

Burma Issues

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CEASEFIRES

... the guns may be stilled and silent...



As fear is the principle of des-
potic government, its end is
tranquillity; but this tranquillity
cannot be called peace; no, it is only
the silence of those towns which
the enemy is ready to invade

- Montesquieu

L'esprit des Lois

**... but it's a long walk to the
tranquillity of a true peace.**

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GENTLE AND SLOW PERSUASION?

by N. Chan

While many countries in Asia and a growing number in Europe are proclaiming a "constructive engagement" policy towards Burma, it may be the military dictatorship of Burma itself which is most clearly defining and acting upon a "constructive engagement" policy towards the rest of the world.

By definition, a policy of "constructive engagement" used by one country to relate to another country must satisfy three conditions:

1. Rather than dealing with sensitive issues, such as human rights abuses and/or dictatorship, in a confrontational and immediate way, a long-term strategy to slowly encourage democratic change and respect for human rights is carried out;
2. Important economic and political relationships between the two countries are established and strengthened; and
3. Conditions are placed on the country in question, and these conditions must be met within a specified time-frame for the good relationship to continue. In other words, one country tells another, "We will encourage investments and greater political dialogue with you if, and only if, you meet these specific conditions by a specific date."

ASEAN countries, in particular Thailand, have long claimed that their policy towards Burma is one of constructive engagement and that it is, in fact, proving to be successful. These countries do not deny that Slorc's record on human rights is atrocious, but they claim that time is required to bring about necessary changes and that Slorc can be encouraged to create democratic reform through more contact, both economically and politically, with the outside world. They fulfill two of the three conditions required for a "constructive engagement" policy. Yet these ASEAN countries have never set out any con-

ditions which Slorc must meet to qualify for continued economic and political support.

In fact, Slorc is the one which has imposed the conditions on ASEAN countries, especially Thailand, for the right to exploit Burma's vast natural resources. Burma is one of the poorest countries in the world, and thus logically would be the one to give in to conditions set by other countries for aid and investments. Yet it is the Slorc which is saying, "If you want our resources, you will do exactly as we say or get out." And people are listening to them.

"If you want our resources, you will do exactly as we say or get out."

A case in point is the fishing concessions which Slorc gave to Thai companies shortly after the 1988 military coup. The fishing concessions bring Slorc hundreds of thousands of dollars in much needed cash. In August of 1995, after an incident in which several Burmese fishermen were killed by Thai fishermen, Slorc closed border check-points with Thailand and revoked concessions for Thai boats to fish in Burmese waters. Thailand is anxious to get the border opened again, but Slorc has stubbornly refused to agree to such a cooperative action. Last month a Thai military spokesman said that before they will agree to reopen the border and allow Thai fishing boats into Burmese waters, Burma [Slorc] is now demanding \$109 million in compensation for the death of the Burmese fishermen. It seems that Thailand is prepared to pay.

"The Burmese side told us that border relations, including trade and fishing, will only resume after Thailand pays compensation of \$109 million," the spokesman said.

Who really is welding the club of "constructive engagement" is further emphasised by the fact that several Thai fishermen were also killed by Burmese fishermen in mid-1995, and there has been no talk of Thailand demanding compensation and an apology from the Slorc officials.

Logic would suggest that, because of all the terrible criticisms Slorc has received from the international community, they would bend a little to gain some international favour. That does not seem to be the case at all. Early this month, Assistant UN Secretary-General Alvaro de Soto requested a visit to Rangoon and meetings with Slorc Foreign Minister Ohn Gyaw and Lt-Gen Khin Nyunt to collect information for the UN General Assembly and the Human Rights Committee which convenes on March 18. Slorc turned the visit down, saying they were not ready to host him and that the meeting should be re-arranged for August, several months after the Human Rights Committee meeting.

