NO RIGHTS TO KNOW

THE COLLECTIVE VOICES OF LOCAL PEOPLE FROM THE DAWEI SPECIAL ECONOMIC ZONE

DAWEI PROJECT WATCH
APRIL 2012
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About Dawei Project Watch

Dawei Project Watch (DPW) is a group of local social activists and human rights workers, who work and travel in the various areas of the southern part of Burma. They are young Karen, Mon and Tavoyan ethnic activists who are involved in community development, civic education, and human rights documentation for their own people.

Presently they are preparing to monitor the imminent mega development project and to protect their people and help them seek justice while challenging the mega development project.

The main aim of DWP is:

- To constantly monitor the development of Dawei SEZ and seek justice for the local people

The objectives or DWP are:

(1) Raise awareness on the Dawei deep seaport project and
(2) Collect feedback from the local villagers on the impacts of this mega-development project

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Acknowledgement

In the closed society of Burma (Myanmar), where there are no laws and regulations for corporate social responsibility, environmental protection and the rights of local indigenous people toward their national resources, it poses a good opportunity for foreign direct investment to rush into the country and invest in mega-development projects and extract the country's natural resources.

In the case of investment in Dawei (Tavoy) Special Economic Zone, the voices of the local people have been silenced. In the new democratic transformation of Burma, the local people still cannot exercise their rights to freedom of expression, freedom to access of information and freedom of assembly. For those FDI companies, they might say Burma has smoothly moved forward to democratization, and they argue that foreign investment will strengthen Burma's decades long deteriorated economy.

The Dawei Project Watch is a group of multiethnic social activists and human rights workers from the southern part of Burma. In order to publish this report, we have relied on the accounts and work of the social activists and human rights workers, who traveled into the remounted and restricted project area.

DPW expresses special thanks to Tavoyan, Mon and Karen villagers, who voiced their thoughts on the mega development project being built in their own region. DPW also expresses thanks to local government authorities, who have wished to remain anonymous, for contributions of facts on the Dawei SEZ. Finally, DWP expresses thanks to Human Rights Foundation of Monland (HURFOM), Mizzima News, Karen News, Irrawaddy Magazine, Another Development of Burma (ADfB) and Dawei Development Association for their contribution of facts and reliable information for this report.
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<td>Dawei Development Association</td>
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<td>State Peace and Development Council</td>
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<td>DPW</td>
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I. Introduction

“We just know that the Thais and other Burmese people came into our areas very often. Looking at our villages and our farms. They asked us are we ‘healthy?’ But I don’t know what they were thinking. Whether they came here with good intentions or bad intentions. I am not sure what will happen to us.”

(64 year old Tavoyan man from Nabule village, Tavoy Township)

The recent Burmese military regime, the State Peace and Development Council (SPDC) has agreed with Thai government on May 19, 2008 Memorandum of Understanding (MoU), to develop and implement a plan on the Dawei Special Economic Zone (SEZ). Both the Thai and Burmese government ministers signed a Memorandum of Understanding (MOU). This was a bi-literal agreement, which grants Thai companies to intensively be involved in the development of Dawei SEZ as a monopoly firm to develop the project. Besides the Dawei SEZ, the new government led by Gen. Thein Sein also implemented the Thilawa Special Economic Zone near Rangoon (Yangon) and the Kyaukpyu Special Economic Zone with a long-term plan for economic progress in his government’s term.

The Dawei Special Economic Zone (Dawei SEZ) will be implemented with a joint venture between Thai companies and Burmese companies and business cronies close to the regime. Accordingly to the source from Rangoon (Yangon), one of the regime’s closest cronies, Max Myanmar Company headed by Zaw Zaw, have already been awarded huge contracts related to the Dawei project along with Italia-Thai company. Zaw Zaw also accompanied with Burma’s top generals on a tour of the Shenzhen Special Economic Zone in China in 2011.

1 : The New Light of Myanmar, Government Implementing Plans on Dawein Special Economic Zone, Thilawa Special Economic Zone and Kyauki Special Economic Zone in addition to establishment of many industrial zones to create long-term economic opportunities for merchants and entrepreneurs, Dated 23 February, 2012

2 : Irrawaddy Magazine, Port Project Raises Concerns about Rights, Enviroment, January 12, 2011
In Dawei SEZ, with the full support from the Thai government, the Italian-Thai Development (Italian-Thai) Company, Thailand’s largest construction firm, has started building roads from Thailand’s Kanchanaburi Province to the areas in Yebyu Township since 2011 (see map on page. ).

The US$ 8.6 Billion investment in Dawei SEZ has been divided into three phases, according to ITD Company’s Public Relations (PR) news release. Phase one is the construction phase, which details the company’s plan to build a 160 kilometers road from Thailand to the Andaman seacoast where a water reservoir will be installed along with a water pipeline to wastewater treatment plant and a coal fire power plant. This construction Phase will take five years. And phase 2 and phase 3 will follow with the expansion of road construction, building of commercial complexes, and authority centers, and the construction of railway lines and gas-pipelines to Thailand³.

The Tavoy deep seaport and special industries lie in Yebyu township and is between Tavoy town in the south and Yatana pipeline in the north. 213.7 square meters comprises two town quarters in Yebyu Town, 11 village tracks in Yebyu Township and one village track in eastern part of project site in Long-Ion Township.

In the project site, a population of 30,000 will be directly affected, comprising of 21 communities and about 5,500 families. In order to go ahead with the project the Burmese government authorities and the companies will move the communities out to make way for the project site. The ethnic Tavoyan people are the majority affected population in coastal areas and many Karen communities in the eastern part of project site will be seriously affected by the dam construction and road construction to Thailand⁴.

However, when the Dawei Project Watch’s (DPW) field workers (reporters) traveled to the area and conducted interviews especially with the Tavoyan and Mon villagers they found that the villagers had no idea what would happen to them.

³ : Project Schedule & Investment, Italian-Thai Development Company, October 16, 2009
⁴ : Traditionally, the Tavoyan and Mon people are the inhabitants in coastal area and Karen people are the inhabitants in the mountainous areas.
The conclusions from the field reporters are:

- The local villagers have only been informed by the authorities and company personnel that they will be relocated when the mega development is allocated in Yebyu Township. But the villagers have very little knowledge on how the entire project will impact them. No one has information about relocation, compensation, and their future.

- The villagers did not get information about the plan of the Italian-Thai. Italian-Thai never conducted information dissemination sessions about this mega-development.

- The majority of villagers did not know about the Social Impact Assessment (SIA) and the Environmental Impact Assessment (EIA), because they could not identify if outside groups or foreigners were following international standards.

- The villagers received one-sided information; they were told by the government authorities and company personnel, that the whole area will be developed and that they will benefit from the project. But the villagers have concerns whether their cultural symbols, livelihoods, and properties will be destroyed by outsiders. These concerns have not been addressed by any authority figures, companies or other shareholders.
II. Methodology

The Dawei Project Watch (DPW) is a group of local Karen, Mon and Tavoyan human rights workers, who are already working in the area with the purpose of human rights documentation, community activities, civic and human rights education, environmental awareness and community development.

The DPW's two main objectives are (1) to raise awareness on the Dawei deep seaport project and (2) to collect feedback from the local villagers on the impacts of this mega-development project. DPW workers have conducted a series of interviews with local villagers and conducted a social and cultural assessment of the area.

In order to conduct interviews and assessment, the DPW workers were trained to understand the concepts of economic planning in Southeast Asia, mega-development projects, foreign direct investments, the social impact assessment (SIA) and the environmental impact assessment (EIA).

Presently, since the Dawei project is in its beginning stage, there has been no yet serious social and environmental impact respectively to the local ethnic Karen, Tavoyan and Mon people and to the area. However, the DPW workers collected the knowledge of the local villagers and assessed their current social, economic statuses and their decision-making level in this project.

With this plan, the DPW workers traveled to the main project-affected areas and nearby areas, especially in the northern part of the Special Economics Zones.

Eleven workers who traveled to Tavoy Township and Yebyu Township have done the following activities to gather information from the area.

- They conducted interviews with 32 villagers from the area and tested their knowledge on the project and asked if they believe their lives and futures will be negatively socially and economically impacted by the project.

- They used an assessment paper and conducted a social assessment with 43 local villagers, a majority of whom were Tavoyans and Mons.

The voices of the local people are used appropriately in each section of this report, and on the analysis from the social, cultural and economic assessment from the area are also used in the different sections. The remaining information in this report are based on various researches from human rights organizations, environmental organizations, academic research papers and ethnic Mon, Karen and Tavoyan media outlets.
III. The Communities

Religion

“We are proud of our village (Nabule). This is a village where we have Buddha’s footprint since the Lord Buddha visited this region. This village was established a long time. I can not remember. But we are proud to stay under the light of ‘peace’ of Lord Buddha.”

