

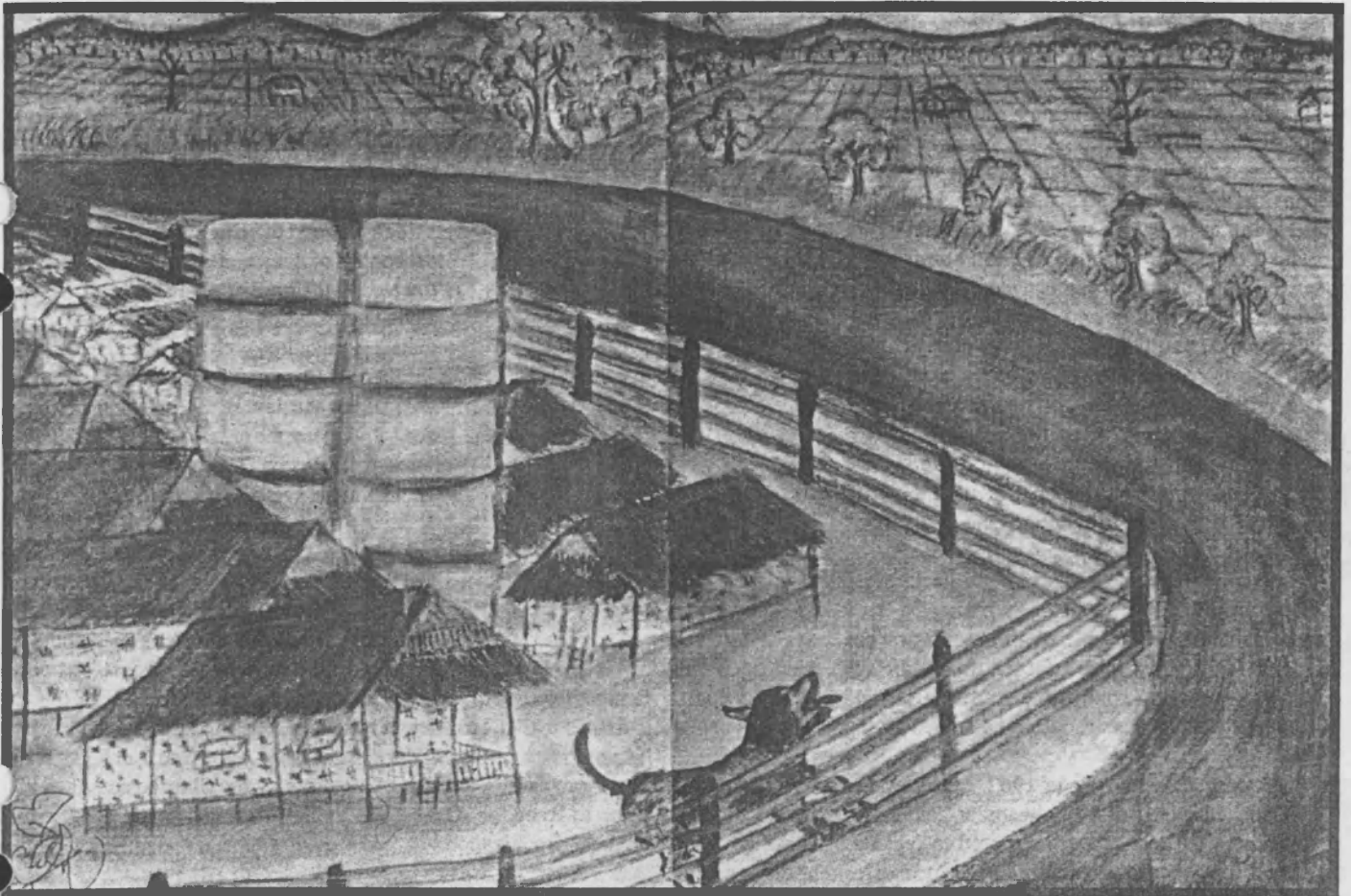
BURMA ISSUES

News, Analysis & Peoples' Stories

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"We have struggled for 50 years by force of arms to try to solve the problems of our country and that approach has failed. Now is the time for peace and reconciliation. The people are fed up and determined to have their rights and freedoms restored." – NLD executive officer Tin Oo.



Picture by Saw Po Kler Htoo, age 16 years, Maw Ker High School

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Burma Issues, the monthly newsletter of Burma Issues, highlights current information related to the struggle for peace and justice in Burma. It is distributed internationally on a free-subscription basis to individuals and groups concerned about the state of affairs in Burma.
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BUDDHISM AND THE STATE:

EXPLOITING RELIGION FOR THEIR OWN INTERESTS?

"... it can be seen at this juncture that there are those who are exploiting religion for their own interests... and these obstacles marring the otherwise good progress need to be removed once and for all."

