Page 2  The Refugee: A People’s Story
Page 4  ASEAN and Burma: Time to Take out the Trash
Page 6  Between a Rock and a Hard Place: Rohingya Refugees in Bangladesh
Page 8  Special News Brief: French Oil Giant TOTAL Role’s in Burma Targetted
Most people, when they see the word “refugee,” think of people with no food to eat, no clothes to wear, no place to stay and no education. This may have been caused by natural disasters, war, or political or economic factors.

Some people sympathise for refugees and try to help them in many ways. Some provide clothes, food and medicine. Some try to improve refugees’ skills by providing many kinds of training. Some people help by becoming involved with refugee communities, learning about their situations, their struggles and their ideas, and try to empower them. Others may feel nothing about refugees and don’t care about them.

So what is your position on refugees?

The way that outside people can help depends on the type of refugee involved, and on the reason for which they have left their homelands. For refugees who have been the victims of natural disasters, it may be enough to provide food, clothing and medicine. But for refugees who have fled from war or for political reasons, material goods alone may not be sufficient. It may be necessary to improve their skills, to empower them and to support their struggle to return to their homeland in peace.

I think the most difficult way to help refugees is to empower them. You must first learn the people’s conditions, their ideas and their struggle. Sometimes their thoughts or ideas will not be the same as yours. It takes a lot of time if you want to change their ideas.

If you are illegal, everything with you is already illegal.

One spring day, two trucks stopped in the middle ground of a refugee camp in Mae Hong Son. Both were filled with bicycles. The trucks were quickly surrounded by children. “Hey! There is my bicycle.” “The red one is my father’s.” “Where are they taking our bicycles to?” Even the elders in the camp watched what was going on and commented to one another. One man said, “We bought them with our own money. How can they just come and take our bicycles without paying?” A man cried back at him, “Hey, it’s not your country. You have to know that you are illegal and they can do what they want.”

After being filled with every bicycle from the camp, the two trucks started to move back into the town. The refugees were left in the camp unhappy and confused. The local authority later said that they removed the bicycles because they thought they were stolen.

These refugees have been suffering from the war in Burma for many years. In their own land they had built their lives in a very simple way, by growing rice, raising cattle, selling crops, and so on. They mostly used silver coins as their money because they are easy to carry and conceal underground. They always moved from one place to another. When the Burmese invaded their land and moved them away they lost their land, their cattle and their crops, but were able to hold on to their coins. Even though they fled to Thailand as refugees, some of the could carry their silver coins with them and sell them.

One time in the refugee camp, my cousin was arrested by the local authority after they found a bottle of illegal alcohol in his house. The alcohol was used by his father as a herbal medicine before every meal. My cousin had to stay in jail for three days and was only released after pay-
ing 5,000 baht. His family had to sell some belongings and borrow money to raise this amount. The local authority came to the camp several times, checking the houses for illegal alcohol or drugs. They arrested people who were making jungle alcohol and took their things. Each family had to pay 3,000 to 5,000 baht to get their family members out of jail.

It is very difficult to find out exactly what rights refugees have. Even though you have money, you cannot buy things. The local authority can at any time come and take away your things without reason. You are always under suspicion. They want you to just stay quietly in the refugee camp. Your life is the same as that of a prisoner. You are separated from the outside world. You have very few opportunities to learn new things or to have new experiences. One way to learn is by depending on outside people who come to the camp to help. Other ways are by speaking to elders, or by reading books, or by listening to the radio.

Yes, if you are illegal, everything with you is already illegal. They way you act, the way you speak and the way you think is always seen as being false. Even the few things that you think you own can be taken away. Sometimes you feel that nobody smiles at you.

Human dignity is taken away from you

There is a wall separating refugees from legal people. It is very difficult to be the same as others. It seems that your demeanour is different from that of others. Sometimes your smile is not sweet for them.

One time, we were arrested in the immigration office for illegally going to the city. The officer was angry and questioned us. “How did you get the money to come to the city? Who gave it to you? The donors already gave you food to eat and land to stay on; why couldn’t you just stay quietly?”

Before I thought we were human beings like everyone else. But I came to understand that we have to struggle to make people recognise us as human beings.