(68 year old Tavoyan man from Nabule village, Yebyu Township)

Nabule village, with 2000 population comprising of a majority Tavoyan people, will be directly affected by the Dawei Deep Seaport project. Nabule village also holds cultural and religious value as it is home to the people’s most ancient Buddhist properties. This village is one of the oldest villages, and was established since the Mon, Burmese and Thai kingdoms.

According to Tavoyan elderly people, their villages and communities were free of duty and tax during the previous kingdoms because the kings would visit the area to give respect to the Buddhist footprint and buffalo footprint. They believed that the Lord Buddha put a footprint while he visited the area over 2550 years ago and the buffalo footprint, which is the symbol of the Lord Buddha’s previous life.

This is the heritage of one community in the area and there are different villages in the community, which carry with them different backgrounds. The Deep Seaport project will impact 21 Tavoyan villages in the coastal area. These communities are comprised of about 5,500 households.

“All Tavoyan people believe in Buddhism. The villagers celebrate Buddhist Lent, the New Year water festival and ordination. Every community has at least one monastery but some big communities have two monasteries”, explained U Thein (not his real name), a 52 year old man from Htein Gyi village.

The main religion of the Tavoyan and Mon people in the area is Buddhism. The Karen people, who live outside of the project area along the Yatana gas pipeline in Longlon and Tavoy Township, are Christians.

5 : Interview No. 12, U Thein (not his real name), Nabule village, Yebyu Township, dated December 14, 2011
6 : Interview No. 28, U Kyaw Lwin (not his real name), 52 years old, Htein-gyi village, Yebyu Township
7 : Interview No. 9, U Nyien Thar, (not his real name), 43 years old, Nabule village; Interview No. 11, U Saw Lwin (not his real name), 52 years old, Lae Shaung village ; and Interview No. 31, Saw Thar Din (not his real name), 64 years old, Mitta village, Long Lone
Community as a Big Family

Villagers have been living a simple lifestyle for hundreds of years, and Tavoyan people are the main indigenous people of the area. They live in a sharing community, and most of the people of the community are connected to each other through family ties making up a big family community. A 68 years old woman from Htein Gyi village said,

“All neighboring houses are belonging to my children, my brothers and sisters, and my elderly uncles and aunties. When you get fish from the sea, we do not sell them, we just share it with each other”.

Each community is home to about 100 to 500 households. The big communities with over 200 households are normally divided into sections, and they name the section based on the elders of the community or the geographical direction. The villagers live like a family and share resources and help each other. For example, when a villager gets sick or when a woman delivers a baby, they look after each other and sometimes they transport the patient to the doctor’s house in the nearby village. Traditional medicines are widely used in most villages.

When there is a problem, the villagers approach the village heads and village elderly. They find the solution and solve the problem together. Traditionally like other Burmese communities, they welcome the guests (friends) and provide them with good services. When a stranger arrives in their village, they can easily notice that person and normally the strangers or visitors have to go and meet the village heads to explain their purpose for coming to the village.

_________________________
8 : Interview No. 25, Daw Hla Yee (not her real name), Htein-gyi village, Yebyu Township
9 : Interview No. 24, U Myint Wei (not his real name), Mu Tu Village, Yebyu Township
**Administration**

Most villages have the administrative structure, which mixes traditional customary laws with governmental attributes and structures. The village heads rule the villages according to existing laws regulated by the government authorities in the Township but at the same time the elderly persons are appointed as advisors or the judicial body according to the local traditions. The village committees are formed and are also involved in the village’s administrative body. Three to seven villages will belong to a village’s administrative tracts, and the combination of village tracts becomes a Township. The Karen communities in the eastern part of Dawei SEZ have a slightly different administration from the majority of the Tavoyan and Mon people in coastal area. These areas are conflicted with opposing administration areas, some parts the government or local Burmese Army has taken hold, while in other areas the main Karen armed opposition, Karen National Union (KNU) has some influences with the Karen village heads.

**Livelihood**

In the whole area of the planned Dawei SEZ, there are plenty of rubber and orchid plantations. The entire area is green with betel-nut, rubber, lime, orange and cashew nut trees. All the houses of the villages in the coastal areas are built with bamboo and thatches (a type of roofing leaves) and all the households own one to two boats. Some houses also rent boats for daily fishing.

Tavoyan families in these villages have two main sources of income, agriculture and fishing. Many villagers have inherited plots of land or fishing boats from their ancestors. The villagers are normally involved in paddy farming, orchid gardening, and fishing. A few villagers are working as day laborers in other people’s farms and some rent fishing boats and pay a monthly cost. Their lives are very simple, they can get vegetables from their garden, can get fish from the rivers and meat from the livestock. They need to purchase household items such as cooking oil and salt. Sometimes they get income from their gardening, livestock and fishing.

According to a 40 year old Pagaw Soon villager,

"I don’t have a farm, I totally rely on my daily work for my income to feed my family. Now, I have a job from the Thai construction company (Italian-Thai). I had to work by clearing brush, digging the earth and building the workers’ temporary houses. They paid me 4,000 kyat a day."

This Pagaw Soon villager, as an employee of the company raised the same daily income if he were to have done the normal local labor such as fishing and farming. The black market exchange rate for the Burmese currency is 1 US Dollar to 850 Kyat and villagers receive about 5 US Dollars a day for hard labor work.
The mobile shop is a strange and specialized business among the Tavoyan communities. The vendors place all his products, which include food and household items on his bicycle and go around the villages to sell them.

Mon communities in the northern part of Dawei SEZ area have very similar livelihoods to the Tavoyan people. Most Mon people in the area have grown rubber trees for a long time and many villagers on the coast are fishermen.

Many private companies and private owners also own thousands of acres of palm tree plantations for enormous diesel and cooking oil productions. Kaung Myat Co, Ltd, and Hein Yatana Company were close to the military generals from former regimes, and they took many hundreds acres of land. These companies are also known as the ‘cronies’ of the previous regime, the SPDC.13

Karen communities in the eastern part of Dawei SEZ area have a main livelihood of agriculture, and they maintain many orchid plantations and plant many betel-nut, lime, orange and cashew nut trees. Some also grow rubber trees due to the demanding market. Some Karen farmers are also involved in ‘shifting agriculture,’ the slash and burn of paddies in the mountainous area.

Healthcare Services

Most of the villages in the construction area don’t have clinics. When villagers get sick they have to go to the medical worker in the bigger villages nearby. When they have to go to the hospital they have to travel a long journey. It will take a day because of poor transportation and roads. Many villagers’ mode of transportation is either oxen or buffalo cart, bicycle, or motorbike.

The women in labor still rely on traditional mid-wives. The local herbal doctors are the main health care providers in the area. The newborn and young children still have no access to vaccination because the medics cannot reach the areas in the current planned Dawei SEZ.

But in the Karen communities, the medical workers from the KNU health departments or ‘back-pack medical teams’ are able to reach the areas and provide healthcare service to the local villagers.

13: Interview No. 3, a local Karen environmentalist, 27 years old, Tavoy town
Villagers’ Education Level

Most of the villages in the construction area have primary to middle school level education. Some villages don’t have access to schools. Most children drop out of the primary level because their parents need them to work on their farms, plantations, and to fish and cook at home. Many villagers in the rural areas do not realize the value and importance of education due to the demands and challenges of their daily lives. Most of their knowledge comes from the elders, as knowledge is passed from generation to generation.

Personal Security

Before the road construction began the Burmese soldiers did not travel to the Tavoyan villages in the coastal areas. But the soldiers launched offensives and took patrol toward the eastern part of Dawei SEZ. Presently, according to Tavoyan villagers they are seeing an increase in soldiers in areas, which never had a military presence. Most Tavoyan villagers have never experienced the hardship and cruelty of being a porter for the military, being forced to provide food and money for the soldiers unlike the Mon and Karen villagers who for decades have had to suffer abuses committed by Burmese soldiers.

After the road construction by the Italian-Thai began, more Burmese soldiers reached Tavoyan villages and used villagers to carry their food, ammunition while they launched security patrol and offensives against the KNU/ KNLA. Sometimes villagers had to provide rice, vegetables, livestock to the Burmese soldiers because the village heads had to follow orders.
IV. Level of Villagers’ Right to Know

“We don’t know anything. Only the Thai construction workers arrived near our village and they asked us to sell vegetables to them. Then, we know they came here to construct the roads and search for a route. We cannot communicate with them and later they brought one translator. Later on, they came with big machines.”