— Excerpts from an editorial in the Burmese-Language Mirror. The editorial was responding to Buddhist monks who demonstrated and in some cases rioted throughout the country in March, 1997.¹

Buddhism in Burma has been changing under efforts by the ruling generals to both diffuse and to appropriate the power of Burma's majority religion. Buddhism's primary organization, the *Sangha* (the community of Buddhist monks) is the target of many of these changes. The *Sangha* has nurtured many prominent social critics and leaders in Burma. Though political monks make up only a small minority of the *Sangha*, there is no denying the threat that dissent from Burma's religious leaders poses to a dictatorship. Attempts by Burma's military rulers to subdue the powerful force of the *Sangha* have often crossed the line into blasphemy — monks are considered higher status than even kings or rulers, and murdering a monk is considered to be the gravest sin a Buddhist can commit on earth. Religious taboo has not stopped the government from jailing and disrobing hundreds of monks, and though they have always denied reports of killing monks, many have died in jail or disappeared. In recent years Burma's generals would have the people believe that they are nevertheless good Buddhists, by making lavish displays of their pious good deeds, or merit-making. One analyst has remarked, "They [the Slorc generals] are trying to appease the people and win them back, they are also trying to white wash away their past deeds by making merit. Most people don't buy it but what can they do."² If the Slorc hasn't fooled the public with their efforts, or managed to control the Buddhist clergy once and for all, it's certainly not because they haven't been trying.³

When the army seized power in 1962, nearly every organization was immediately dissolved or brought under government control. It was announced that all monks were required to register with the government. However, so many monks refused to register that the government created its own All Buddha *Sasana Sangha* Organization which, in 1965, agreed with the generals that requiring government-issued 'ordination certificates' was not contrary to the Buddha's teachings.⁴ Outraged, monks and citizens demonstrated across the country; in Mandalay, rioting monks wrecked a government office. The protests subsided after a government crackdown in which several monasteries were shut down and more than 100 monks arrested and disrobed.

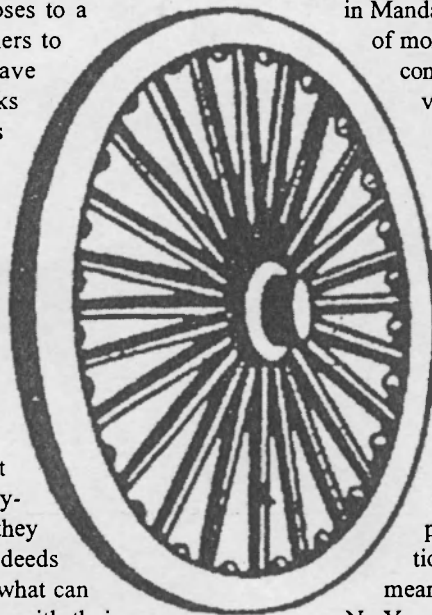
In the 1970's, another major step toward total government control brought the *Sangha* under the state Ministry of Home and Religious Affairs, as part of a government anti-corruption drive.⁵ However, the move was apparently not enough to prevent monks from taking an active role in the democracy demonstrations of 1988. Throughout the country, monks were at the center of protests, and many became organizers and leaders — one of the democracy movement's main centers was at Rangoon's Thayettaw monastery.⁶ The military's response to the uprising was unprecedented in brutality, and the *Sangha* was not spared. Monasteries were occupied, hundreds of monks were arrested and disrobed, and many disappeared. After a campaign of terror lasting months, the protests were finally subdued.

Monks were again prominent in 1990 demonstrations after it became obvious that the Slorc was determined to ignore the NLD's election victory. The *Sangha* threatened to excommunicate members of Burma's military, and thousands of monks engaged in a silent "overturned bowl" protest, refusing alms from members of the military or their families, thus preventing them from making merit. In a carefully orchestrated and thorough crackdown, soldiers occupied hundreds of monasteries in Mandalay and Rangoon, arresting and disrobing hundreds of monks. The monks arrested were primarily accused of communist involvement, but other charges included subversive writings in poems and diaries, gambling and smuggling of gems and drugs. That year, Burma's generals finally moved to bring the entire *Sangha* under direct control of the government. With Slorc declaration No. 20/90, known as the Law Relating to the *Sangha* Organization, it became law that only one monks' organization, with nine approved sects, was permitted in Burma. The maximum punishment for breaking the law is a three-year prison sentence.⁷ Following the passage of the No. 20/90 declaration, many leading clergy were quickly replaced by monks more sympathetic to the Slorc.

Though hundreds of monks are still known to be imprisoned throughout Burma under often brutal conditions, the Slorc increasingly seems to be using gentler means of gaining the support of the *Sangha*. Abbot U Win Na Ya, also known as U Tha Menya Sayadaw, has become famous for resisting politicization, and thus escaping both the carrot and the stick. U Tha Menya is greatly respected throughout Burma for his neutrality, and both Slorc leaders and Aung San Suu Kyi have paid him formal visits. In spite of attempts by the Slorc to convince him to come to Rangoon, U Tha Menya Sayadaw has never sided with any political organization.⁸

A large part of U Tha Menya's popularity has been his reputation for incorruptibility, possibly because so many other abbots and monks have proven quite ready to side with the Slorc. Sometimes derisively referred to as "Slorc monks", many of these members of the State *Sangha*, are honored, displayed and pampered. The "Slorc monks" are visible in state-run media sitting on panels, giving sermons, receiving lavish merit-making gifts and dispensing with blessings. In one recently publicized ceremony attended by Slorc Secretary-1 Khin Nyunt, "well-wishers" donated a Land Cruiser (Prado), for the "promotion of Theravada Buddhism", to the Saddhamma Thidagu monastery in Sagaing.⁹ Recent donations to a planned Buddhist missionary university included an air-conditioning system valued at US\$ 30,000.¹⁰ Donations like these may be intended to "buy" the loyalty of certain religious leaders, be good for public relations, or they may simply be intended to make merit for those presenting the gifts.