Slorc also seems to be establishing severe conditions for any NGO contemplating opening an office inside the country. The extreme poverty of their people, a medical system which is basically bankrupt and totally inefficient and malnutrition which is rampant throughout the country, are not sufficient reason for Slorc to open their doors to international NGOs willing to assist in these fields.

Conditions are once again laid down. One condition seems to be that the NGOs cannot have any contact with Daw Aung San Suu Kyi - a condition which NGOs presently in the country appear willing to accept. Another condition is that they agree to confine their activities to carefully Slorc-selected geographical areas and that they make no public statements about human rights abuses or lack of democracy within the country.

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SOMEONE ELSE WILL, IF I DON'T...

by KR

Aung San Suu Kyi has consistently maintained that foreign investment in Burma benefits very few people. When people are very poor, the kind of investment most valuable to them is that which will directly improve their prospects in fields such as education and health care. They don't need five star hotels, owned and partially staffed by foreigners. (The Andaman Club recently opened its doors. 120 of its staff are foreigners.)

Many recent investments in Burma have focused on the tourism sector, taking advantage of Visit Myanmar Year. Sakura (JA) is upgrading hotels and Thai is increasing its air traffic and the level of investment in this sector continues to climb. Infrastructure projects (often to boost the likely income from tourists) are also on the increase. Chiyoda Corp is involved in no less than 60 such projects in and around Mandalay.

It seems that money speaks louder than Aung San Suu Kyi for some companies. Whilst US companies Levi-Strauss, Liz Claiborne, Macy's and Amoco have recently withdrawn from their investments in Burma, the inspiration was economic. They fear the effects of boycotts and the tarnish

on company names, though the Levi-Strauss company was abiding by a clause in its charter. The good news in this is that boycotts are affecting decisions made by investors in the US in particular. The new sanctions bill, introduced to the senate in February by Senator Mitch McConnell, and the use by some states and institutions of selective purchasing legislation, which allows them to avoid dealing with companies which invest in Burma, can only be seen as positive moves by those who wish to see the Burmese people free to choose their own government.

However, US companies Unocal, Texaco and Pepsico remain huge investors in Burma and will lobby hard to try to prevent any blocks to their ability to invest in Burma.

Unfortunately, most investors find themselves saying, "Everyone else is doing it so why worry." They look for justification in Aung San Suu Kyi's release and find it hard to resist the tax concessions and the opportunity for 100% foreign ownership offered by the SLORC to adventurous investors. It seems that moral outrage is hard to maintain in an atmosphere of temptation.

Sources -

Burmanet 960307,960219

New York Burma Support Group
960223

BP 960219, 960102

NLM 960113



NOT RESISTING TEMPTATION

People's Garment Plc, makers of the popular Arrow shirts, are looking at taking advantage of 'lower labour costs' to make an initial investment of some 100 million baht (about US\$ 4.16million) for two plants in Burma and Vietnam, when the 'protectionism in these countries is eased.'

Unlike Liz Clairborne and Levi Strauss, which companies closed operations there after US consumer protests, and faced with US import restrictions on goods from Thailand ((the original choice for its regional production base), the company is presently conducting a feasibility study, which could see plants established within two years.

Source: BP 960312

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The NGOs, themselves, have placed few if any conditions on continuing their presence in the country, obviously fearful that they would be asked to leave.

The one inspiring exception to this is the International Committee of the Red Cross (ICRC), which officially closed down their Rangoon office on August 15 last year. ICRC requires access to all political detainees in the countries in which they operate. Slorc refused to grant this condition. Rather than compromise their principles, ICRC chose to close their office - a

definite loss for Slorc and a further blot on their record.

If all countries, companies and NGOs would have the courage to establish clear conditions for their involvement in Burma, Slorc might finally find themselves so isolated that they would be forced to acquiesce to at least some of these demands. That would provide some of the space the people of Burma need to begin building their own foundations for democracy.

The purpose of a constructive engagement policy is to gently and slowly persuade change. In Burma, the only body effectively carrying out such a policy is the Slorc which has

successfully managed to get most governments, companies and even NGOs involved there to soften their positions with regards to the importance of human rights and democracy.