(35 year old man from Mu Du village)

Construction tractor in Mu Du Village

14: Interview No. 23, Win Naing Htwe (not his real name), 35 years old, Mutu Village, Yebyu Township
According to the agreement with Burma (Myanmar) government, the Italian-Thai had permission to construct the roads in first phase lasting five years. To construct this 160 kilometers road from Thailand’s border, Phuu Nam Rong, to Tavoy’s Maung Ma Kan beach, nine villages in Yebyu Township will be relocated. There are 8 Karen villages along the 160 Kilometers long road construction site from Thailand’s border which will be affected. At the beginning the Karen villagers did not know the magnitude of the project and that road construction will eat up a lot of their land. Similarly, the Tavoyan people did not have any prior knowledge that the special economic zone is planned to be built right on top of their villages.

A 36 year old Tavoyan farmer, U Thein Maung (not his real name) said,

“First I thought the Thai company just came to build the road. After six months, some more government authorities and Burmese companies arrived. Then, we thought they just came to conduct their responsibilities. We did not care much. But later, the authorities confiscated our plantations by force. They paid compensation, but the village did not want to sell. The villagers just have these pieces of lands for their survival. They are forced to sign the agreement selling the lands to the authorities or to companies.”

Later the villagers received more information from CDs and leaflets provided by human rights and environmental groups and from some village leaders who attended awareness meetings in the cities. Then, some villagers realized that they all will be forced to move from their homes. Then the information was disseminated by word of mouth and spread among the villages. It means the government authorities, Italian-Thai company personnel and the Burmese companies never conducted prior consultation with the villagers and the villagers had to search for information themselves.

The deepsea port in Dawei was planned by both the military government, SPDC, and Italian-Thai Company since the beginning of 2008, without prior consultation to the local villagers. The entire Dawei SEZ plan has been passed and maintained from the SPDC to the current government. According to international standards of corporate social responsibility and laws and regulations the Italian-Thai Development Company needs to conduct the Social Impact Assessment (SIA) which will assess how the project will effect to the local people’s livelihood, culture and way of life. And, the government and the company also need to conduct the Environmental Impact Assessment (EIA) to know how the project will impact the environment.

When the local villagers were asked whether the company and the government authorities talked to them about SIA and EIA all interviewees answered ‘No’. They said that they just heard the authorities will remove their villages with compensation paid by Italian-Thai company. But the authorities did not say how much compensation the villagers will get.

A 42 year old farmers from Min Dut village said, “nobody asked any questions about our villages, livelihood and religion. Nobody collected any lists of villagers and asked our feeling about the project. All of the villagers did not understand how small or big the project is.”

All interviewees and the village leaders said that they did not get any prior information. Some interviewees said that local authorities threatened them with land confiscation16.

The Burmese government authorities, the Italian-Thai construction company and the local Burmese crony companies have been at the project site since the beginning of 2010. However, there have been no government organizations or independent organizations conducting SIA or EIA surveys among the villages. This is a total denial of shareholders’ responsibilities and blatant disregard for international standards, which detail the necessity for social and environmental assessment prior to development schemes and projects17.

15 : Interview No. 8, Daw Shaung (not her real name), 56 years old, Yebyu Town and Interview No. 9, U Nyein Chan (not his real name), 62 years old, Htein Gyi village, Yebyu Township
16 : Interview No. 22, Daw Win Sein (not her real name), 42 years old, Min Dut Village, Yebyu Township
17 : Interview No. 3, a Karen environmentalist, 27 years old, Tavoy town
However, in late 2011, Thein Sein’s government move with the project incited the formation of a small advocacy group, the Dawei Development Association (DDA), to monitor this gigantic project. The DDA has raised concerns that as many as 32,000 people living within the first development zone will be displaced. There are also 21 primary schools and 23 Buddhist temples within the zone. There is also one important religious spot that the locals are trying to save, a nationally revered pagoda with Buddha’s footprint in the village of Nabule.

When asked whether the villages knew they would be relocated in the near future, many of them said that some villages were already ordered while some did not know exactly, when they will be relocated. Many of them who have talked to human rights workers have said that they are very disappointed, because they have no protection at all.

A 45 year old woman from Nabule village said,

"Where I have to move? Our grandparents offered me these houses and lands to my parents and my parents gave it to me after I got married. If we sell our houses and lands, we will feel so guilty. Many villagers could not sleep when they first heard about the relocation of their villages."

The villagers are attached to the lands and their agricultural livelihoods, they have no other working skills. All of them did not know if they were to be relocated to a new place, whether the government will provide them with new lands. The villagers are not sure how much compensation they will get if they are forced to move.

The villagers from 21 communities will lose almost all of their properties if the project is implemented, because the entire economic zone is about 250 square meters (or 97 square miles). The Dawei SEZ authorities and the ITD Company will confiscate about 8,000 acres of paddy cultivated lands, 10,000 acres of rubber plantations, 12,000 to 14,000 acres of cashew-nut plantations, and over 150,000 acres of orchid plantations.
But until now, the villagers in the area did not know whether their gardens would be confiscated and paid compensation or if they would be left behind by the authorities. But many of them have serious concerns, and said that if they are moved to a new place without promise of property they will face a lot of hardship and they can die.

A 68 year old woman from Htein Gyi village said,

“If we are forced to move we cannot bring our ancestors' lands. I think without land, I can’t survive. We don’t know if our lands are taken by the authorities if we will get money. Many villagers said if the authorities or Burmese Army took the lands they will not pay any money.”

According to the DDA, “The residents will be resettled into four new locations. New villages will be located in Htwet Wa village 1 and 2; Bawa village; Du Taung village 1 and 2; and Wazwam Taw village, which are about 10 miles north of the site of the Dawei deep sea port project.” The authorities plan to build 1,000 new houses in Bawa village and they have informed some villagers that they have to move to these villages. But an elderly man from Min Dut said,

“We know about the new location. There is already an existing village. Bawa is already a big village and there are over 1,000 houses. If the authorities move us into the village, it will be too crowded. We are sure that we have no lands for agriculture and plantation. Then, how we can survive?”

The DDA was allowed to assess the area, but they did not conduct the Social Impact Assessment or Environmental Impact Assessment. Hence, these community based organizations (CBOs) could not perform independently and collect accurate and complete information for the local communities.

Field workers, who traveled to the area, have said that the villagers have very little information on what would happen to their lives, families, livelihood, communities and properties. The conclusions are:

- The local villagers have only been informed by the authorities and company personnel that a mega-development will locate in their area. But the villagers have very little knowledge what impacts will incur from the project. No one has information about relocation, compensation, and their future.
- The villagers did not get information on the plan of Italian-Thai Company. The company never conducted information dissemination about this mega-development.
- The majority of villagers did not know what social impact assessment and environmental impact assessment since no outside groups or foreigners have implemented these processes.
- The villagers get one-sided information from the developers and government, which tell them that the whole area will be developed and that the villagers will benefit from the project. But the villagers have growing concerns whether their cultural symbols, livelihoods and properties will be destroyed by outsiders. These problems have not been addressed by any authority figures, company personnel or other shareholders yet.

21 : Interview No. 20, U Myint, 68 years old, Htein-gyi Village, Yebyu Township
22 : Mizzima News, 21 Villages to be relocated for Dawei Project, 22, December 2011
23 : Interview No. 7, Daw Gyi, 68 years old, Min Dut Village, Yebyu Township
V. Stories about Fears

In early January, representatives from the local land-surveying department in Tennaserim Division visited villages that fall within the project area of Italian-Thai Development Company’s controlled Tavoy deep-sea port project. While only preliminary information has been collected, residents see the research as a warning sign of the imminent seizure of their land. Without compensation the livelihoods of Tavoy’s landowners will be destroyed, and already, there are indications that the numbers of residents fleeing the area for migrant work in Thailand has increased.

(Human Rights Foundation of Monland, HURFOM)

On January 8th, 2011, local authorities from the State Peace and Development Council (SPDC) military government started collecting lists of local ownership of houses, plantations, and paddy fields that fall within the Tavoy deep-sea port construction. These areas that have currently been visited by local authorities include villages north-west of the already surveyed land and has been designated as the site for the project’s Upstream and Downstream Petrochemical Complex. These visits have caused fear of imminent land confiscation and absent or nominal compensation among local communities. The local communities are not new to threats, as previous ‘so called’ development projects have seen the loss of local land to railroad construction in 1995 to 1998 and the Yadana and Yetagun gas pipelines in 1999 to 2003.