In the refugee camp, the bazaar seller’s truck always comes from the city to sell fruit and vegetables. They also sell the rotten meat and fish which they are not allowed to sell in the city. Because the refugees are not able to go to the city and do not have a lot of money, they are forced to buy the rotten meat and fish. After selling to the refugees, the traders throw the leftover meat and fish into the river.

Yes, even though you are a refugee and have so little money, you are still the last target of the bazaar seller. They can make a little money from you.

Thai villagers too can exploit refugees. Because refugees have no work or way to get family income, they work for villagers for tiny amounts of money. Legal workers earn at least one hundred baht per day, but refugees can make only 40 to 50 baht for the same work.

These are just some examples of the types of hardships faced by refugees on daily basis.

If you are illegal, everything with you is already illegal...
ASEAN AND BURMA:
TIME TO TAKE OUT THE TRASH

BY S. DOHERTY

With Burma set to take over as Chair of the Association of South East Asian Nations (ASEAN) in 2006, pressure is mounting on member countries to decide whether they are willing to be represented on the international stage by a notorious military dictatorship.

ASEAN’s goal as an organisation is to promote economic growth among its members, while at the same time securing peace and security in the South East Asia area. It also acts as the forum through which the region promotes itself to the rest of Asia, Europe and the US. There are currently 10 members, with Burma having joined in 1997.

Burma’s membership has caused major problems for ASEAN’s relations with its dialogue partners. The lead-up to last summer’s ASEAN Summit meeting between ASEAN and the European Union (EU) was a diplomatic nightmare, with several European countries unwilling to attend if Burma participated. In the end a compromise was reached whereby the EU accepted Burma into ASEM on condition that Rangoon sent only a low-level delegation to the Summit in Vietnam. Surely this was just a small taste of what lies around the corner next year when Burma takes over the ASEAN Chair and hosts the ASEAN Regional Forum. The US can be expected to be similarly unwilling to deal with the junta, having already taken a harder line than the EU in relation to sanctions.

ASEAN members are certainly aware of the problems that lie ahead for the bloc unless a dramatic change takes place in Burma. They must also realise that they are well placed to exert pressure on the regime, which appears to be far more interested in the views of its neighbours than in those of the US or the EU. Sanctions imposed by western countries have so far proven ineffectual in bringing real change for the people of Burma. The mass release of thousands of prisoners just before last November’s ASEAN meeting in Vientiane, Laos, showed on the other hand that the generals are eager to please ASEAN countries.

All this begs the question of why then, if it is in the interests of the bloc as a whole, more pressure has not been put on Rangoon to take meaningful steps in the direction of reform. The short answer is ASEAN’s principle of non-interference in the internal affairs of its members. This shield from criticism has been wielded in the past by strongmen such as Suharto of Indonesia and Marcos of the Philippines. More recently, at last November’s meeting, Thai Prime Minister Thaksin Shinawatra threatened to walk out if the issue of the ongoing violence in Thailand’s southern provinces was raised.

With Burma, ASEAN had hoped that a policy of “constructive engagement” would slowly encourage Rangoon to open up its political system. This approach has been a great boon for Burma’s generals, allowing them to participate in ASEAN despite ongoing appalling human rights abuses and a farcical “roadmap to democracy”. Non-interference means that Burma’s internal affairs are effectively untouchable.

The issue for ASEAN now is just how important the principle of non-interference is. Is it worth retaining even when it means that the bloc’s effectiveness and significance on the international stage is jeopardised? It appears that ASEAN members are no longer willing to turn a blind eye towards what is happening in Burma, and there may be limits to exactly what the junta can get away with.

The mass release of prisoners announced by Rangoon just before the Vientiane ASEAN Summit was widely praised, in Asia and beyond. ASEAN responded by keeping the appalling situation inside Burma out of the final summit communiqué. However, just before the end of the last day of the meeting, reports began to circulate that the Burmese authorities had extended the house arrest of opposition leader Aung San Suu Kyi. The timing of the move, and the refusal of Burma’s Prime Minister Soe Win to confirm it in Vientiane, was a remarkable stab in the back for ASEAN countries, many of whom have long pushed for the release of the Nobel Peace Laureate, showing just how confident the junta is that it can act with complete impunity.