Sources:

TN 950831

TN 950618

BP 960305

TN 960216

Interviews with visitors to Burma



ENVIRONMENT

CEASEFIRES: THE FORESTS ARE STILL UNDER FIRE

by Alice Davies

East Asian prosperity threatens the environment, denuded forests result in death and destruction, forests: nature's living reservoirs, environmental refugees: a new growing class, squandering our soil, scientist warns of failing food supplies, Asia faces water shortage, water wars...

Why are these headlines relevant to Burma, particularly in light of the ceasefire agreements over the past year?

'Denuded forests result in death and destruction' and 'Forests: nature's living reservoirs are particularly pertinent as it appears that what remains of Burma's forests, which once covered 80% of the country and are now estimated to be less than 20%, are at risk from the ceasefires. Not only is it estimated that 1/8 of total forest area was lost during the 1980's, with a further 1% annually since 1985, but it appears that logging on a massive scale will continue.

A 6/3/96 report indicates that 'Khun Sa expects SLORC to clear up border pass problems to facilitate his logging interests. SLORC permitted the MTA to process teak in its area to generate income during the initial stages of integration. Wood and 100s of millions of baht of logs and processed wood have been hauled...' [across the Thai border].

In June 1995, it was reported that the NMSP was seeking the right to export 70,000 tons of timber already felled by Thai logging companies. During ceasefire negotiations, the Mon delegation reportedly received no official reply to requests to conduct economic activities, such as logging and fishing, and did not touch on the question of the pipeline, but were offered the comment that 'When the gas project begins to operate, the Mon State will be richer than other regions.'

Under the terms of their ceasefire, the Mon control 19 small areas of

about 10 square kilometres each in Mon State. In 1988, about 41 Thai companies were allocated logging rights over some 18,800 square kilometers. By October 1995, it was reported that the 'ceasefire deal has had a positive impact on the construction of the gas pipelines' - at the cost of already documented social and environmental dislocation.



So, will it be this?

In July 1995, KNPP leaders were quoted as saying that 'the timber supply will last only a few more years. But Kayah State also has lots of valuable mineral deposits: antimony, marble and tungsten. And, of course, there is lots of water in the Salween River. That is our most valuable natural resource.'

It is the Salween River the Thai authorities wish to dam - a 100 km stretch of the river, which reservoir would flood back up into the Shan state, now also quelled. This 'would break the Karenni's rice pot' (and that of the Karens) and have disastrous environmental and social effects south through to Mon State.

The questions which remained unanswered about the Salween and Moei river diversions to serve the Chao Phraya basin are thrown open to answer again.

The Karenni and Shan ceasefires will also facilitate EGAT's plans to

dam the Salween. The effects of large hydro-electric dams are well documented, as is the problem of reservoirs behind hydroelectric dams in tropical forests contributing far more to global warming than fossil burning power plants and increasing seismic activity in their region.

In January 1995, Khun Sa had

threatened to disrupt any hydropower project in his territory, if his Shan resistance movement was not consulted prior to the implementation of the project. The Shan resistance is now doused, if not quenched.

Last year, the Thai Foreign ministry questioned the possibility of political changes in Burma affecting the contract for the purchase of gas from the Yadana field. Construction of the pipeline is due to begin in 1996. An article, around the same time, commented that 'while [other ethnic groups]... had entered into ceasefire agreements for purely economic reasons, others have been pressured by the changing global and regional geopolitical environment. Also, the West's growing interest in resource rich Burma [estimated to be some \$4 billion, by the end of 1995], which prompted many developed countries to soften their stance towards the regime in Rangoon and to weaken their

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ENVIRONMENT

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support for the Burmese Opposition and armed ethnic fighters, was a contributory factor.'

