parallel to, the old pipeline route. When we asked them what the measurements were for, they replied that it was for the new gas pipeline route. It is estimated that 1.8 acres of my farm is

measured for the new route. Because they drive in their excavation machines through my paddy fields. The path leading through paddy fields is one of destruction. My farmland is destroyed when those excavation machines drive through.

Nai Seik Rot added that the installation of the new gas pipeline has included the seizure and subsequent destruction of 48 acres of farmland, belonging to 18 Yaung-daung villagers. He further explained that 50% of the farmers whose farmland was used for the previous pipeline installation in 2001 has now been destroyed for a second time.

Eyewitnesses explained that not only valuable paddy land, but also the rubber trees on which locals rely, were lost due to the re-extension of the pipeline. Three of the interviewees estimated that in Thanphyuzayat Township alone, almost 100 acres of rubber plantation were appropriated for the pipeline expansion. Rubber cultivators estimated that at least 4,000 rubber trees were lost. Additionally, most of the rubber cultivators who just lost their land had already been impacted in the 2000-2001 pipeline construction.

An interview in early March with Min Tin Thun [above]'s fellow villagers, U Kyin Phay, Daw Ma Myo, Nai Kyaing, Daw Ma Than, in Northern Ye Township, documented an additional loss of 80, 66, 120 and 300 rubber trees respectively. All of these plantation owners individually lost between two and four acres of land due to the order of the Ye Town Peace and Development Council (TPDC) for the first extension of Kanbauk-Myaing Kalay gas pipeline ten years ago. U Kyin Phay, 61, a former school teacher and a resident of northern Ye Township, Mon State:

On one hand, the land we live on is under the rule of law [living in Burma, which is a government that has laws by which it rules]. In everything there should be an explanation of cause and effect. We should receive protection by the laws set in place. Now we have to, for a second time, lose our property again due to this pipeline issue. We know again that we can't report to anyone. The person who [oversaw] the digging of the land said that he is just a civil servant and that he has to do as he is instructed so 'please try to understand' him. Currently, we have been planning to report [this case] to the chairman. There is a hierarchy so the highest is the State president.⁹ The process is done and the trees are already ruined, but we want to get fair compensation [for this loss] because we rely only on these trees for work.

Unlike the previous quotes by villagers' whose land has been requisitioned, U Kyin Phay expresses a desire

⁷harvesting ground- the paddy has already been gathered and is ready for releasing the rice "seed".

⁸a paddy land owner whose land is adjacent to his farm.

⁹They will submit their case to the chairman of Mon state.



A bulldozer digging up earth to cover the pipeline.

to use the political rights afforded him and make a plea to the recently elected government. His wish to take action is echoed in interviews with villagers from Mudon Township. According to the information from the field, of the three townships, Mudon Township, in which MOGE is constructing a new route instead of remodeling, is the most impacted by the Kanbawk-Myaing Kalay gas pipeline. An anonymous observer from Mudon Township explains:

The land was continuously impacted from the Thanbyuzayat exit – Phaung Sein, Kwan-Hlar, Yong-Don,

Hnee-Padaw, Set-Twe, Doe-Mar and Kalogtot to Kamawet. Some areas more so than others. Because they didn't re-excavate the old pipeline. They left (the old pipeline) in its original state and made the new pipeline route in a different area. Therefore, the new paddy land was impacted. Like us, the villages before Mudon and in Kamawet were also impacted. To whom do we have to report?

Repeating the desire to report the abuse of land confiscation, Nai Myint Win, a Naypyidaw villager and farmer, who is 40 years old, reflects on the loss of farmland from the pipeline installation in Mudon Township:

I do not think that we can ask [MOGE] to dig out the pipeline, stop this gas pipeline project, and give our farms back to us. They, the government, have never responded to what we request. What is possible for us to hope for is to get fair compensation [for our lost land]. We ought to ask them, the government, for the compensation of our destroyed farmland so we can set up other businesses. There are some of us whose farmland was taken over during both the first installation of gas pipeline and second installation of pipeline while others only had their farmland taken during this second time. Because of the loss of our farmland, it can affect our livelihood, and it would be much better for us if the central government considers



A canal that has been dug through an already harvested paddy field in northern Ye Township.