Regardless of the intention, money and labor have been pouring into Burma's pagodas and monasteries in recent years. In April 1996, Lt-General Than Shwe promised that the Slorc would restore 120 pagodas each year.¹¹ Shwedagon Pagoda in Rangoon, considered the spiritual center and the symbol of Buddhist Burma, has undergone a well-



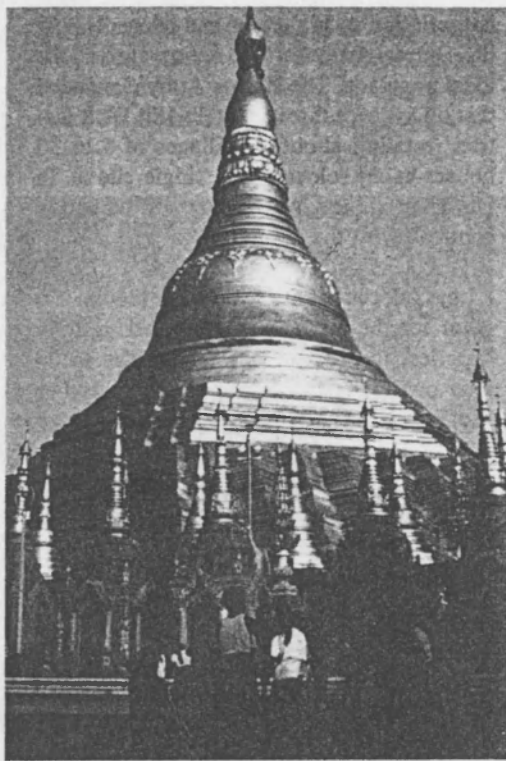
publicized and practically endless series of renovations and improvements since the Slorc government took power in 1988. The latest planned renovation: escalators at the northern stairway. Large financial donations to monasteries and pagodas are enumerated in the state media, and many of these donations come not just from Slorc generals, but from groups all over the country. One typical (relatively small) cash donation recorded in the state-controlled media, 456,913 kyat for the Sittway Lawkananda Pagoda (the equivalent of one month's salary for about 380 government employees¹²). More high-profile are the donations to the Buddha's Tooth Relics, which were loaned, amid much pomp and fanfare, by China to Burma for an extended tour. During the tour in 1996 and 1997, the Tooth Relics inspired reported donations of well over 12 million kyat¹³. These donations are usually publicly received by prominent generals or government officials in formal ceremonies¹⁴, and though donations themselves are counted almost daily in the state press, it is not made public how any of the money is spent. Reports from inside Burma allege that large amounts of these cash donations are actually extorted from Burma's citizens who may well like to make merit, but are compelled to give far beyond their means. According to the state-run *New Light of Myanmar*, over 19,000 days of work have been "donated" to help build and maintain the new pagodas designed to house the Tooth Relics¹⁵. The Tooth Relics are just one prominent example — there are reports throughout Burma of forced labor on building and renovating pagodas.

The latest Buddhist projects planned by the Slorc regime include several Buddhist museums, Buddhist missionary colleges, and a World Theravada Buddhist Missionary University. The latter is scheduled to open in 1998. Not surprisingly, the curriculum for the World Theravada Buddhist Missionary University will be heavily influenced by the ruling generals themselves, as reported by the *New Light of Myanmar*: "The university is to be established in keeping with Chairman of [Slorc] Senior General Than Shwe's guidance on propagation of Theravada Buddhism world wide. He spoke of the need for setting up a university to be able to teach Theravada Tipitaka literature and carry out missionary work."

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Even while Burma's government is showing interest in making it easier to become Buddhist, it is making it harder to become a monk. The government has indefinitely suspended the *Payiyatti Sangha* examinations (a formal test which is required for entry into the *Sangha*), since late last year when many areas of Burma were disrupted by protesting students and monks. Meanwhile, a very worrying development for Burma's religious minorities have been reports from all over Burma of apparently sanctioned persecution of religious minorities, or preferential treatment of Buddhists. There are reports of incentives offered to people willing to convert to Buddhism, including freedom from forced labor, special privileges and gifts of money. As perhaps indicated by new missionary universities, more institutional conversion efforts are likely underway as well. A document in Burmese, collected in Chin state and apparently created for use by such missionaries, entitled "Missionaries, Honorable Monk, Cleansing Organization", listed 17 ways

to confront Christians on their beliefs.¹⁷ One state-run media article even reported Hindus performing a Buddhist merit-making ceremony, under the "sponsorship of the Hinduism Teaching Central Committee of Thanantana Dhamma Palaka Organization"¹⁸. The ceremony was attended by the Minister for Religious Affairs, Lt-Gen Myo Nyunt himself. It's hard to understand the direct intention of such ceremonies, but clearly even those who haven't officially converted to Buddhism nevertheless are being encouraged to make Buddhist merit.