Not only the West (France's total investment is believed to be some \$455 million. The social and environmental effects of the gas pipeline and off-shore drilling is well documented elsewhere and in previous issues) is interested in Burma's resources. Its closest neighbour, Thailand, is already heavily involved in both logging and the gas pipeline and has ongoing border disputes to resolve. Singapore remains the highest foreign investor.

The Economist, in its article, 'The Natural Resources Myth', advised resource rich countries to 'invest the proceeds from natural resources cautiously and productively, that is, in education or essential infrastructure.... living off resources is all too likely to corrupt the business of government - and so the functioning of the entire economy. Corruption in the natural resources sector spreads across the whole public sector - and frequently suborns the government. Instability follows.'

In Burma, it is the civil servants (army) who receive subsidised rice and petrol, there is galloping inflation, questions over the price of rice (which questions sparked the initial uprising of this present strife), there is a latent democracy movement and an overt one in the border regions where the ethnic minorities are/were fighting for recognition - and the rights to logging and mineral development to sustain their people until they can be self-sufficient in the commodities necessary to feed themselves.

The Economist further warns that 'natural resources don't come for free. Exploiting them often requires considerable investment, which diverts capital and labour away from productive investments...' They further indicate that 'commodity prices swing more than the prices of goods and services; natural resource economies are more vulnerable to external shocks and it is more difficult for them

to recover.' That the resources are finite is borne out by the above Karenni comment.

A report from September 1995, states that 'there are a number of troubling problems, which could, taken together, cause a crisis. One is the continuing decline in the coverage and quality of forests [impacted by both logging and dams]. A second is the implications of the virtual disappearance of mangroves in the Irrawaddy delta, the rice bowl of the nation. The third is the deforestation and depletion of organic matter in the deteriorating soils of the dry zone. A fourth is the tendency for farmers in the mountainous states to exploit steep hillsides, causing soil loss and siltation of lakes and irrigation systems. All of these will tend to decrease the carrying capacity of the farming system over time and also to increase the problems associated with floods, droughts and erosion.'

The final warning - both environmentally and economically - from the ceasefires is that they are simply that - a stand-off: there is no lasting peace. The headline, warning investors of a rising Asian activism, should be heeded, as the hunger could again boil over. One of the catalysts for the general strike in August 1988 was the price of rice. Now, with rampant inflation, Burma again faces high rice and commodity prices and increasingly degraded land.

MESSAGE FROM AN OLD RED INDIAN CHIEF

Only after the last tree has been
cut down

Only after the last river has been
poisoned

Only after the last fish has
been caught

Only then will you find
that money cannot be eaten..

Sources:

Bangkok Post

The Nation

The Economist

Prospects for Sustainable Growth in Myanmar/Burma, a report for UNDP, by Dr David Dapice, Harvard Institute, 12/9/1995

Images Asia



... or this?

ROHINGYAS

WHEN YOU'RE NOT WANTED ANYWHERE, WHERE DO YOU GO ... HOME?

by Alice Davies

A report by Professor Abrar, of the University of Dhaka, investigates the continuing repatriation of the Rohingya refugees from Bangladesh. He deals with the root causes of the refugee problem, the treatment of refugees by the Government of Bangladesh (GOB) and the actual repatriation.

Leaving aside the questions, also briefly addressed, posed by MSF France and Holland of whether or not the repatriation is voluntary and taking both a legal and a liberal approach, Professor Abrar argues that 'a marginal improvement in the human rights abuse situation', which caused the Rohingyas to flee and be classified as refugees, 'does not mean a change in circumstances', the necessary criteria by which the UNHCR may divest them of their refugee status.

He then lists the three elements, under international law, specific to defining 'change in circumstance', these being: 'a relative calm', 'a substantial political change which is truly effective' and 'a durable change in circumstances'. Taking a legalistic view, he argues that defacto executive authority remains in the hands of the oppressors, but, under a more liberal interpretation, states that recent SLORC decisions to discontinue forced labour, payment for communal labour and the suspension of relocation of villages indicates major steps forward in human rights practices.[see also *The Guns May Have Stopped...*, this issue]

Yet, *Arakan Forum*, January 1996, reports that 'Inflation leaves Burmese families with nothing to eat' and details an attack on Meewa village, Kyauktaw township, on the 23rd of August 1995. There, a pregnant woman and one who had given birth two days before were shot at point blank range. Five other women, two old men and 7 children were also shot.