¹⁰The All Mon Regions Democracy Party was the sole Mon party to participate in the nationwide elections that took place on November 7, 2010. Out of 34 positions in Mon State, AMDP won 16.

¹¹On April 30, 2004, the Burmese government instated The Electronic Transactions Law Electronic Act (SPDC Law No:5/2004) which allows the Burmese government to charge citizens with violations such as using the computer to write a petition against the government, etc. A breach of the Electronic Act can result in 7 to 15 years jail time and a fine. The term can also be extended five years. Please see Inter Press Service's article, "Junta Turns to Draconian Electronics Law to Silence Critics," by Marwaan Macan-Markar. <http://ipsnews.net/news.asp?idnews=49933>.

giving compensation for our farmland after sending a petition letter with our signatures to them. Therefore, now we want to approach the All Mon Regions Democracy Party (AMDP)¹⁰ to talk about this.

Though many villagers were united in wishing to make a case for their land loss, they also voiced worry at the repercussions for doing so, such as the possibility of being charged and punished by the government, with the possibility of jail time. Nai Ni, a Ni-pa-daw villager, who currently lives in Sat-twe village, on March 10th :

If they [send the petition] the government could make things worse; they will charge us with any punishment. And they will charge us because of writing the letter by using a computer – that is what is said under the electronic section¹¹. Worse yet, if we signed the petition letter, it will interrupt the government project, and as a result, we will be charged under another punishment or one more section. Consequently, we will not only lose our farmland but also be jailed. That is what we worry most about. For me, I will believe that that happens because of our misfortune or bad-luck rather than saying anything.



New pipeline constructed on farmer's land in Thanbyuzayat.

In Mudon town, Mon Buddhist monks and educated youths are making an effort to gather together the farmers who lost land and to become organized. A young Mon Buddhist monk who is studying Pali¹² at a monastery in Mudon town, reported that his relatives are also facing many difficulties due to the gas pipeline project. He is hopeful that the new government, which began on April 1, 2011, will help right some of the wrongs inflicted upon the villagers, such as land seizure:

At the moment, because of this gas pipeline project, everyone is thinking about how to sort this problem in a way that can satisfy them [the farmers], including my relatives. What I'm thinking is that we have to get the list of the amount of farmland that's been destroyed or taken over, and we can report about this, with the list, to the new government operating in Mon State. Also, since there is our Mon Party – the AMDP – with their help, we can solve this problem. I think, we might be compensated for our farmland. Also, we have got to request [the government] to stop taxing and oppressing us as we have been levied and suppressed by the government for 10 years. To say what is obvious, since this gas pipeline project started, the civilians living along the pipeline have not gotten any electricity access [since the gas pipeline project started in 2000, villagers in that area do not have electricity], nor has anyone even gotten a penny. Rather, everyone has suffered and faced many difficulties.

Analysis & Conclusion

Repeated in all the interviews conducted for this report, is the fact that all interviewees, whether they are cultivators or landowners, have suffered from the reconstruction and expansion of the gas pipeline running from Kanbawk to Myaing Kalay. In fact, villagers living near the pipeline have been suffering since the first

¹²The language used in the original documents of Theravada Buddhism.

construction, which began in 2000. The first construction involved the excavation and placing of roads that



Bulldozer is digging ground to replace a new pipeline in northern Ye Township.

very often passed right through paddy fields, rubber plantations, and even people's homes, destroying many villager's livelihoods. These violations against the villagers during the first construction never resulted in adequate compensation or, in most cases, compensation of any kind. Most villagers had to re-setup and replant their paddy or rubber trees in order to sustain a livelihood in their village.

Now, the re-expansion of the pipeline, which includes new roads in some areas, once again does not take into account the areas in which villager's homes and

landholdings are situated. Once more, villagers are subjected to disregard and roads are dug straight through their fields, devastating their crops and sources of income. Most villagers are already living in subsistence levels, so the annihilation of their livelihoods has resulted, for at least one person mentioned in this report, in needing to leave his home village and find work in order to survive.

It is important to note, however, that while villagers received no compensation during the first construction ten years ago, some villagers interviewed in Mudon and Thanphyuzyart Townships stated their desire to seek compensation this time around. Whereas in the past, experiences of the human rights abuses committed by the Burmese government against the villagers had taught villagers not to seek retribution for these crimes, many have become aware of the possibility to help themselves.

