BURMA ISSUES

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"The truth is the truth, we don't have to explain ourselves."

– Minister for Progress of Border Areas and National Races and Development Affairs ***Maung Tin*** *in response to accusations that the Slorc condoned drug trafficking and harbored drug warlords.*

Painting by Taw Nay Htoo

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P.O. Box 1076
Silom Post Office
Bangkok 10504, Thailand
durham@mozart.inet.co.th

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VOLUNTARY REPATRIATION: AT THE COST OF PROTECTION AND SECURITY?

"I believe large-scale repatriation can succeed only if there is a concerted and comprehensive effort to create proper conditions of return – politically as well as economically. A multidimensional concept of peace must include not only freedom from war but also from want. Without that, people may come home, but for how long, and at what cost to the peace process itself?"

*– **Mrs Sadako Ogato**, United Nations High Commissioner for Refugees, Jan 4, 1996.*

There is increasing concern among NGOs and the international community over the Thai government's policy towards the refugees on the Thai-Burma border. The Thai government adamently refuses to recognize as refugees the latest influx of approximately 20,000 civilians fleeing the offensive launched by the Burmese Army (Tatmadaw) against the Karen National Liberation Army. In addition, increasing reports from the camps indicate that new arrivals from border areas are not being allowed to enter established camps in the first place. These civilians, along with the majority of civilians who have lived in border camps for up to ten years, are considered "victims of fighting inside Burma and not victims of warfare" and have been granted permission for only temporary asylum. Thailand's National Security Council (NSC) passed a resolution in March this year that Thailand will repatriate more than 100,000 ethnic minority refugees to Burma once the fighting subsides. The current population of the camps along the border is 120,000, and is decreasing due to the camp consolidation policy whereby 2 or more camps are merged on a single site. During each consolidation, a large proportion of the refugees are 'lost' – rather than relocating to smaller sites in more crowded and tightly-controlled areas, families are opting either to return to villages on the other side of the border, or to head to another location along the Thai border in hopes of accessing another camp.

Through the years, the cycle of offensives is that fighting subsides during the rainy season when dirt roads become all but impassable, and resumes in the dry season. The NSC has accepted that the refugees should not be repatriated en masse during the rainy season, but NGOs and the international community believe that 'voluntary repatriation' will begin this year as soon as the rainy season is over.

In early June, 800 Mon were voluntarily repatriated. The United Nations High Commission for Refugees (UNHCR), among others, were invited to observe the Mon repatriation, and had no official complaints about the way the Thai officials handled it. However, the concern is whether conditions are and will be met to make the repatriation truly voluntary – whether refugees are subjected to pressure to return, whether they are given a real choice in the matter, and whether they are provided with any information regarding the conditions they will be returning to inside Burma. To ensure that the cycle of repatriation and subsequent return does not occur on the Thai-Burma border, the Thai government should reflect on the mistakes that were made in Bangladesh during the repatriation of the Burmese Rohingya refugees. As recent history on the Bangladesh-Burma border shows, the short term solution of returning the refugees before true peace is achieved will not make the border issue disappear. If Thailand makes the same mistakes in repatriating the refugees in its care, it could in the long term exacerbate relations between Burma and Thailand, something Thailand seems to be bending over backwards to prevent.

The Rohingya Experience

Rohingya political leaders claim that Rohingyas are an ethnically distinct group, descendants of the first Muslims who occupied northern Arakan region of Burma 11 centuries ago; they also say that they are a mix of Persians, Moghuls, Turks and Pathans who came to the area later. The Buddhist Rakhines are the ethnic majority of northern Arakan. The Rohingyas were recognized as an indigenous ethnic group by the democratic government of Premier U Nu in the 1950s, but recognition has been denied by subsequent governments since the military took control in 1962. After the military coup in 1962, Rohingyas c[illegible] that it became increasingly difficult for children, even of recognized citizens, to receive citizenship, and under the 1982 Citizenship Law the majority of Rohingyas could not qualify for citizenship at all. Most are only recognized as foreign residents but are not even registered as such due to policy rule changes in 1989. The current government of Burma claims the Rohingyas are Bengalis (an ethnic nationality of Bangladesh). Burma's Minister of Immigration and Manpower, Lt Gen Mya Thinn was quoted in a report by the UN Special Rapporteur to Burma in early 1996, saying that due to the lack of citizenship, the Rohingyas' "status situation does not permit them to travel in the country. They are also not allowed to s[illegible] in the State positions and are barred from attending higher educational institutions."