At 10 a.m. on the 8th, U Aung Su, 55, a Pagaw-soon villager, was visited by a group of government officers documenting land ownership. The collection of ownership lists was done by four groups, with six members in each group and they were the general administrative staff of the Township Peace and Development Council (TPDC) office and specific regional officers of the Land Surveying Department. U Aung Su explained that the authorities have surveyed his 12 acres perennial plantation near Pagaw Soonvillage on the road to Long Lon town. These groups documented the crops, land size and asked that civilian land owners assess the value of the the land and provide them with a price for compensation for the land’s current value. While the land registration groups did not know if land would be
confiscated with or without compensation, U Aung Su described a significant fear amongst local residents that no compensation would be provided. He continued:

“They asked me in detail if I posses any house or plantation. We cultivated oil palms at our plantation in the past but now we cultivate cashew nuts, pineapple and on the rest of the land, one thousand rubber plants are cultivated. The cultivation has already gone on for five years. They ordered me to assess the current value [of my plantation]. I said that my plantation is valued over 30 million [kyat]. After I heard that the Thais [company] would construct the deep-sea port and the industrial zone one and half years ago, since then I wished that [the] project [would] not come true. However, the nightmare has come true. I depend on my perennial plantation for my life. I am not skilled in other work. My children also rely on this plantation. We can do nothing if the plantation is confiscated. I have already realized that if my land is seized by the government, the compensation [for the plantation] will be very little as [it will be] the government’s price. As an ordinary civilian, I have suffered from depression because my property was [put on the] list [by the authorities]. Now, it seems the confiscation will really occur.”

On 9th January, a cultivator from Yebu Township confirmed that township authorities and the local land-surveying groups had been working to collect ownership lists of the locals who live in the area of Tavoy deep-sea port project. A 47-year-old Nyaung Pin Seik villager of Yebyu Township, Tenasserim Division, who owns 7 acres of cashew-nut plantation, described the breadth of the project, and the little hope people have for receiving full compensation for their land:

“A Construction Tractor Arrived in Villager Planntation

24 : Interview No. 2, U Aung Su (not his real name), 55 years old, Pagaw Soon Village, Yebyu Township
47-year-old Kamyaing Swe Village said, "Yes, that group [that visited] said that [the purpose of] the visit was collecting an ownership list for their records. We asked whether the land will be confiscated or not, but [they replied] that they knew nothing. As is their duty, they mainly recorded the land ownership, the guarantee of the house, the kinds of plants cultivated in the plantation, and the approximate current value [of the land]. Due to that [list] collection, we felt awkward. My plantation [cultivates] perennial cashew nut plants, but I can't decide whether to continue my cultivation or neglect my plants. I am not enthusiastic to continue my work because I know [my plantation] will be confiscated one day. In this region, cashew nuts are the first choice of crop to cultivate and the second most popular is rubber plants. If the land [already surveyed] is counted in acres, the number [must already] reach up to ten thousand. As I know from the list of a land-surveying clerk, each owner owns between five to over thirty acres, therefore there are lots of acres of land. In this region, especially in Padat, Lae Young, Nyaung Pin Seit, Pain Shaung, Kyauk Hwat Gone and Muduu villages we have made investments on our lands for a long time and now we have to give up [our plantations] for this project. Everyone can easily sympathize with the owners of the land. We can’t hope that the compensation will be a great amount [for our plantations]. Even if the Thai company gives a big amount [for payment], after passing through the government, we will get only a very little amount. We have already had experience in the case of the French gas pipeline compensation 15 years ago. The company gave nearly full compensation but the government appropriated [the money] and we got only one-fifth of the value of our property. Therefore, the people in this region don’t believe in the promises the government pay." 25

25 : Interview No.4, U Htwe Lay (not his real name), Kamyaing Swe Village, Yebyu Township
According to a land inventory list of the Italian-Thai Development Company retrieved by DPW, the contract, which has been awarded to construct the Tavoy deep-sea port and the industrial zone, indicates that 28 villages in Tavoy, Yebyu and Long Lone Townships of Tavoy District will be included in the project area. However, according to information from the Tavoy Township Land Surveying Department, amongst these villages, 20 so far have been measured and marked for inclusion in the project. These numbers do not include villages that will be impacted by the at least 50 foot wide 160 km transportation corridor intended to connect Tavoy to the Thai border checkpoint of Phu Nam Ron. A Tavoy resident employed by the land surveying department, who prefers to remain anonymous, noted the scale of the project:

Most of the villages have to be moved entirely because the main project area will occupy about one hundred square miles. In total, approximately 28 villages have to be moved for sure. Moreover, for the road and railway, [it will run] from Na Bu Lae village where the project will be started to [the] Thai border, [so] other villages will be impacted.

According to a Mon man, 35, who works as a Burmese-Thai interpreter for the Thai engineer group from the Italian-Thai Development Company, from the middle of 2010 to the middle of 2011, discussions of the project indicated that 21 of the villages that are located in the area of the deep-sea port will be moved in 2011. The interpreter described how in order to decrease the compensation rate to the possible lowest amount that the Italian-Thai Development Company would have to pay the proposal for land acquisition was presented to the Burmese military government. By going through the military land could be acquired in bulk at a discounted price, rather then going to land owners and buying land directly at prices the owners request.

U Tun Ya, 60, a cultivator and resident of Nabulae village, Yebyu Township, described that economic development projects implemented in the area are doing little to benefit local communities, and create significant negative impacts on communities as a result:

“Whatever projects are implemented, we are the persons who suffer. In this region, over the 20 years period of this military government, the railways, the roads and the French gas pipeline were built [supposedly] for this country’s development. Wherever the projects were implemented the civilians were [driven to] rock bottom. Only the foreigners who cooperated with the government have benefited from the development. As a result, we have declined from our original lives and have become paupers. This project will mirror the old events. We have to move from our places and work like slaves in a foreign country. The process will happen in this way. Nothing is different.”

A border based specialist on migration issues noted that during the month of January, while the government started collecting ownership lists for the Tavoy deep-sea port, an increasing number of young people have been leaving the villages of Tavoy, Yebyu, and LongLone Township of Tenasserim Division to work as migrant laborers in Thailand.

“I am not sure if they have been fleeing [to Thailand] in advance due to this Tavoy deep-sea port project. However, the numbers of illegal immigrants in Thailand have increased. It is possible that they have been fleeing in large numbers because the weather is good enough to travel and the Thai authorities [are now] allowing them to get work permits again in early January. [In any case], many young people from the villages in the main area of this deep-sea port [project] have been found [amongst people fleeing]. Tavoyans from Khammaung Chanung, Yalai and Nabule [regions] are talking with agents to enter Thailand.

26 : Interview No. 5, Nai Pradit (not his real name), 35 years old, translator for Italian Thai company
27 : Interview No. 20, U Tun Ya (not his real name), 60 years old, Nabule Village, Yebyu Township
28 : Interview No. 32, Program Coordinator, Rehmonnya Labour Union, Kanchanaburi, Thailand
According to reports from other sources, such as the Independent Mon News Agency (IMNA), some communities west of the current land surveying effort have already been moved off their land and have received compensation from private investors from Rangoon who are buying up beachfront properties. However, despite the apparent rise in land prices that IMNA notes, compensation of 400,000 to 500,000 Kyat paid to land owners remains well below what communities would need to successfully relocate and begin new lives.

As one of the most crucial steps in the construction of the Thai-Italian’s Tavoy deep-sea port project, the acquisition of land for the project will have a major impact on the lives of residents in the area. Though billed as a development project that will benefit the local economy and the region, representatives from Italian-Thai indicate that the projects feasibility lies around the communities’ lack of opportunity to seek recourse for poor compensation, compared to those in Thailand.

Communities are entirely dependent on their ability to cultivate crops of rice paddy, rubber and cashews. Without compensation that would allow these cultivators to begin new crops elsewhere, Thailand will likely see a larger number of migrant laborers arriving, as well as a rise in Internally Displaced Persons (IDP) camps located along the Thai-Burma border. It is important that before this happens, communities are paid fair compensation for the land and are provided with the opportunity to learn about their rights and options when approaching companies to negotiate compensation provided for land.

29 : Independent Mon News Agency, Land price increase in Tavoy deep seaport area, August 11, 2011
VI. Changes and Pains

“We are quite unsure for our family. I am getting older and older every day, even if the factory was to hire me with good payment, I can’t work. My sons are uneducated and now they just work in Thailand. If I have no place to work or no farm to work on for food, I might decide to go and stay with my sons.”

(68 year old Tavoyan man from Nabule village, Yebyu Township)

According to a Mon human rights worker, who have had experience of human rights documentation during the construction of Yatana gas pipeline (1992 to 1998), there will be a massive population displacement because of the project. He said that not only has the fighting and conflict in the ethnic areas forced out the local ethnic villagers, but the mega-development projects will force out thousands of villagers to Thailand.

In the Dawei SEZ plan, although the Italian-Thai Company and the local authorities have said there is employment opportunity for the local villagers, villagers do not believe in the promise of employment due to past of experiences including the Yatana pipeline construction. They believe that they have no skills to work on the construction sites, and a few number of workers will engage in hard-labor jobs.

46 year old man from Mu Du village said,

“I just know how to fish and work on the farms my whole life. They (Italian-Tha) told us that we will get a lot of jobs in construction, and in the future factories. I do not remember the types of factories. But a Thai construction worker told us through a translator that now, we can work for them as laborers in the construction and in the future, we can work in the factory. But in our village, among 200 people, less than 10 villagers are employed for their construction jobs.”