ASEAN governments were quick to respond. On the Monday after the Summit, Malaysian Foreign Minister Syed Hamid Albar told reporters in Kuala Lumpur that Burma should release Suu Kyi to convince the international community that it remains serious about bringing democracy to the country. “Myanmar [Burma] has re-affirmed [its] commitment towards democratization…but they have never spoken
about the release of Aung San Suu Kyi,’’ said Syed Hamid. Indonesia’s foreign ministry spokesman Marty Natalegawa similarly accused Burma of dodging the issue of Suu Kyi’s release. Although falling short of a stern rebuke, the reactions did show that there is a growing sense of frustration with Rangoon’s antics.

More trenchant criticism came from an ASEAN inter-parliamentary workshop held in Kuala Lumpur, Malaysia, at the same time as the Vientiane Summit. The caucus involved elected representatives from Malaysia, Thailand, Philippines, Indonesia, Cambodia, and Singapore. They released a statement saying that “The chairmanship of Asean cannot be awarded to Myanmar in 2006, without undergoing systemic and irreversible change in its governance.” The group even went as far as calling for “an immediate review of Myanmar’s membership of ASEAN.”

More recently the group of legislators has denounced the ongoing constitution-drafting National Convention as a sham, and national representatives have vowed to push their own governments to tell Rangoon that it must release Aung San Suu Kyi and to make real moves towards democracy before being allowed to take over the ASEAN Chair. In early February, the caucus discussed sending a mission to Rangoon to evaluate the country’s situation by talking to the generals and Suu Kyi, although the Burmese authorities turned down the idea, saying such a visit was inappropriate while the National Convention was meeting.

It would appear therefore that the principle of non-interference may not be as firmly entrenched as it once was. Constructive engagement has been a failure with Burma. ASEAN has tough questions to answer before 2006. Is it desirable to have a brutal military regime chairing the group? Is the non-interference approach still sustainable?

The vision of an ASEAN community repeatedly endorsed in Summits is to achieve a single market by 2020, with a free flow of people, goods, services and investment in a region encompassing more than 500 million people and annual trade totalling US$720 billion. ASEAN may have lessons to learn here from the EU, a grouping that is further along the spectrum of integration. As with ASEAN, the EU originally focused on purely economic goals. Since then, however, the aims of the organisation have gone far beyond the merely economic, and it has become a truly political union. As a consequence, human rights have found their way onto the agenda of community institutions.

The most recent EU Constitutional Treaty includes a Charter of Fundamental Rights for citizens, and, perhaps most interestingly for ASEAN, a specific provision whereby a member state’s membership rights can be suspended where there is a clear risk of a serious breach of certain fundamental Union values, namely, “respect for human dignity, liberty, democracy, equality, the rule of law and respect for human rights.” Accession to the European Convention on Human Rights is also effectively a prerequisite for new member states.

If ASEAN aspires to follow a similar path in relation to integration, it should consider including human rights in its remit. In any case, to have Burma as the Chair of the organisation would be disastrous for the group, not just from a human rights perspective, but also in economic terms. If it is to have international credibility it must recognise that it has a responsibility to take action against Burma. The junta derives legitimacy from its participation in ASEAN. In exerting its influence on the Burmese regime, ASEAN would be advancing its own interests while also seizing a real opportunity to jolt the junta into taking action. Hiding behind a policy of non-interference is just not good enough. The generals should not be allowed to take the ASEAN Chair unless dramatic changes take place in the country before next year.
In October of 2004, the government of Malaysia, despite its generally ambivalent posture towards refugees, declared that it would recognize the Rohingyas, a group of Muslim people who live in Arakan State in Burma, as refugees and would furthermore offer them identification documents and work permits. Although the Malaysian government declined to offer Malaysian citizenship to any Rohingya refugee, the government’s actions are nonetheless significant, especially as Malaysia is the first and only country in the world to offer resettlement opportunities to this population.