There are two possible reasons for why villagers now dare to make a claim for land loss. One is the appearance of Community Based Organizations (CBOs) throughout ethnic villages. Before the pipeline construction, there were only health organizations, but in the past ten years, other organizations such as monk associations, youth associations, literature and culture associations, skill clubs, and farmers associations have materialized throughout the villages. Though many of these associations carry out their purpose in accordance with their title, it is through these CBOs that villagers are able to receive outside information as well. In addition, the National League for Democracy (NLD), the leading democracy party in Burma, which boycotted the November 7th elections, has also sent lawyers to villages who are capable of working on human rights abuse cases.

A second reason for an unaccustomed boldness amongst villagers may also be a result of the nationwide elections that took place on November 7, 2010 for the first time in 20 years. Though the elections have been dubbed fraudulent by most international powers and also by many inside Burma, the knowledge that a new government is in place and that the ethnic Mon people have representatives in the form of the AMDP, has elicited a way in which villagers can make their claims heard. Those villagers who announced that they plan on writing a petition for land compensation also mentioned that they now have a political body in Mon State to represent them and their needs.

Even with the implementation of a new government, laws enacted before the new government took effect are still applicable and enforced. This means that if villagers muster up the courage to petition and inform the Mon State government about the land confiscation abuses, it is still highly likely that government officials will use laws such as the Electronic Transactions Law to penalize those villagers who report on the human rights abuses. It is important, therefore, for those CBOs present in the villages to take notice of the land confiscation and abuses committed against villagers living near the gas pipeline. Additionally, it will be crucial to take note of how the new government deals with abuses inflicted upon villagers by government owned companies, if the abuses will decrease or remain the same.

News

Young women and elderly forced to Porter in Kawkareik Township, injuries result

March 15, 2011

Residents of Kawkareik Township have been pressed into service as porters by the Burmese army Infantry Battalion (IB) No. 32. According to residents, porters included young women and youth who were forced to carry supplies to the top of a nearby mountain to a forward unit base of IB No. 32. While porters were able to return the same day, some have suffered injuries from the extreme loads and steep uphill climb. This brief highlights the State Police and Development Council (SPDC)'s continued use of forced labor which is classified as a crime against humanity, and highlights how even the most basic forced labor is a danger to the victims involved.

Kawkareik: SPDC troops used residents living in Ah-zin village tract, Kyaik-don sub-township, Kawkareik Township, Karen State as porters on February 20, 2011. A SPDC battalion, Infantry Battalion No. 32, led by Captain Nyunt Win, arrested Kamar-kalae residents to serve as porters of the battalion's army rations. Young women were included in the group forced to serve as porters.

Porters from Kamar-kalae were forced to carry the army supplies to the IB No. 32 base located at the top of Maekatee Hill, five miles from Maekatee village and about four miles northeast of Ah-zin village. Kamar-Kalae village has around 80 households and is seven miles from Maekatee village.

Saw Dee, 57 years old and father of Naw Paw Buu, explained that this time IB No. 32 arrested not only men but also young women, including his daughter. Once all the porters came home safely, he explained that he became less worried:

On February 20th, 2011, the Maekatee advance unit Cap. Nyunt Win came to arrest everyone he saw in the Maekatee village to porter the army's supplies. My daughter was arrested to porter while she was going to pick some vegetables to cook. It was in the morning that she was arrested. She is only 17 years old, and I was so worried about her. The Burmese troops are not like human beings; they just do whatever they want to. My daughter came back home safely in the afternoon together with other arrested villagers used to porter. My daughter told me that there were not only men but also some women involved in the portering.

According to his younger brother, Saw Ah-kae, 30, was arrested by the Burmese troops to serve as a porter and has been suffering from lower back pain ever since. Saw Ah-Kae was forced to carry a 30 kg

bag of rice on top of 12 kg of other supplies on his back. This weight has caused him back pain from that day until now, two weeks later. The back pain has kept him from being able to perform his normal work and he is currently being treated with only herbal medicine:

They, my elder brother and other villagers arrested to porter, were sent to the Burmese' soldiers camp right after being arrested. They were given army supplies to carry and headed to the base on the mountain together with the soldiers. They had to carry the supplies up to the top of the mountain. It is 5 miles from our village to the top of the mountain. The distance they went was okay, but it was the amount of army supplies that they had to carry while climbing up the hill. Luckily, they all came back to their homes on that day. We, everyone in the family, are very worried for my brother. Nine men and five women were forced to porter according to the list of the villagers gathered by HURFOM. Among the five women, three were under the age of 18, considered underage by the International Labor Organization's (ILO's) standards (ILO). One man in the group was also under the age of 18.