Shwedagon Pagoda in Rangoon is considered the symbolic center of Buddhist Burma.

Based on the volume and variety of ostensibly religious activity occurring in Burma, it's tempting to guess that more is at stake here than just the control of the *Sangha*, or even a massive and expensive public relations effort. A Burma scholar who has studied the significance of various styles of Buddhist meditation has observed that the military rulers of Burma practice *Samatha* meditation, a study which has long been associated with law, medicine, alchemy, and magic. He cites an interesting book on meditation published in 1962, the year that Ne Win took power, which suggests that practice of "mental culture" is the solution to Burma's problems. The author of the meditation book describes himself as the "Head of the Association of Weik-sa (wizard) Sects for the Propagation of the Buddhist Realm."¹⁹ Certainly some people think that magic might be a motivation for Slorc. The Slorc has been accused of damaging Buddha image at Rangoon's Payagyi Pagoda and plundering the sacred jewels stored in pagodas all over the country. Some have suggested that the Slorc are searching for a legendary ruby which brings war victory to whoever owns it.

Whatever the motivation, the Slorc on one side seems to be encouraging Burma to make merit at a desperate pace, while simultaneously working to manage, and even rewrite, the role of Buddhism in what is a powerfully religious country. In spite of forceful efforts to suppress the *Sangha*, there are still many Burma, monks and citizens alike, who are clearly not convinced that making merit is enough. Without significant political change in Burma, it is indeed hard to see how anything but incredible good luck or magic could improve the situation for a country still damaged by years of war, repression and poverty.



E.M.

Friend: For the endnotes, please turn to page 7.

WHERE TO GO? NEW ARRIVALS IN THAILAND

In the past, Thailand has often been praised for granting asylum to the refugees from Burma who for decades have been fleeing warfare and human rights abuses. These days, the message from the Thai authorities seems clear: go back home. New arrivals have been forced to wait for longer periods before being allowed to move to refugee camps, if at all. As a result, thousands are now squatting wherever they can in the jungles on both sides of the border, hiding from authorities due to a well-justified fear that they will be repatriated as illegal immigrants. The following report is about a group of 127 people, twelve families including babies and the elderly, who recently arrived in Thailand from areas in Kawkaik township; Kaw Hser, Kleet-Pho Htah, Meh K'taw and Pnweh Poo.

They began their journey together on 2 October, setting out from two adjacent villages. It took almost a month to reach the border. They stopped in Ta Uht Htah region in the mountains before arriving at the border on 26 October. They had a difficult journey, having to pass the Burma Army, DKBA¹ and "Peace Front" soldiers.² The children especially suffered, getting sick along the way with fevers, low blood pressure, flu, etc., having no medicines with which to treat them. Nevertheless, they man-

aged to overcome these obstacles and reached the border without any of them dying along the way.

The group said it had become too difficult to stay in their own villages due to the activities of Thut Mu Heh³, leader of the "Peace front" soldiers. Thut Mu Heh has forced conscription to his group and allegedly told the Burma Army to take action against the local populace. The Burma Army demanded that all villages throughout Ta Uht Htah district (totaling about 30 villages of 5 to 30 houses each) relocate to a single site at Ta Uht Htah village, where they will be tightly controlled by the soldiers.

At the relocation site people are required to labor for the army (such as portering food supplies) three days a week, permitted to do their own work three days per week, and to rest for one. When people have time to go and do their own work, they must pay another 10 kyat. In fleeing, these people have left behind their property, cattle and livestock, even unharvested rice – everything. The refugees brought only a few basic possessions for the journey. One elder among the group explained how they didn't like to have to come to another country, as they have always stayed in their own villages and on their own land, but now they have had to

flee because of all the difficulties. Most of the rice crop is ready for harvest, but they made the difficult decision to leave before harvesting.

One elder described how relieved they were when they reached the border. However, getting into a refugee camp was also a danger for them. They had heard that the Thai Army is denying access to camps and forcibly repatriating new arrivals.⁴ The group sent the women and children to the border first, and on 27 October the rest crossed into Thailand. At about 9 am, a group of eight Thai soldiers encountered them as they were all together at a farm hut and asked, "Where are these people staying. Where are they going?" The Thai soldiers told the group that they wouldn't be allowed into a refugee camp, nor be allowed to stay in Thailand even for the night. They instructed the women and children to return to Burma, but did not say what they would do if they didn't go. The farm hut owner (a Karen with Thai documentation who had relatives among the arrivals) explained to the soldiers that they had come to do subsistence wage labor on the corn crop and in the evening they would be crossing back over the border. The soldiers gave them permission to stay until 4 pm, and left. Throughout that night and the next morning, the families dispersed to various locations.