A few months after this announcement, on the 15th of February, 2005, researchers from Forum-Asia, a Bangkok-based organization, conducted an interview with Kabir (not his real name), a 17-year old Rohingya refugee from Kutupalong Camp in Bangladesh, who decided to make the long trip to Malaysia with a group of men from his camp. In response to the lack of basic freedom and opportunities in camp life in Bangladesh, this young refugee resolved to forge new prospects in Malaysia, despite the risks associated with the long trip. His story, poignantly told on the eve of his departure to Malaysia, reflects the simmering frustration of other Rohingya refugees, who observe that their livelihoods in the refugee camps are no more certain or stable than they were in Burma. As this 17 year old says, “We may die at sea or may be arrested on the shore, but we consider that death or arrest is better than the present life in the camp”.

The Rock: Burma

“Why did our parents leave Burma more than a decade ago? Of course, there was no freedom of movement, no freedom of speech, no citizenship, no right to work, no support, and only persecution by the government. But here in the camp we face the same situation,” says Kabir.

When speaking of their homes, Kabir and other Rohingya refugees from Arakan State, like refugees from other parts of Burma, tell similar stories of forced labor, land confiscation, extortion, sexual assault, and arbitrary taxation. However, the Rohingyas, unlike other groups in Burma, must also face a regime that fundamentally opposes their rights of citizenship, and curtails their ability to practice their Islamic religious beliefs.

As this unrelenting campaign of disempowerment undermines their ability to survive in Burma, many Rohingyas have journeyed into Bangladeshi territory and are now mired in the tenuous and unstable politics of two refugee camps, Kutupalong Camp or Nayapara Camp. As of November of 2004, both camps housed over 20,000 people and, because of refugee resistance to repatriation to Burma, the population of these two camps is not likely to decrease in the near future.

The Hard Place: Bangladesh

The population of Kutupalong Camp and of Nayapara Camp largely represents the remnants of two large refugee flows from Arakan State; the first exodus occurred in 1978, probably in response to the repressive “Four Cuts” military operation launched by the Burmese government, while the second occurred more recently in 1991-1992, when over 250,000 Rohingya refugees fled to Bangladesh after the newly created ‘Na Sa Ka’ police, with the explicit support of the Burmese government, began an excessively repressive campaign against the Rohingyas. Those who have made the journey to Bangladesh, a country that itself is reeling from its own economic circumstances, often find that they are stigmatized, marginalized and even harassed by local people and camp officials.

Kabir recalls a recent episode in which the police stopped him and another refugee on their way back into their refugee camp. He remembers, “The police beat us mercilessly and took us to their barracks. They ordered us to make a statement that we had gone out of the camp to meet refugees who had fled ... They said that if we made this statement they would let us go.
When we refused, they beat us again and again and then they demanded money to release us.” Eventually, Kabir’s mother was forced to pay 400 Taka, all of it borrowed from relatives, to ensure the release of her son.

Also, Kabir says that “the majees [refugee ‘leaders’ who are appointed by Bangladeshi officials] and the camp officials are always preventing us from doing anything. The officials and the majees always blame us when we try to organize any event, let alone when we want to organize pro-
tests and demonstrations against camp authori-
ties.” Furthermore, the police, according to Kabir, regularly and arbitrarily detains people, especially young men.

As for the Bangladeshi people that Kabir has encountered, he complains that “the local people hate us even more than the Burmese do.” Chris Lewa, a researcher from Forum-Asia on the Rohingya, explains that local news reports are rife with stories that construct the refugees and the camps, in general, as economic and security threats to the region.

In addition to the hostility that is demonstrated by both camp officials and local people towards the Rohingya refugees, the camp facilities and conditions also prevent refugees from creating opportunities in Bangladesh. In particular, school-teachers are frightened away from the camps by the threat of police and majee intimidation, thereby leaving the camps without the adequate manpower to educate Rohingya children. In fact, Kabir, whose formal education ended in Class 4, alleges that, “if I could get the chance to study here [in the camp], I would abandon the journey [to Malaysia],” even though camp officials often bully educated people.

**The Alternative: Malaysia?**

To date, over 40 Rohingya refugees from Kutupalong area have safely made the trip to Malaysia, although not all of them have been successful in their attempts to find jobs there. Based on their reports, Kabir concludes that fleeing to Malaysia is the most reasonable alternative to a life in the camp. Additionally, Kabir believes that Malaysia, unlike the other potential destinations that he has apparently considered, including Saudi Arabia, has a similar culture to that of the Rohingya refugees.