Though the Burmese government has renewed its agreement with the ILO on the suppression of forced labor and child labor^[1] this report confirms that the use of forced labor is ongoing and even includes boys and girls, with four out of the fourteen villagers forced to porter under the age of 18, which is child labor according to the International Labor Organization standards. Even with the signing of an agreement there have been reports in which the Burmese government threatens and punishes individuals who report abuses to the ILO.^[2]

It is important to note that the groups included very young women and men as well as older males and females due to a common exodus of males from the village once villagers are notified that a Burmese battalion plans to visit their village. The Burmese army has been known to accuse villagers of allegiance to rebel groups such as the Democratic Karen Buddhist Army (DKBA) and the Karen National Union (KNU). Incidences of outright execution have been reported when Burmese soldiers are suspicious of villagers' involvement with Burmese government decreed Öinsurgent groups. ^[3]

With the recent announcement by the Nay Pyi Daw government to bring back the anti-insurgent Four-

Cuts policy, it is important to take note of the potential increase in instances of forced labor and other abuses committed by Burmese soldiers amongst the area's ethnic communities. [4][5] This

policy is likely to result in a drastic increase in crimes against humanity committed deliberately and strategically by Burmese soldiers against ethnic communities that remain in the area.



No Longer Able to Provide Rice, the MRDC Contemplates Providing Money

April 7th, 2011, IMNA

Lyi Htaw - Ever since the Burmese army base in Tavoy forbade the transportation of rice to Tavoy District, Tenasserim Division in 2010, the Internally Displaced Persons (IDP) camp there has suffered from a significant shortage of rice.

According to a Mon Relief and Development Committee (MRDC) member at the Tavoy Resettlement Site, residents living in Tavoy District are subsisting on "rice gruel" [watered-down rice].

This ban on rice transportation resulted from the refusal of the New Mon State Party (NMSP) to join the Burmese army's Border Guard Force (BGF). The area in which the IDP camp is situated was formerly under NMSP control and this ban is a punishment resulting from their refusal and subsequent end to the ceasefire agreement between the NMSP and the Burmese government.

The MRDC is consequently experiencing difficulties in aiding the IDP camp residents. Currently, MRDC is trying to find a way to continue their assistance to the camp for the year 2011. MRDC staff have now explained that they will aid the camp monetarily instead.

The MRDC secretary, Nai Panyar Ein, worries that monetary aid will be less beneficial than providing rice. "If we provide the rice, it's okay for the IDPs but if we give money, there will be a problem because it may run out," he explained. Providing rice allows those people who receive it to ration their portions, whereas providing money is less stable, and MRDC worries that the money will be spent on other commodities.

MRDC aids the Tavoy IDP camp three times per year. Each internally displaced person receives one

bag of rice, equalling 45 kg. Normally, the MRDC spends 20,000 kyat for the rice it provides. Nai Panyar Ein explained that if aiding monetarily, they hope to provide the same amount of money.

As of now, though, the MRDC has not received money from its donors yet, and therefore, does not know how much money they will be able to provide this year.

The rice transportation ban stipulates that a car can only carry two bags of rice at a time. To transport rice from Mon State to Tavoy District, one must pass a Burmese army checkpoint, which makes carrying more than two bags of rice impossible.

Currently, the Tavoy Resettlement Site carries its rice from Yebyu township, Yebu village, Tenasserim Division, which is about ten miles away. Yet, if the Burmese army finds out that the IDPs are carrying the rice, the Burmese army stops them in their path.

There are five villages in the Tavoy Resettlement Site. Four of these are permanent residents, while the fifth village is used for temporary refugees from conflict areas. Around 2500 IDPs currently live at the resettlement site.

The camp area is located about 10 miles from the Tavoy highway as well. Supplies have to be transported via cart during the dry season and by boat during the rainy season.

Most IDP camp residents gain their primary incomes from highland rice cultivation, cashew nut farming, and by working as day laborers. The MRDC supplements these incomes with rice supplies.