CHUMPON CAMP

Refugee sites within Thailand exist under a range of conditions. For many of the well-established sites (called "temporary shelters" by Thai authorities), residents still have limited options to work outside the camp, are usually permitted to forage in the forest for additional vegetables and have access to markets within the camp where they can buy other necessities brought in from outside. By contrast, the newest camps often begin as squatters' sites, where people who have crossed the border settle down to wait for the authorities to decide what will happen to them. They often spend months in uncertainty, knowing that at any time they may be told to move to a more established camp, to return to Burma, or simply be permitted to stay a bit longer. At these sites, people often receive only the most basic food and medical aid, and are allowed no access to the outside. With an extremely limited diet and often overused water sources, many refugees are suffering from health problems which indicate poor nutrition and sanitation.

267 refugees currently live under these conditions in the Chumpon area in far southern Thailand. From NGOs, they currently receive basic foodstuff: rice, salt and fishpaste. As the site is remote, the roads are bad and access is restricted, there is no market and there are currently no Thai vendors who come to the camp to sell meat or vegetables. The few gardens that have been planted are not enough to supplement the diets of all the residents, and hunting and fishing are prohibited. According to a trained medic in the camp, out of nearly three hundred residents, 13 children have died in Chumpon between March and October 1997. Only one of the thirteen children was over a year old. In the same period, it was reported that there were eight births. The medic who recorded these deaths wrote, "There are not enough medics qualified to look after the patients. We need help." NGOs are currently attempting to address the issue.

E. M.

Anonymous Sources

- 1 Democratic Karen Buddhist Army, a breakaway faction of the Karen National Liberation Army which has since allied with the Burma Army.
- 2 A local militia under an ex-KNU officer, established as an alternative to the DKBA.
- 3 Thut Mu Heh is a former KNLA 16 Battalion commander who surrendered to the Burma Army. An attempt was recently made on his life, in which a number of members of his immediate family were killed. Although it is unclear as to exactly who was responsible for the attack, it was almost certainly a KNU payback, and it's clear Thut Mu Heh holds the local population responsible for complicity in the attack.
- 4 Thai policy for an increasing number of camps has been to refuse access to new arrivals – anyone without camp registration papers or carrying large bags indicating travel is turned away. Nu Pho camp is one fairly notorious example, where new arrivals have been denied access for months now. NGOs report that some who had entered the camp unofficially had been ordered to leave by the military. (CCSDP Open Session, September 11, 1997).

PAPUN TOWNSHIP: FREE FIRE

The following details of incidents in Papun Township, Karen State, are edited extracts from two reports by a Burma Issues Human Rights Documentation fieldworker, who investigated conditions for over two months, interviewing civilians who had suffered abuses by the Burma Army. All personal details have been removed to conceal the identities of the victims.

A free fire zone has been established in Papun Township, Karen State, where the Karen National Union (KNU) is still active. Early in March, the Burma Army launched a major offensive against ethnic hill Karen civilians in an attempt to cut their connections with KNU personnel. After the fourth unsuccessful round of cease-fire talks, Burma's military regime has been systematically trying to pressure the KNU, vis-à-vis Karen civilians in KNU active areas, to surrender or, as they put it, return to the "legal fold". The current offensive is part of this broad 1997 Burma Army strategy for the eradication of the KNU, code named Operation Moe Taing ("Operation Storm").

Summary forced relocation, forced laboring and portering, extra-judicial execution, torture, land confiscation, arbitrary taxation, destruction of village property and food, and general ill-treatment have all occurred when the Burma Army troops have encountered civilian populations.

Forced Relocation

The Burma Army has been forcibly relocating villages, especially hill Karen villages in the mountainous areas where the KNU is active, in an effort to weaken the connections between the KNU and Karen civilians. For example, in March 1997, Light Infantry Battalions (LIBs) 356, 546 and 548 commenced operations in Papun Township (as part of a regional operation combining troops of Divisions 22, 77 and some from Southern Command). They ordered all the villages around M. village to gather their food stocks and possessions, and relocate to M. village within seven days. If villagers failed to follow this order then they would be treated as the enemy.

The population at the relocation site totaled about 2,000 people. Each household received a 20 x 20 foot plot upon which to build a house. The land had been confiscated from local villagers without compensation. There was a clinic at the relocation

site but not enough medicines were available for the villagers, as the army had confiscated them for their own use. The most common diseases suffered by the population in that area are malaria and cholera.

Villagers had to serve as porters for 15 day periods upon demand and also cut bamboo and timber with which to build an army camp. In addition, villagers had to undertake roadwork around the site. Food shortages occurred as a consequence of the amount of

looted all rice stocks they saw. Rice and livestock not taken were simply destroyed. The porters only received a rice meal twice a day, and were not given water – they could drink only when crossing rivers and streams. No medicines were offered to sick porters. The porters were threatened repeatedly, prodded with knives, and told that anyone attempting escape would be shot to death.