However, the local authorities, the investment companies and many other groups who are in the area never expressed what the villagers’ lives will be like after the implementation of Dawei SEZ project.

30 : Interview No. 21, U Shein (not his real name), 68 years old, Nabule village, Yebyu Township
31 : Interview No. 18, U Tun Naing (not his real name), 46 years old, Mu Du village, Yebyu Township
During the field workers’ documentation in the area, they also conducted consultation with some villagers (they could not conduct a wider consultation due to security issues), and explained to them about the similar industry zone in Ranong province in Thailand, and this Dawei SEZ is eight times larger than the Ma Ta Put industry zone in Thailand. Many of them are quite surprised and they have said that they did not know this before.

Many local villagers are surprised that they did not know how big a plan the government and Thai companies have. Some of them knew that there will be a massive relocation, but many of them did not know about the additional dangers to their life impacted from the energy industry, including charcoal, petrol-chemicals, fertilizers and other waste producing industries. Based on the observation and discussions with the villagers, they have a lot of concerns on their local heritages, livelihood, education for their children and healthcare for the communities.

**Culture and Heritage Disappearance**

According to local legends, there were 17 towns that had been established by different kings during the 15th Century until the 18th Century until the British occupied lower Burma in the first Anglo-Burmese War. The local Tavoyan people are very proud of Buddhism and their cultures, because they believe that the Lord Buddha visited their region. The Tavoyan dance of carrying water with pots (made of mud) was a well known dance in the communities. Many communities have various Buddhist heritages exemplified in their monasteries and have preserved and maintained this religious and cultural value from generation to generation.

Another important heritage for the Tavoyan people resides in Nabulae village. Most of the villagers in Nabulae village can only speak an old Dethiya language, which is the formal dialect of the Tavoyan language. The villagers keep all their heritages such as clothes, death rites, wedding ceremonies, and other festivals. Tavoyan people have their distinct culture like many other ethnic people in Burma.

All Tavoyan ethnic communities in the villages are Buddhist. Each village has at least one monastery, and some slightly larger villages have two monasteries. Some villages are home to revered Buddhist heritages including the Lord Buddha’s footprint and the buffalo footprint, a symbol of the Lord Buddha's previous life, along with temples, pagodas and monasteries.
A senior Buddhist monk from Htein Gyi village said,

“Our pagoda was built over 300 years ago. We have preserved this pagoda for many generations. I could not sleep many nights. I called a meeting with villagers, but no one has any idea. I plan to meet and please them (the local authorities and the company) not to relocate these heritages.”

But the Italian-Thai Company said that they will not relocate many important heritages and will maintain it as they are existing. However, they need the villagers to relocate to other places. When there is a Buddhist heritage without villagers who worship and maintain them, those heritages such as the pagodas, monasteries, temples and others, will slowly deteriorate.

Similarly to this village, there are many pagodas and temples in other villages, where the villagers have throughout the years collectively donated millions of Kyat to their monasteries, temples and pagodas. Some monasteries have a value in properties of over 300 Million Kyat according to the current price value.

The Buddhist communities are very unclear or did not get information on whether the authorities and companies will clear out everything and build new buildings.

By relocating the villagers to different relocation sites and different places, the traditional community structure will be totally destroyed. Families will be separated into many different places and finally they will not be able to gather again for religious and cultural purposes. Traditional belief and ceremonies such as birth ceremonies, funeral affairs, wedding ceremonies, spiritual worship, and other collective cultural activities will slowly disappear.

Social Change

The population of Tavoyans in the Tenasserim Division is about 200,000 people living both in Tavoy and the neighboring countries such as Thailand, Malaysia and others. Approximately 30,000 people still live in Dawei SEZ and the areas nearby. These numbers are according to the population list of the government registration office, but no one really knows the accurate population number. Most Tavoyan people, ages between 15 and 45, are mostly working as migrant workers in Thailand, Singapore, and Malaysia.

After the deep seaport is built and all the industries are set up in the Dawei SEZ, there will be many migrant workers into the area, the population will increase by at least 90% of the current population. The population will be crowded and they will face many difficulties in resources such as water, fish, and vegetables. When thousands and thousands of people will arrive in Dawei SEZ, Tavoyan people can disappear because their children will be mixed with other races, especially Burmans. The elderly people are also concerned with the assimilation policies, and at the end, they believe that all Tavoyan people can disappear in this world. The happiness and way of life of the Tavoyan people will be left only in history.

All Tavoyan people deeply respect Buddhism, as there are buildings such as temples and pagodas in all the villages and in the communities. Villagers donate approximately 30% of their income to build these religious heritage buildings and monuments. Their social activities and culture can disappear if there is no maintenance and protection after other national cultures flood into the communities.

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32 : Interview No. 19, Ashin Thila Wongtha (not his real name), a 71 years old Buddha monk, Htein Gyi Village
33 : Interview No. 23, U Phyo (not his real name), 66 years old, Nabule village, Yebyu Township
34 : Interview No. 30, a local government staff from population registration and migration department, Tavoy District Administrative Office
35 : Interview No.12, U Thein Naing (not his real name), 65 years old, Lae Shoung Village, Yebyu Township
Market Change

Tavoyan communities don’t have big markets. Products such as fish, vegetables and meat are sold and distributed to homes by bicycle vendors. Some villages have small shophouses and they sell cooking materials, snacks and rice. They mostly share resources with each other. They share them with their relative, close friends and elders. As for vegetables, the villagers get them from their gardens for free. The Tavoyan community like to live near the water such as the river, beach, and stream because such areas are easy to grow food in, such as vegetables, and to fish from.

During the rainy season, the villagers work on their farms for crops such as rice, chili and vegetables. When the rainy season ends they start to work on their plantations including the rubber plantation, cashew-nut plantation, betel nut plantation and some summer rice production, when there is enough water. Some work as fishermen. Their lives are sustained from the land and the community of sharing.

When outsiders, migrant workers and Thai labor, move into the area for jobs different markets will be created. The local market system of mobile vendors will be assimilated into other outside markets. The local villagers also will have to change their behavior of purchasing.

Currently, Tavoyan people just rely on themselves in work and food, the development will be too fast. After the development project is established, villagers will face insufficient income to meet the new market, purchasing and payment of food and resources. The communities’ way of life will be lost because of the development project.
Job Opportunities

Many people hope that the deep-sea port will provide jobs, but as for the Tavoyan people what kind of jobs position they will secure is a serious concern. As for the education of the Tavoyan people, not many people graduate, not many finish high school, most just finish primary school. Local community leaders are concerned that to the industry will view use the Tavoyan people as non-educated and unskilled laborers, leaving the Tavoyan people with little option of either no work or hard labor.

However, in the current construction industry, the company only provides 4,000 Kyat per day to local day laborers for clearing bushes and find routes for road construction. Since the company uses a lot of machinery in the construction process they need skilled drivers and road construction engineers. They said that they did not need many laborers during the first phase of road construction, which leaves many Tavoyans out of the labor force and without income.

A 24 years old man who worked in Thailand said,

“I was a construction worker on a building site in Thailand. I still expect to get work here (with Italian-Thai). But their payment is quite low compared to Thailand. If the payment will be like it is now, I may have to go back to Thailand and work. There I received about 350 Baht per day, which is about 8500-9000 Kyat per day. It is double the payment we get here. However, I will decide later when the work opportunity occurs.”

However, the majority of Tavoyan people are quite afraid of outsiders or migrant workers from other parts of Burma and Thailand. They believe that after the companies construct all types of industries, they will need thousands of workers, and they will only take workers from other parts of Burma.

“\"I just worry that the job opportunities are not for us (as labor costs in the lower part of Burma is expensive than other parts of the country). I think for their benefit, the company will hire cheap labor. In Thailand, why do you think the factories hire the Burmese migrant workers? They pay cheaper labor costs if they were to hire Thai laborers. Very similarly, I think the company will find more cheap laborers and bring them to work in the area. It is such a serious impact on the local Tavoyan population.\"”

Housing and Livelihood Changes

According to the plan, Dawei Deep Seaport will confiscate hundreds of thousands of acres of lands belonged from the local residents such as houses, orchid plantations, wild lands and farms. Even if villagers receive compensation for what they have lost they cannot sustain their lives on compensation alone. After the villagers get compensation they may happy for a little while but they will not get their lives back after a few years of displacement. Also they will not get adequate compensation, which will allow them to rebuild their lives in new communities.

Recently, when human rights activists analyzed the area, they were informed that the company had constructed many new houses for relocated families. But currently, they have completed only a few houses in the new resettlement site of Kawa, and these houses will not provide for all the relocated villagers from 23 villages.

36 : Interview No. 11, Saw Aae Wei (not his real name), 24 years old, Mitta Village, Long Lone Township

37 : Interview No. 32, Program Coordinator, Rehmonnya Labour Union, Kanchanaburi, Thailand.