In preparation for the trip, Kabir says, “In our group, we have experienced boatmen … We have collected about 120,000 Taka among us and we bought the necessary supplies such as life jackets, rice, potatoes, diesel, binoculars, radio, two large maps…” Kabir anticipates that the trip will take 10 days, but, for good measure, the group bought enough supplies for 15 days. When asked about the risks associated with his impending journey, Kabir replies, “I already told you [the interviewer] that I know it is a very risky journey, but we don’t have any other option. We are leaving the camp to find peace and freedom.”

However, Malaysia is currently in the midst of a strong anti-illegal immigrant campaign and, despite the announcement that the government will issue identification papers and work permits to Rohingya refugees, their assimilation into the Malaysian social fabric may indeed be hampered by the anti-illegal immigrant sentiment that is now sweeping through parts of the country.

Yet, Kabir says that many refugees “are fed up by all the restrictions and systems imposed on us. We can see no difference between the people living inside Burma and those living in the refugee camps,” it is hard not to understand this young man’s motivation for seeking an alternative to the life that he is currently leading in the Kutupalong Camp in Bangladesh. Unwanted in the country of his birth and stigmatized in the country of his exile, Kabir feels that has no choice but to flee yet again to find work and relative freedom in a distant country — another stateless casualty of Burma’s brutal regime.

---

**Endnotes**

1 Lewa, Chris. “Overview of the Bangladesh-Burma Border: Briefing Notes Presented at the CCSDPT Meeting, Bangkok.” November 10, 2004
2 “Interview with a refugee from Kutupalong Camp about to be smuggled to Malaysia” February 15, 2004. Conducted by Forum-Asia research team.
4 Exchange rate: 1 US dollar = 62.58 Taka
On 2 February 1995, the French company TOTAL, with its consortium partners, entered the “Yadana” contract with the Burmese military junta, initiating gas resources exploitation in the Martaban gulf. Increasingly, TOTAL has been unable to ignore the massive human rights violations committed by Burmese military forces in the securing of the gas pipeline area and the use of forced labour in the preliminary stages of the pipeline construction.

In 1996, a French coalition of NGOs launched a campaign calling for TOTAL to freeze their investments in Burma. The petition for this campaign attracted 13,000 signatures maintaining and perpetuating the illegitimate rule of the junta. At the same time, the International Federation for Human Rights (IFHR) published a detailed report on the moral, economic and financial support provided by TOTAL to the Burmese military regime. TOTAL always argued that this was false allegations lead by some anglo-saxon lobby.

Nine years after, TOTAL is now under pressure especially with the launching of the French campaign in a new international coalition (41 organisations in 18 countries) demanding the withdrawal of TOTAL from Burma.

Farid Ghehioueche, Chairman of Info Birmanie and member of the Steering Committee for the “TOTAL Pollutes” democracy campaign, released in a communiqué “This campaign could have been launched a long time ago, but TOTAL was intimidating. Now fear must change to accountability. TOTAL, must now take responsibility for its actions. TOTAL’s consortium partner UNOCAL announced a settlement of an action by Burmese plaintiffs in the US courts in order to avoid a potentially damaging public trial. In doing so, UNOCAL has implicitly recognized the substance of these allegations. It is now TOTAL’s turn to face its responsibilities as a partner in the Yadana project as legal proceedings against TOTAL continue in both Belgium and France.”

On Monday February 21st, Olivier De Schutter, IFHR Secretary General, told at the press conference that “TOTAL must pull out of Burma (Myanmar) not only for having taken advantage of army-imposed forced labor during construction of the pipeline but also because it fills the coffers of a predatory regime ... It is not possible to pretend that you can deal with Burma without enabling the junta to increase its power.”

If TOTAL withdraws from Burma, according to the French coalition of NGOs, “one would hope that France would finally support the adoption of significant economic sanctions against the Burmese junta, as the democratic movement in the country has asked.”

For more informations, you can contact Farid Ghehioueche at farid@no-log.org