Another unit from LIB 548 was employing a group of 15 porters around the same time, including a 30 year old woman who was at first accused of having a husband in the KNU. The soldiers tied her hands behind her back and threatened to kill her in three days time unless her husband surrendered to them. Two days later she was forced to carry mortar shells, in spite of not having been released from the ropes. She was subsequently interrogated by military intelligence. The soldiers kicked her in the face with their boots causing her to bleed from both ears. No treatment for this injury was given. She was forced to serve as a porter for about a month. She wandered around in the jungle for about six days after being released, until she was able to locate her family who had fled from their village.

Torture

During March 1997, LIB 548 troops arrived at T. village and arrested a male villager, accusing him of collaborating with the KNU. Although he denied their accusations three soldiers took turns at standing on his neck and pushing his head into a river. On the third occasion he virtually suffocated, after which they proceeded to question him.

They dragged him away from the river and into the rice fields, and covered his head with a plastic bag continuing to suffocate him. They removed the plastic bag and again questioned him. They stabbed at his ear, jaw and ribs with the knife, accused him of lying and threatened to kill him. His head was then covered with cloth and water was poured over it until he was again suffocating. He begged the soldiers to kill him as he could not suffer their torture any longer.

That night the soldiers tied his hands behind his back to a bamboo rod and dragged him along the ground for about 80 feet. They rolled another bamboo rod over his shins and interrogated him again. His legs were

Continued on page 7



Internally displaced in Papun Township.

time villagers were forced to spend on such labor to the detriment of their own livelihoods.

Although the army left that location in May 1997, the villagers continue to face serious food shortages.

Forced Portering

The Burma Army has been using civilians, including women, to carry military supplies to front line areas. During March 1997, LIB 548 troops arrived at T. village and took five men and three women for porter duties. The three women joined seven others already traveling with the soldiers and were forced to carry more than sixteen kilograms of food and medicines each, marching from dawn to dusk for a period of ten days. The soldiers

THAILAND: VIOLATING THE RIGHT TO NON-REFOULEMENT

The internationally recognized principle of non refoulement forbids the forcible repatriation of any person to a country where he or she would be at risk of serious human rights violations. There have been recent acts of refoulement by the Thai authorities which highlight Thailand's policy of temporary refuge and limited protection. Two instances clearly illustrate concerns regarding current Thai policy: the repatriation of a group of 400 Mon people from Prachuap Khiri Khan Province, and their subsequent return to Thailand due to continuing human rights violations; and the impending refoulement of more than 2,000 recent Karen arrivals in Tak Province.

During April 1997, a group of some 800

Mon crossed into Thailand to a site near the border in Ban Sa Pan District, Prachuap Khiri Khan Province. The group consisted of civilians attached to an armed Mon group, the Mon Army Mergui District (MAMD) a splinter group of the New Mon State Party (NMSP) which had agreed to a ceasefire in 1995. The Burma Army's recent offensive swept into the Tenasserim Division in April, and the group's village of Chaung Kyi had been captured on April 27.

Thai authorities settled the new arrivals in a very small site, one kilometer from the border, where they stayed for two months. They were permitted only plastic sheeting for shelter and were not allowed to build platforms off the ground, although it was the rainy season. The MAMD surrendered on May 25, 1997, and were told by Burma Army officials to organize the group to return. Officials from the MAMD told the group (now numbering around 400, the whereabouts of the others is unknown) that the SLORC had promised their area near Chaung Kyi would be developed, and education and health assistance would be provided. However, the group was afraid to return to Chaung Kyi, as the Burma Army had created a base close to the village.

On May 30, a brigadier from the Burma Army met with military officials from the Thai Army 9th Division. The Thai military representatives agreed to send the refugees back. Both

Burmese and Thai officials visited the temporary shelters several times following this agreement, pressuring the refugees to return. The Thai authorities insisted they would not continue granting sanctuary, and the refugees should return to their "peace-



Villagers fleeing from free fire zones arrive at U Dah Karen refugee camp.

ful" homes. After several such visits, the refugees believed they had no choice but to return.

On June 6, the group was repatriated directly into the hands of a local Burma Army commander. The Thai authorities overseeing the repatriation procedure invited both Thai television news and the UNHCR (United Nations Human Rights Commission) Bangkok to observe the repatriation. In spite of observation, it appears they did not take adequate steps to ensure that official basic standards of voluntary repatriation were met, namely: were the refugees subjected to pressure to return; were they provided with information regarding the conditions they will be returning to inside Burma; were systematic interviews of individuals about whether they wanted to return conducted, and; what, if any, alternatives to repatriation were offered.

The group's fear of continued human rights violations upon return were realized. After reaching Chaung Kyi, the returnees were forced to work building the local Burma Army base prior to constructing their own dwellings or planting crops. Forced portering, forced conscription, inadequate food provisions, and severe punishment for any non-compliance led to this group fleeing to Thailand again in July. However, Thai authorities refused to grant them sanctu-

ary, and on July 18 the Thai border police arrested more than 200 members of the group and handed them over the Thai Army 9th Division who transported the group to the border. The group remained on the Thai side, but the site was close to a Burma Army outpost and therefore accessible to attack. Apparently, the Thai authorities informed the Burma soldiers stationed that the group was there, and most of its members have dispersed – their current status and whereabouts are unknown. A UNHCR official visited the site on July 23 and interviewed the main families. The Mon National Relief Committee (MNRC) alleges that border authorities misinformed the UNHCR official by saying the group was not part of the original group repatriated in June. Human Rights Watch/Asia, an international human rights organization,

has expressed their concern over the repatriation to Thailand's prime minister, and to date has received no reply.