KPF Soldier Commits Suicide After Shooting a Civilian

March 29th, 2011

By Independent Mon News Agency

A member of the Karen Peace Force (KPF) in Three Pagodas Pass (TPP), at the Thai-Burmese border, committed suicide after shooting a female civilian on March 24th.

Eye witnesses from TPP reported that Kyaw Zay Ya, a man of 33 year-old, put a gun to his mouth and pulled the trigger after shooting a woman at a KPF military checkpoint. Kyaw Zay Ya had ordered the

woman to stop her motorbike, but she refused and tried to drive away.

Slightly inebriated, when Kyaw Zay Ya saw the woman drive away, he shot her. Believing the woman to have died after she fell off the motorbike, he took the gun and shot himself.

In fact, the woman did not die after being shot in the leg, and sustaining a neck injury. According to

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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:

HURFOM, P. O. Box 2237, General Post Office
Bangkok 10501, THAILAND
E-mail: hurfomcontact@yahoo.com
Website: <http://www.rehmonnya.org>

With regards,

Director
Human Rights Foundation of Monland

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a source close to her family, she is currently being treated at a hospital in Kanchaburi province, Thailand.

The woman was visiting her relatives in Burma when she was shot. According to Burmese pronunciation her name is Zar Wod Lee. She is Burmese-Thai and resides in Thailand.

The KPF is a Karen ceasefire group, which demands taxes from border traders along the Thai-Burmese border in TPP. The group agreed to become part of the Border Guard Force, under the control of the Burmese army. The KPF currently has 30 troops.

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Post-Ceasefire Education Role Thrown into Question

March 31st, 2011

By LYI HTAW - Members of the Mon National Education Department (MNED), under the control of the New Mon State Party (NMSP), will hold a meeting in Nyi Sar, near NMSP headquarters, on April 2nd and 3rd, to discuss the future fate of the existing Mon national schools in Mon State.

The end to the ceasefire between the NMSP and the Burmese regime has caused the MNED to deliberate on whether or not they should offer their schools to the control of Mon civilians, and then change the name of the schools to Mon Civilian School. "We have considering offering our schools to Mon civilians. We will discuss this at the meeting," said a committee member of MNED.

According to MNED statistics from 2010, there are 272 Mon national schools, of which 154 are managed by MNED, and the other 118 have a mixed curriculum of Burmese and Mon-language lessons.

MNED members have experienced difficulty travelling through regime controlled areas after the ceasefire agreement collapsed in April 2010,

making it difficult for MNED to manage the schools under their control.

Some Mon community leaders have considered letting Mon Buddhist monks lead and manage the schools in order to maintain the teaching of Mon language. Other community leaders are contemplating on whether the schools should join the state-run schools in Mon State, and therefore become under the control of the Burmese regime.

"We do not agree with letting the government schools take over," said Nai Aie Con from MNED.

In 2002, Mon classes became an integral part of the school curriculum in Mon State, which was seen as a benefit of the ceasefire agreement for Mon children.

Since the NMSP signed a ceasefire agreement with the Burmese junta in 1995, an informal understanding between the former Burmese Prime Minister Khin Nyunt and the NMSP, allowed the Mon language to be taught at Mon national schools and even taught at some state-run schools in Mon State.

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Human Rights Foundation of Monland-(BURMA)

Dear Readers,

The Human Rights Foundation of Monland - Burma (HURFOM), a local ethnic Mon human rights organization, has been providing you with human rights news, analysis, accounts and reports through the newsletter, *The Mon Forum*, on a monthly basis for 15 years.

Since then, changes in technology have been swift, and HURFOM, concerned with improving the effectiveness of our distribution to readers around the world, has decided to collect feedback on our readers information, learning and researching needs for the printed paper publication and our digital format. HURFOM collected responses from readers between the months of January and March 2011, in which many wrote that the digital format or other forms of e-publications are more useful than the paper publication. Still, some readers responded that both formats of the *The Mon Forum* newsletter were desired.

Based on our readers' responses, HURFOM, would like to announce the distribution of our monthly newsletter in digital format beginning April 2011. For those readers who would still like to receive a printed version, please send us your mailing information and we will deliver. Thanks to all readers for your responses and cooperation.

The Mon Forum
Human Rights Documentation & Dissemination Project
Human Rights Foundation of Monland - Burma

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