Professor Abrar voices the concerns of the UNHCR that neither they nor UNDP are involved in the re-integration program (only WFP is involved in the area) and that economically anchoring the people in a region that is economically depressed is crucial. He also cites this as a reason why the GOB was so anxious to repatriate the refugees - their negative impact on the local economy.

In summary, he argues that, 'given the peculiar history of the Rohingyas within the Myanmar Union, the unresolved question of their citizenship [particularly as many lack identity, their citizenship papers stripped from them by SLORC soldiers, when they crossed the border] and associated discrimination as a national minority over the last hundreds of years, the Myanmar government's perception of them as 'illegal immigrants' and a possible concomitant implicit national agenda of driving them out to their 'home' country (ie Bangladesh) make it a compelling case that any opportunity to send them back to Myanmar by ensuring their personal safety is to be availed. Delay in their repatriation would only weaken these people's rights to live there and further complicate their claim to land and homes....The denial of Bangladesh authorities to open schools and income generating activities in the camps only reflects their firm determination to accept the refugees as a temporary phenomenon...'



Which way to go? Where?...Home?

Finally, the Professor writes that the UNHCR, possibly mindful of donor fatigue, states that 'the improvement in the human rights situation in Arakan, its presence in the region and its access to returnees to monitor protection matters...[believes this is]... the right time to promote repatriation in an active way.'

Sources:

Arakan Forum, January 1995

C.R. Abrar, *Repatriation of the Rohingya Refugees*, University of Dhaka, 1995

WELL... THE GUNS MAY HAVE STOPPED...

by CAC

Despite the June 1995 ceasefire between SLORC and the New Mon State Party (NMSP), conditions for villagers in the Ye-Tavoy area continue to worsen and people continue to flee the area. This is primarily due to increasing demands for forced labour on the Ye-Tavoy railway construction. SLORC has apparently sped up its schedule for completion of the railway and slightly changed its strategy. In the 1994-95 dry season, SLORC focussed almost all forced labour on one stretch of the railway, instead of the whole line. As a result, the southernmost twelve mile stretch from Tavoy to Yepyu was officially 'completed' in May 1995. SLORC is now employing this strategy to other portions of the line. For example, on the 20th of November 1995, villagers in Ye Township were suddenly informed that they were to complete the entire 18 mile stretch from Ye to the Tenasserim border in only 15 days. Much more intensive calls for labour - whole families, rather than one member per household - occurred right at harvest time, forcing families to risk losing their entire rice harvest. Another result of this strategy is that some villagers have to travel 100-200 kms to work, rather than taking assignments on the nearest section of the line. At least 1/3 to 1/2 of the labourers are women and children, either because SLORC has demanded several people from each family, because it takes a whole family to complete the work quota in the allotted 15 days, or because the men stay at home to harvest the family's rice crop.

SLORC claims that labourers on the railway are paid, but there is no evidence to support this. Villagers even have to provide their own food and tools. Anyone who cannot work must pay 3-4000 kyat to SLORC, or hire someone to replace them for 700-2000 kyat. There are some itinerant day labourers, both in the villages and at the worksites, who are willing to be hired. As a result, it is true that some people are being paid for their work, but the payment comes from other villagers, not the military. It appears that the Railway Ministry officials on

site have cash budgets, which may be intended to pay labourers, but the Ministry officials simply hand this money over to the local army battalions, as payment for guarding the workers.