The original group who sought sanctuary in Thailand, and subsequently returned, are believed to have fled further inside Thailand seeking work from local farmers. Thai authorities claim these people are not refugees, "displaced persons fleeing fighting" (the authorities' new criterion for refugee status), but are illegal immigrants who are only fleeing economic hardship, and are deported upon arrest. This does not take into consideration the reasons behind the search for refuge, as most are fleeing from the various human rights violations perpetrated by the Burma Army. The immigration detention centers in Bangkok and along the border are severely overcrowded. At present around 400 people per week are being deported to border areas. The refusal of the Thai government to provide and allow adequate protection has escalated the number of illegal migrants, who will try again and again to seek work in Thailand, until there is a change in their situation in Burma.

The role of the UNHCR during this repatriation is of major concern. It has stated it had no formal role in the repatriation, acting only as an "observer". It also acknowledged that a number of the standards which should apply in any voluntary repatriation were not

met. This is not surprising considering the questionable "voluntariness" of the repatriation, and the impossibility of monitoring the returnees situation upon their return. However, the UNHCR has not released a public report of its observations. The lack of transparency, information sharing, and silence about this kind of repatriation process is tantamount to complicity and effectively legitimizes whatever repatriation procedure Thai authorities wish to use. It sets a dangerous precedent, especially given fears of mass repatriation during the coming dry season.

The second alarming instance is of impending refolement. Approximately 2,000 new Karen arrivals from Burma crossed into Thailand at the end of September and early during October in Umphang District, Tak Province. Thai authorities denied these people entry into nearby Noh Pho camp, on the basis that these people have not fled fighting. They were allowed to camp temporarily in the surrounding jungle area and receive relief aid from the Burma Border Consortium (BBC) as well as other quasi-formal assistance.

A Thai military source, quoted in *The Nation* on November 4, said "They came here for work because the economy is going downhill in their country... [and] All of them will be sent back because they are illegal immigrants, not displaced people as they claim." Contrary to this statement, the latest arrivals tell a litany of human rights abuses endured - forced labor, forced portering, extortion of porter fees, extrajudicial executions, liberate strategies to incite religious tension, and forced relocations. People hid during the day, moving at night in an attempt to cross into Thailand. The Burma Army has reportedly closed access to the border, leaving many families trapped.

The refugees who managed to cross were pressured by Burma Army officials to return. They refused as their request for the army not to use force once returned was rejected. Apparently a Burma Army spokesman said words to the effect that "We are the army and we do not listen to civilian demands." However, on October 29, soldiers from the Thai Army 3rd Division arrived at two villages, Kwe Le Taw and Htee Saw Hsgee, around Noh Pho camp where the new arrivals have been taking shelter, and told the groups there that they could no longer stay in Thailand, and must return to Burma. Apparently the order came from their superior officer.

At the date of writing it is unclear what measures will be taken to enforce this order. An organization providing basic medical aid has

been told to stop, and there are ongoing meetings between Burma Army officials and Third Division Thai Army officials. The group has been isolated by rainy season road conditions and a Thai policy of denying access to independent third party monitors. If this group is repatriated it will constitute an act of refolement as these arrivals have sought sanctuary in Thailand on account of well-founded fears of persecution by the Burma Army. The local Burma Army battalion has refused to promise that force will not be used if these refugees return to their village. Thai authorities are planning to consolidate the refugees in another location. The site is close to the border, and the refugees do not want to go there as it is close to a Burma Army outpost. As in other consolidations, no doubt people will be "lost". The Thai authorities' policy of denying access to refugee camps, and pressuring refugees to return, is alarming.

Equally alarming is that these new arrivals may be forcibly repatriated, contravening the principle of non-refoulement, without widespread knowledge among the international community.

No refugee should be returned to Burma until it can be independently verified that there has been a fundamental improvement in the human rights situation causing such outflows. People do not leave their homes, property and villages unless life has become unbearable. Returning these refugees to a territory where they face persecution constitutes a breach of customary international law. Thailand should afford refugees effective and durable protection against refolement, and base any repatriation program it undertakes in accordance with the UNHCR's handbook on voluntary repatriation. Unless there is a change in the human rights situation in Burma, outflows will continue and the refugees will disperse further inside Thailand looking for work by which to survive. International pressure needs to be sustained to ensure protection of these refugees and for Thailand to look to durable long-term solutions in order to curb the cycle of exodus.

V.J.C.

Continued from "Free Fire", page 5

secured in a similar fashion as his hands. He was left to the elements for about two hours, which were cold and windy. At that point a senior officer came, told him that he was a good person, and removed the bamboo rod from his legs. That night however, the soldiers covered him with wet cloth and did not untie the ropes, nor feed him. The next day he was released from his bonds and forced to carry army equipment for about three days until they returned to T. village, where the unit commander released him. He and his family have now fled from the immediate area.

nyah phay thwet

Notes, "Buddhism and the State", p. 2.