38 : Mizzima News, 21 Villages to be relocated for Dawei Project, 22 December 2011
Among the 23 communities, some might need to relocate to the new four relocation sites in Yebyu Township. Each family in the village not only own a house but a plot of farmland near their villages, these lands are a source of their main livelihood. When the relocation happens, the company will not only confiscate their houses but also their lands. The authorities and the companies have already informed the local villagers.

A 42 years old farmer from Mu Du village said,

“We (the villagers) just have to rely on these lands. We know that they will give compensation, but we don’t know how much. But I heard that in the new relocations, we are not provided with lands (for agriculture). How can we survive? I didn’t have to do other types of work. Now, I am really concerned with how I am going to feed my family”.

The company has divided compensation payments for the villagers’ houses and properties into three phases. The compensation will be provided depending on the villagers’ houses and lands. In the first phase, the company will compensate the residents who live in two sections of Yebyu Town. They said that they will give priority to the residents who will move into the new relocation site. In the second phase of relocation, they will give compensation to villagers, whose houses and plantation lands are in the coastal areas, where the company needs to dig for the deep seaport and to build the complex industries. About nine villages and their plantation lands will be affected in this second phase of forced relocation. In the third phase, the remaining 12 villages in other areas, which are in the area of new Dawei town, will be relocated and the villagers will get compensation.

39 : Interview No. 22, U Mya Win (not his real name), 42 years old, Mu Du Village, Yebyu Township
40 : Interview No.5, Nai Pradit (not his real name), 35 years old, translator for Italian Thai company
According to unofficial sources, the company will provide 700 Million Kyat (approximately 875,000 US Dollar) in compensation to Yebyu Town residents during the first phase, and then it will follow with 500 Million Kyat (625,000 US Dollar) in compensation during the second phase. In the third phase of compensation the company plans to pay 300 Million Kyat (375,000 US Dollar). However, the villagers do not know the company’s compensation policy, who will make the decision for payment, how much and when.

A 68 year old woman from Htein Gyi village said, "Even if they pay me 10 Million Kyat for my land, I really don’t want to give them my land. They can’t decide how much my land is worth to me. This is my life. It was given to me by my father for my life and I will give it to my children".

The project will take up about 213.7 square kilometers for the entire special economics zone, the area includes houses, gardens, rubber and orchid plantations. These lands are 9,094 acres of farmland, 9489 acres of rubber plantations, 12003 acres of cashew nut plots, 4379 acres of palm oil plantations, 516 acres of betel nut plantations, 189 acres of coconut plantations, 105 acres of nipa palm land and 2576 acres of other cultivated land. The combination of these lands is about 38,351 acres. Households and other constructions take up about 2,935 acres and there is about 1,728 acres of forest. Religious land makes up 39 acres and all natural grass lands equal to 524 acres.

Even though the company will compensate for the houses and land loss, residents do not know how much they will be compensated and how they will be given compensation. Until the end of March 2012, the local authorities and the company have not made a concrete decision on compensation and its process yet.

41 : It is just unofficial source, while one of our field human rights workers was talking with a local village head, who was approached by the Italian-Thai Company.
42 : Interview No. 20, U Myint (not his real name), 68 years old, Htein Gyi, Yebyu Township
43 : Unofficial interview with land survey officials from Government Land Survey Department, Tavoy District, Tenasserim Division
However, based on various sources and speaking to local village heads and local company staff, villagers who will be offered new houses in the new locations will not get any compensation for their houses and gardens in the villages. But they believed that they will get compensation for their agriculture lands. All families, whether they have plots of agriculture lands or not, will only receive houses and no farmland or plantation lands will be provided in their new location. Those families, who have agriculture lands and get compensation, might have to continue their lives with money compensated for their agriculture lands. The company expects that they can establish new life or new livelihood in the new location. They believe that the villagers can set up small shops or small businesses with compensated money.  

**Nai Pradit (not his real name), 35 years old, translator for Italian Thai company**

According to a company staff, he was not sure how much the compensation cost for each family will be for one acre of land. However, in late September 2011, when the township authorities confiscated lands for Italian-Thai Company nearby Min-dat village for road construction and building of administrative offices, 120 acres of land were confiscated, and the authorities and company provided only 250,000 Kyat (315 US Dollar) per acre of land. If the farmers did not take that low amount of compensation they would’ve had to give their lands away for free. With the reality of cheap compensation local families will not be able to set up their new lives and business in the new locations.

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44 : Interview No. 5, Nai Pradit (not his real name), 35 years old, translator for Italian Thai company
45 : Interview No. 26, U Naing Min, 44 years old, Min Dut Village, Yebyu Township
VI. Militarization and Human Rights Abuses

Our villages and communities are very peaceful. No ethnic armed resistance groups have come through this area. But when the Thai company came for road construction, we were asked by the authorities to sell our lands. The (Burmese) army also came to our villages for security.

(A 44 years old farmer from Min-Dut village)

In the course of civil war in Burma, the Tavoyan people have had no decade-long armed resistance groups unlike the Mon and Karen ethnic groups in the southern part of Burma, especially in the Tenasserim Division. The Tavoyan people have not suffered from government suspicion of being rebel-supporters, while Mon and Karen people have greatly suffered.

But during 1990-1994, the small group of the former Communist Party of Burma (CBP) was active in the area, but they were cracked down by the Burmese Army in 1994. At that time, the Tavoyan people suffered killings, rape and other inhumane treatment. After these former CPB troops surrendered to the Burmese Army, the area retained ‘peace’ and ‘stability’ again.

During the previous government constructed 110 mile long Ye-Tavoy railway road and the French Total and US Unocal’s investment in the construction of Yatana pipeline, Tavoyan people have similarly suffered from forced labor and a huge amount of extortion like the Mons and Karens.

46 : Interview No. 26, U Naing Min, 44 years old, Min Dut Village, Yebyu Township
47 : Interview No. 4, Interview with a former CBP member
The recent hundreds of millions US dollar investment had a serious impact on Mon, Karen and Tavoyan communities, people were forced to work for the project. But under the Dawei Deep Seaport development project, the majority of affected communities are Tavoyan people, while the Karen people in the eastern part of Dawei SEZ will be suffer under the development of Italian-Thai’s 160 kilometer road construction from Thailand’s border. Although Tavoyan communities are not in the conflict zone, the Karen people are in the conflict zone, where the Karen National Liberation Army (KNLA) from the 4th Brigade and the Burmese Army troops engage in regular conflict and fighting. The KNLA has access to many Karen villages in the area and provide protection for Karen internally displaced persons (IDPs) and the Karen relief organizations also provide emergency relief assistance, medical care and education programs.  

Recent Conflict Between the KNU and Italian-Thai

“...The KNU’s position on foreign development projects in Karen state is to assess what the impact of development will be on civilians’ livelihood, their indigenous way of life, the environment and security. Now there is no peace in Burma, the government refuses to hold political dialogue; it makes it difficult to carry out mega-development projects.”

(Naw Zipporah Sein, Secretary-General, Karen National Union)

In the past, when the recent Burmese military regime, SPDC, dealt with the Thai government and the Petroleum Authority of Thailand (PTT) to construct the Yatana gas pipeline, the Thai local army pressured the New Mon State Party (NMSP), to agree on a ceasefire agreement with the regime because NMSP troops were able to reach the project site and disturb their project.  

Since early 2011, when the Italian-Thai Company entered the area, the troops of the Burmese Army have secured the area for protection to the company’s staff and their works. Since the Burmese troops have been in the area, there has been more military clashes between the government troops and the Karen guerilla soldiers. The KNU and KNLA have also expressed their concerns on the potential impacts Karen villagers will face in the eastern part of Dawei SEZ.

Karen news reporters have also observed that despite President Thein Sein government’s attempts to negotiate a ceasefire deal with several ethnic armed groups, the Burmese Army is increasing its presence in the country’s southern Tenasserim Division, where the road construction and the deep seaport are being built.

KNLA commanders also explained that the number of Burmese Army forces in the area have been increasing since early 2011. “Previously (the Burmese Army) had only two battalions, now they have increased up to five battalions. Since they are increasing troop numbers and entering our territory, we have to fight them back”, said a KNLA spokesperson.

In July 2011, fighting between the Burmese Army and KNLA troops broke out near the Italian-Thai construction camps. The clashes forced 50 workers from ITD to flee back into Thailand. The KNU and KNLA also inhibited the construction company from continuing the work. In early October 2011, the KNU/KNLA stopped Italian-Thai from construction because its bulldozed and destroyed some plantations owned by Karen villagers. Following a ban placed on Italian-Thai by the KNU/KNLA, the Burmese Army reinforced eight battalions of troops under the authority of Military Operational Command No. 13 (MOC No. 13). The Burmese army troops deployed from Eie Wei military base to the border area, with Thailand, in order to protect the road construction.