SLORC has also increased the rice quotas being confiscated from farmers by up to 55% this year, from 2 to 10 tins per acre. SLORC pays only 70 kyat per tin, while the market price is now 410 kyat per tin. This increase is caused in part by the need to feed the expanding army and, in part, to support the 500% increase in rice exports

Under the terms of the ceasefire, SLORC is supposed to cease taking all forced porters and porter fees ... SLORC says that the porters are being collected by Township LORCs, not the Army...this is acceptable, because only the Army is bound by the ceasefire terms ...

from Burma this year, projected at 1.2 million tonnes for 1996. This export increase is intended for the military's profit and international public relations advantage, but it is causing an extremely serious rice shortage throughout Burma.

Rice prices have doubled in many areas and people are subsisting on rice soup or are starving. Traders from coastal towns in Southern Burma are even coming to hard-pressed Mon revolutionary areas looking to buy rice.

At the same time, as SLORC continues to send more military force into the area, forced labour at army camps

and extortion of money from villagers continues to increase. Many new battalions are being sent in to secure Total and Unocal's proposed natural gas pipeline from the Gulf of Martaban to Thailand. Troops protecting the area are now extorting 'gas pipeline fees' from all the villages in the area, including villages 15-20 km north of the proposed route. The cost is 150 kyat per month per family and villagers are threatened that anyone who does not pay, has to go for 3 days of forced labour on the pipeline survey work.

Under the terms of the ceasefire between SLORC and the NMSP, SLORC is supposed to cease taking all forced porters and porter fees from villages. Villagers confirm that all these things continue, at least as much as before the ceasefire. SLORC has answered all NMSP's complaints by stating that porters are being collected by Township LORC's, not by the army and that this is acceptable, because only the army is bound by the ceasefire terms.

Refugees continue to flee their villages to the Thai border. Due to the ceasefire agreement, the Thai government now plans to force all Mon refugees back to Burma by May 1996. There continue to be very serious concerns for their safety once back in Burma. The UNHCR is negotiating with SLORC to try to have a presence on both sides of the border to monitor the repatriation. SLORC is unlikely to grant permission and even if it does, UNHCR's behaviour in Arakan State and Bangladesh has made it clear that UNHCR is more interested in helping the governments involved to whitewash a forced repatriation, than it is in protecting returnees.

Source:

Ye-Tavoy Area Update, KHRG #96-01, 960105



FROM THE WIRES

NEWS BRIEFS FOR MARCH

A new sanctions bill has been introduced to the US senate by Senator Mitch McConnell. The last was withdrawn late last year. Companies such as Unocal are lobbying senators in the hope that the legislation can be defeated.

Several US city councils, including New York, are debating the possibility of using US selective purchasing legislation to boycott companies which have investments in Burma. The state of Massachusetts is also expected to act upon the legislation shortly.

Khun Sa is reported to be living in luxurious accommodation in Rangoon's Inya Lake area and setting up logging and gem export/import companies through which to launder his millions from drug production and trafficking.

In recent heavy fighting between the SLORC and Karenni guerrillas, the SLORC has taken the crucial Karenni base at Naung Long Hill. From there they have launched a massive offensive. A total of 46 28lb bombs and 2.75 air to ground missiles were dropped and fired over two days from Swiss-made PC-7s between 9th and 11th March.

Reliable sources verify reports that the French oil firm Total, suffered an attack on a work site in the area of the Ye-Tavoy pipeline in February. Those sources also say that several people including a French man were killed. In a retaliatory attack, the SLORC beat 11 Karen villagers to death. There is no evidence that the villagers were involved in the attack on Total. Retaliation of this kind is a usual tactic for SLORC soldiers.

Intestments in Burma continue unabated. Burma took possession of 6 Chinese-made ferries last month - the first of 30 in the joint venture.

Thai Prime Minister, Barnham, will visit Burma on the 17-18 March 1996 to discuss long term relations between the two countries. He said they will not discuss the opening of border trade routes.

Sources:

TN 960207

BP 960311,960220

US Senate 951221

NY Support Group 960223



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