- 1 The Nation, 22 March 1997.
- 2 "Junta Plays the Religion Card", *Bangkok Post*, 5 March 1996.
- 3 The Siors is far from the first to temper Buddhism, but only one king before actually succeeded in refashioning the Sangha. Concerned about corruption within the Sangha, King Damazeldi, a former monk, essentially excommunicated all of the monks by claiming that the ordinations had not been conducted properly, had new sites for ordinations consecrated, and subsequently re-ordained only the monks considered to be reputable. (*Literature, Historiography, Scholarship, Language, Life and Buddhism*, Hla Pe, Institute of Southeast Asian Studies, 1985.)
- 4 *Burma: Insurgency and the Politics of Ethnicity*, Martin Smith, 1991, p. 205.
- 5 Martin Smith, 1991, p. 206.
- 6 Martin Smith, 1991, p. 181.
- 7 *State of Fear: Censorship in Burma*, Article 19, December 1991, pp. 62-7.
- 8 In the past year, there have been reports of people carrying weapons within the monastery compound, accompanied by allegations that the Siors has paid or otherwise encouraged soldiers to defy his restrictions in an attempt to undermine the people's trust, or to suggest that his authority is deteriorating. (Karen Human Rights Group, Inside the DKBA, #96-14, 31 March 1996.)
- 9 "Wellwishers donate care to missionary Sayadaw..." *New Light of Myanmar (NLM)*, 17 August 1997.
- 10 "Donations for construction of Maha Thandithukha Buddhist Mission..." *NLM*, 16 August 97.
- 11 "Pagoda Restoration," *Bangkok Post*, 30 Apr. 1996.
- 12 Assuming an average monthly salary of 1200 kyat.
- 13 *NLM*, 21 January 1997.
- 14 In one particularly surreal ceremony, the Deputy Minister for Religious Affairs formally received a donation of 50,215 kyat, from the Dir-Gen of the Religious Affairs Department and the Dir-Gen of the Department for Promotion and Propagation of the Sangha on behalf of the Ministry for Religious Affairs. No indication was given as to where the money went after that. ("Performing Arts Competitions participants donate cash for Tooth Relic Pagoda", *NLM*, 20 October 1996.)
- 15 Tallied from *NLM* articles listing work details on both Tooth Relic sites (Mandalay and Rangoon (Yangon)) between 21 September 1996 and 20 June 1997. "Devotees are helping to build Tooth Relic Pagodas in Yangon and Mandalay daily," boasted an article on 23 October 1996.
- 16 "Curriculum development for World Theravada Buddhist Missionary University..." *NLM*, 18 August 97.
- 17 "Religious Persecution", report from Chin State, 12 December 1996.
- 18 "Hindu faithful offer 'soon', Waso robes to Sangha Nayaka Sayadaws", *NLM*, 4 August 1997.
- 19 "Burma or Myanmar?: The Cucumber and the Circle" Gustaaf Houtman, International Institute for Asian Studies Newsletter, Spring 1997.

The Last Word

What Others Have to Say About Burma

"There is no government restriction on her movements. The authorities concerned only requested her... to conduct political activities within the framework of the law... so that peace, tranquility and stability will not be disturbed." – *A Burmese military spokesman denying that there are any restrictions on Aung San Suu Kyi.*

...

"The EU is demanding to see Burma's plan for moving toward democratic development." – *Ex-Thai foreign minister Prachuab Chaityasarn explaining the EU's expectations on Burma before they will allow Burma to be part of any Asean-EU cooperation agreements.*

...

"Who is she and who am I? I'm a foreign minister and she is a government opposition leader. She would have to make the request if she wants to see me." – *Ex-Thai Foreign Minister Prachuab Chaityasan explaining why he has not visited Aung San Suu Kyi while in Burma.*

...

"Indeed, with nine members, Asean is confident that its 'flying circus' will continue to perform with greater vitality and enthusiasm." – *Dr. Termsak Chalermphanupap, the Assistant Director of the Asean Secretariat's Bureau ACU and Dialogue Relations, in a report on Asean expansion.*

"When they start releasing political prisoners and removing the barricades then we'll know there's been real progress." – *A Rangoon-based diplomat commenting on the Slorc's more cooperative treatment of the NLD.*

...

"This unsubstantiated accusation by A.I. is nothing surprising. During this time of the year, the anti-Myanmar Government elements routinely, through the A.I., fabricate such stories. Actually, it has been deliberately created to influence the UN Secretary General's report to the 3rd. Committee on Human Rights Situation in Myanmar. ... These anti-Myanmar government elements have [been] playing this game very annoyingly, but if somebody takes the time to really look into their strategy, one can read their true nature." – *Slorc response to an Amnesty International report that was released prior to UN meetings.*

...

"Who says that strict laws are Asian values?" – *Aung San Suu Kyi commenting on Asian values and the Slorc.*

...

"Burma is an interesting market for businessmen, and a large market with nearly 50 million population." – *Brig. Gen. Maung Maung while on a trade promotion visit to Bangkok.*

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