49 : Committee for Internally Displaced Karen People, Karen Struggle Kept Busy, Assisting Displaced Communities, CIDKP Newsletter, June 2009
51 : Karen News, Deaths and troop built up on Tavoy-Kanchanaburi Road, December 3, 2011
52 : Karen News, Burmese Army sends troops reinforcements to Karen areas
53 : Ibid.
After agreeing on ceasefire with the KNU in early February 2012, the Burmese Army’s MOC No. 13 military command was replaced by the MOC No. 20, and new troops were allocated into Mitta Sub-Township, Tenasserim (Taninthayi) Township to challenge the KNLA. All these BA military commands are under the authority of Military Operational Command No. 20 (MOC No. 20) bases situated along the Italian-Thai constructed road from the border to Myitta sub-Town (see map). Among these BA military battalions, some troops have been employed as external security of Italian-Thai company, two battalions of IB No. 104 and LIB No. 560 took security for the entire route of road construction.

According to a political analyst on Thailand’s border, he stresses,

“The Burmese government and army will definitely protect this project because it will make direct interest for them. Whatever KNU does to disturb the project they won’t care, they will just bring in more troops and implement the entire project, like they did in the construction of Yatana gas pipeline from offshore Burma to Thailand.”

“I think if the villagers do not listen to the company, do not want to relocate or t agree with the compensation cost, the government authorities or the local Burmese army will get involved in forcing the people on behalf of company. A lot of people will suffer because of the project.”

During the Yatana gas pipeline, the local Mon and Karen villagers, who live in remote villages in mountainous area of Yebyu and Tavoy Townships, were forced onto the main road because the Burmese Army worried that they would provide support the rebel armies to explode the gas pipeline. Then, many villagers were forced to work on the road construction without payment under the supervision of the Burmese army.

Due to the Burmese Army’s new militarization of the area, the local Karen villagers have faced movement restrictions. The Burmese troops patrol and secure the entire area to inhibit any disturbances that could be caused by armed groups.

45 years old Karen villager from Htee-Kte Karen village near the main road said,

“Now, the villagers are afraid to leave the villages to find food in the forests. We do not know where the Burmese soldiers are hiding. Similarly, we are afraid to go to the plantations. If we are arrested, they will beat us.”

Since the local Karen villagers have experienced inhumane treatment by the Burmese soldiers, many of them are afraid to face Burmese soldiers even during this ceasefire period between the Burmese Army and the KNLA.

54: Karen News, Burmese Army sends troop reinforcements to Karen areas, February 3, 2012
55: Interview No. 23, a political analyst, Thailand-Burma, February 12, 2012
56: Human Rights Foundation of Monland (HURFOM), Burma Navy Attacks Civilians’ Livelihood: An account on land confiscation and human rights violations on Kywe Thone Nyi Ma Island, Yebyu Township, Tenasserim Division, August 2011
57: Interview No. 28, Saw Toe Dee (not his real name), 45 years old, Htee Kte village, Long Lone Township
Security in the Sea and Land Confiscation

Based on past experiences, foreign direct investment in any area in Burma has seen the increase of deployed Burmese troops and military battalions in the project site. If the project site is close to the sea or in an offshore area naval forces are also provided for the developers. During 1992 to 1994, while France’s Total and US’ Unocal companies were building the Yatana gas pipeline from offshore drilling sites to onshore Kanbauk village (See map of Yatana pipeline), the Mawyawaddy Navy force in Moulmein, the capital of Mon State, moved down to Kanbauk area and deployed their troops\(^8\).

Alongside the deployment of the Burmese Army, Burma’s navy force based in Kwe-tho-nyima Island, which will handle the security for Dawei SEZ through the Adaman Sea, has also confiscated over 1,000 acres of lands from the local Mon farmers on the island.

HURFOM has documented all the land confiscation by the Burmese Navy Battalion Unit No. 43. Beginning in December 2010, Burmese Navy Unit No. 43, under the command of Ka Daik’s regional command head quarters, began to confiscate the rubber plantations and household plots of villagers on Kywe Thone Nyi Ma Island, Yebyu Township, Tennasserim Division. Since then, all the land on which red signboards have been placed by the navy has been confiscated. This report documents the confiscation of over 1,000 acres of land on Kywe Thone Nyi Ma Island. However, HURFOM found that Navy Unit No. 43 has surveyed and marked out a total of another 3,000 acres of land to be consficated from the residents of Kywe Thone Nyi Ma island and the eastern neighboring villages across the water in Yebyu Township\(^6\).

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58 : Human Rights Foundation of Monland (HURFOM), Burma Navy Attacks Civilians’ Livelihood: An account on land confiscation and human rights violations on Kywe Thone Nyi Ma Island, Yebyu Township, Tennasserim Division, August, 2011
59 : Interview with a Coordinator from HURFOM
60 : Human Rights Foundation of Monland (HURFOM), Burma Navy Attacks Civilians’ Livelihood: An account on land confiscation and human rights violations on Kywe Thone Nyi Ma Island, Yebyu Township, Tennasserim Division on, August, 2011
Officials from Navy Unit No. 43 explained that the seized land would be used as a training field for the military and the construction of army barracks and hostels. Land was confiscated from around 240 rubber plantation owners without compensation, and a decree was issued banning landowners from cultivating or entering their plots. Seizures ranged from four to ten acres and consisted of already-in-production rubber plantations and paddy lands that provided villagers in the area with sustainable incomes and future monetary security. Without means to support themselves, they are unable to feed their families and send their children to school. And in some cases, they are forced from their homes.

Whenever the Burmese Army or Navy forces are in the area, the local villagers have always suffered from human rights abuses. HURFOM has well documented all human rights violations and disturbances to the livelihoods of the local people.

The local villagers who make their livelihood through fishing along coastal areas of the Northwest of Yebyu Township, Tenasserim Division, were abused by navy administrative unit No. 43, which, according to the field records, operates under Mawrawaddy Navy Command. During the interviews, the locals mentioned that the navy units continue to commit abuses such as extortion, commandeering fishing boats, demanding gasoline and rations and forcing the local villagers to serve as guards.

Local navy Battalion No. 43 has been collecting a monthly fee which ranges from 20,000 Kyat to 70,000 Kyat per household, as a local security subsidy from the villagers of Kyauk Hta-yan village, which has over 160 households, and Da-Min-Seik village, which has about 80 households.

Ko Thar Kyi (not his real name), 36, who depends on fishing for his living, said on January 2, 2012, unlike villages in other regions, (his village) had to pay a heavy monthly security fee to the government’s navy unit and have suffered from many abuses, including financial abuse.

He said,

“The fishermen from our village had to pay more local security fees. Fishermen can make money (easily) when they catch more fish and prawns. Therefore, the navy officials gave the reason that the peaceful livelihood of the villagers is due to their fully supported security services. The households, which have only one fishing boat are obligated to pay twenty thousand kyat per month. The households, which own more than one boat are forced to pay general security fees up to seventy thousand kyat per month. Thousands of kyat has been paid to navy unit No 43. Our livelihoods are just easier than those of hand-to-mouth people. A big problem occurs on the day we cannot work. When that time comes, extracting from our saved money for food, the monthly fee of twenty thousand (kyats) has to be paid.”

Like many other foreign direct investment projects in the conflict areas of Burma, the new government has mainly used its military force to protect both national and foreign businesses. There is a very clear example of how the Burmese Army has protected interests in Kachin State. Burmese troops attacked the Kachin Independent Army, an ethnic armed group in northern Burma to protect Chinese investment. Human Rights Watch (HRW) also documented that the Burmese Army has committed serious abuses and blocked humanitarian aid to tens of thousands of displaced civilians since June 2011. Some 75,000 ethnic Kachin displaced persons and refugees are in desperate need of food, medicine, and shelter, according to the HRW report.

Although both Mon and Karen armed groups respectively under the leadership of NMSP and the KNU, the government will not withdraw their armed forces from the ethnic areas. Hence, the local Karen, Tavoyan and Mon villagers in the crossfire of conflict will continuously suffer from human rights violations.

61 : Interview No. 27, Ko Thar Gyi, 37 years old, Lae Shoung Village, Yebyu Township
VIII. Environmental Concern

According to Italian-Thai’s proposal, they plan to build two deep-sea port basins and many heavy industries such as steel mills, fertilizer factories, and 4,000 megawatt charcoal industries.

Among the three types of industry, the charcoal industry is the most dangerous for the environment and can cause serious health risks to the local people. In the area, there are a total 14 villages in the industry zone and there are 50 other villages in the surrounding areas, including Tavoy town.

According to environmentalists and various researches, there will be a serious environmental impact by the coal industry including land use, waste management and water and air pollution. Coal burning produces hundreds of millions of tons of solid waste products especially fly ash, bottom ash, and flue-gas desulfurization sludge, which contains mercury, uranium, thorium, arsenic and other heavy metals63.

Water pollution in nearby areas will have a serious impact to sea water, biological animals such as fish and it will directly impact the livelihood of the local fishermen. The majority of Tavoyan and Mon villagers in the south of the project site who totally rely on fishing will be gravely affected by the industry’s impacts on the environment, including water pollution.

According to Dawei Project Watch’s field workers who have met and conducted interviews with ethnic people of the area, they have no knowledge on this type of industry and its impacts on the people in the nearby areas and the villages in the industry zones.

63 : Ma Ta Put : Industry Zone Report  (in Thai Language)
A Tavoyan man, U Aye Thar (not his real name) said that,

“I don’t know any thing about this industry. I just know about the charcoal I use in my kitchen for cooking rice and curries. It is a dirty one and it makes your pots dark. Maybe, I think, the charcoal industry can do the same” 64.

When he was told how the charcoal industry produces water and air pollution in the area, and how it can affect his livelihood, he added,

“My work as a fisherman was offered to me by my grandparents. We are all families of fishermen in this village. This is our main livelihood. We have no education and money; we cannot go to other places for our survival.”

A Mon fisherman, Nai Khin (56 years old), has said that,

“We know that many Thais and businesses from the upper region of Burma come down to our areas. First, I didn’t know, I thought they were just traders. Now, I realize that something will happen again (after the Yatana pipeline construction in 1992 to 1998). I know these people come and just give us trouble.”

“I don’t know any type of industry in my life. I just saw on TV about industries but I really don’t understand them. I don’t know about the charcoal industry. If it is too big, I think it will not be for cooking” 65.

After he received information about the potential environment impact by the charcoal industry, he added:

“Just in the last dry season (in April and May 2011), I lost eight acres of my lands when the soldiers took them. Now I am struggling and work as a fisherman full-time. If I can’t fish, I can’t survive at all. As I said, I don’t have money to buy land and other properties in another area in order to settle down. I just have to pray to Buddha.”

The many villagers who spoke to field workers have concerns on why these types of dirty industries will reach their homes, why they will suffer without getting any benefits.

The remaining respondents have serious concerns about these industries. They stated:

- We can’t escape from these industries. If we are really harmed by these industries, who can help us?

- If we lost our livelihood where can we go to find work? Can we work in these industries? And are they taking farmers and fishermen like us to work for them? Do the industry owners (companies) take farmers or fishermen to work for them?

- I am really concerned about my kids. Is it safe for them to live here? We don’t know where to go because this is our home and I want my kids to grow up here.

- We don’t know much about the environment. If we cannot get fresh air we will have problems. If we cannot fish we will die.

64 : Interview No.33, U Aye Thar (not his real name), 52 years old, Yebyu Town
65 : Interview No.24, Nai Khin, 56 years old, Nabule Village, Yebyu Township
Many fishing and farming families near the coastal areas have been talking about the new developments in their area, but they have very little awareness about the industry and processes taking place in their own area.

By responding to the questions whether the people have received an environmental education from the industry developers in their area, all respondents said ‘No’.

Some villagers said that some young people are attending trainings on these issues in the cities (maybe in Rangoon or Tavoy), but they cannot raise awareness locally because they are afraid of the local authorities and Burmese Army commanders. Therefore, the people in the area have not received environmental information and awareness on the entire project.
IX. Conclusion/ Recommendations

Dawei SEZ project is a mega development project, which is eight times bigger than Mad Ta Put Special Economic Zone in Rayong province of Thailand. Although the local population number is less compared to the population in Mad Ta Put, thousands of migrants and foreigners will move into the Dawei SEZ area.

At the same time, DWP believes that the Burmese (Myanmar) government will increase the number of troops in the area, by increasing the number of Burmese Army’s battalions and naval forces especially outside of SEZ. Not only will the Tavoyan people in the special economic zone suffer from this project but the Mon and Karen ethnic people living in the surrounding areas will suffer from the militarization of the area and related human rights abuses.

Although Burma is undergoing democratization, the government and the parliaments are quite new. Both parliament and government do not have clear policies or guidelines to prevent social and environmental impacts brought on by foreign direct investment. Finally, if such a huge project is implemented, only the people in the rural area of the special economic zone will suffer.

Therefore, DPW would like to recommend the following initiatives for the stakeholders as listed below:

To the Italian-Thai Development Company and Other Investors

1. Clearly explain the entire plan of the Dawei Special Economic Zone to the local Mon, Karen and Tavoyan villagers who will be directly affected by the project, and disseminate all true and accurate information to them.
2. Listen to the concerns of the local people from every village, community and if possible from each family.
3. Conduct the official Social Impact Assessment (SIA) and Environmental Impact Assessment (EIA) before the project is started.
4. Disseminate SIA and EIA information to other stakeholders, academics, social organizations and environmentalists and take into account their feedback.

To International Financial Institutions (IFIs) including, the World Bank, the Asia Development Bank and the International Monetary Fund

1. Discourage Foreign Direct Investment (FDI) in Burma (Myanmar), as long as there are no well founded laws and regulations on corporate social responsibility, and the social and environmental impact of development.
2. Do not give financial assistance to companies, which are involved in the development of the Dawei deep seaport project and complex industries, due to the countries lack of fulfilling the World Bank’s guidelines for FDI.

To President U Thein Sein’s Government and Burma’s (Myanmar) National Parliaments

1. Regulate laws and guidelines to prevent FDIs, which will have negative impacts on the people of Burma, socially and environmentally.
2. Postpose and review the Dawei SEZ project to make sure that local heritage sites, and the livelihoods of the local people are not destroyed.
3. Ensure the participation of the local people in the decision-making process, since all the investment and development are allocated in the Tavoy District.
Map of Project Area (Deep Seaport and road construction)
Entire Area of Ye, Yebyu, Dawei and long lone Township
Dawei Deep Sea Port questionnaires

Village situation
What is your village name?
How many people live in your village?
How many households in your village?
How many men in your village?
How many women in your village?
How many boys and girl in your village?

Ethnicity in Dawei
How many kind of ethnicity in your village?
How many Daweian?
How many Mon?
How many Karen?
Others...
Can you divided into percentage?
Mon......................%
Karen...................%
Daweian...............%
Others...............%

Religious
How religious are in your village?
Christ..
Buddhist...
Muslim
Others.....
How many religious buildings are in your village?
Temple.....
Church......
Others......

Jobs
What kind of job do people do in your village?
Farm
Garden
Fisher folk
Other
Can you describe them as percentage?
Farmer...................%
Garden...................%
Fisher folk.................%
Others...................%
**Information receiving**

Do you know about the Deep Sea Port?

- [ ] Yes
- [ ] No

If yes who tell you about that?

Do you know what the Thai company does in your area?

- [ ] Yes
- [ ] No

If yes, who told you about that?

**Village situation and Sustainable situation**

Can you go and work in your business freely?

- [ ] Yes
- [ ] No

If no what is the situation?

Dose some stranger resettle in you villager in last three years?

- [ ] Yes
- [ ] No

If yes what ethnicity are they?

How many families resettle in your village?

Where do they come from?

Does anyone come and buy land you in your village?

- [ ] Yes
- [ ] No

If yes who are they?

Where do they come from?

How much acres do they buy?

What is the prize per acre?

Does any other place marry to your villagers?

- [ ] Yes
- [ ] No

If yes, what are they and where do they come from?

**Village Security**

Does your village secure?

- [ ] Yes
- [ ] No

If no, what kinds of problems have happen in your village?

Did any soldiers come and stay in your village in the past 3 years?

- [ ] Yes
- [ ] No

If yes, what battalion are they?

How many of them?

What kind of activities did the soldier do you villagers?

Did soldiers use villagers as porters?

Did villagers have to provide food, money and others to soldiers?

Anything else has happened to villagers?
Local market prize
Did any prize of cooking material rise up in your village?
☐ Yes
☐ No
If yes, how much and why did it rose up?
Do any Thai workers live or base in your village?
  Yes
  No
If yes how many are they and how long do they live in?
Do any Thai workers come and hire villagers to work for them?
☐ Yes
☐ No
If yes how many days and what is the price?
Does any come and inform you have to move your house?
☐ Yes
☐ No
If yes, who are they?
Did they say any about compensation?
☐ Yes
☐ No
If yes how much are you going to pay you?

Education
Does your village have any primary or middle?
☐ Yes
☐ No
If yes, who support the school?
If no, where those children go for school?
How many children does this village have?
How many do they go to school?

Health care
Does your village have any clinics and medical workers?
☐ Yes
☐ No
If no where do you go when you get sick?
NO RIGHTS TO KNOW

THE COLLECTIVE VOICES OF LOCAL PEOPLE FROM THE DAWEI SPECIAL ECONOMIC ZONE

DAWEI PROJECT WATCH