After being allowed to participate in the 1990 elections, the Rohingyas were singled out by the government as a scapegoat to distract the people's attention from the government's failure to hand over power. There was a buildup of government troops in the Arakan State, and the exodus of Rohingyas began in November, 1991. By February, 1992, over 250,000 Muslim families were living in appalling conditions along the road from Cox's Bazaar to Teknaf in Bangladesh – an area which had been devastated by a cyclone the year before. The refugees told of summary executions, rapes of women and young girls, subjection to forced labor, religious persecution and other forms of torture which had either been personally endured or witnessed. The Burmese government claim the Rohingyas are illegal immigrants who

belong in Bangladesh. The persecution alleged was not unprecedented: for some of the refugees, the 1991-92 exodus was the second time they had fled into Bangladesh. In 1978, 200,000 Muslims fled from a campaign of persecution against them. Unable to cope with this influx, the Bangladesh government decided to starve the refugees in order to persuade them to return. Foreign journalists and diplomats were barred from the camps and over 12,000 refugees died of starvation. By the end of 1979, nearly all the refugees had returned to Burma. The UNHCR had overall responsibility for the relief effort and did not challenge the government's policy. They also did not have a presence in the area where the refugees were being repatriated, and were therefore unable to guarantee protection and security for the returnees.

The Rohingyas' "status situation does not permit them to travel in the country. They are also not allowed to serve in the State positions and are barred from attending higher educational institutions."

There is no dispute that the first stage of the repatriation, between September 1992 and the end of 1993 was forced. At the time, the UNHCR was not present in Burma and had no agreement with the Burmese government to provide assistance to returnees. One condition of voluntary repatriation is that refugees must not be subject to any pressure that would push them back home. Repatriations started in September 1992, under a bilateral agreement between Bangladesh and Burma, and it was reported that refugees were forced to 'volunteer' for return by suffering threats of or actual beatings, confiscation of ration cards, and other abuses. UNHCR withdrew from all camps in protest, insisting on the protection of the refugees. This stand won international condemnation of the abuses, and repatriation was suspended while a new agreement was discussed with the UNHCR. The UNHCR signed agreements with the governments of Bangladesh and Burma in May and November 1993, respectively, giving the UNHCR a *role in repatriation on both sides of the border*. By then over 50,000 refugees had been repatriated under the bilateral agreement. The trilateral agreement allowed the UNHCR to establish a presence inside Arakan State and led to the initiation of a new program of mass repatriation in early 1994. The plan's aim was to complete repatriation in one year. A survey conducted by the UNHCR revealed that only 27% of the refugees wanted to return and the process of repatriation was slow. However, following a cyclone which left over 7,000 refugees without shelter, a new survey found that 97% were willing to return. UNHCR did not mention that in between the two surveys, three refugees were beaten to the point of hospitalization for what the camp magistrate described as "anti-repatriation activities." Despite the beatings, the UNHCR still promoted repatriation, much to NGOs concern. The NGOs in Bangladesh felt that most of the refugees did not understand the implications of registering for repatriation, and most did not know that they were permitted, by right, to say no to the repatriation and apply for asylum. This was later confirmed in a survey conducted by Medecins sans Frontieres-Holland, ("Awareness Survey: Rohingya Refugee Camps, Cox's Bazaar District, Bangladesh", March 15, 1995). The UNHCR's *Handbook on Voluntary Repatriation* states that repatriation is not voluntary "when host countries deprive refugees of any real freedom of choice." By not informing refugees of alternatives to returning home, the UNHCR appeared to ignore their own handbook.

After the UNHCR had established a limited field presence in Arakan State in early 1994, it began promoting mass repatriation on the grounds that the situation in Arakan State was now conducive to return, and it gave up the hard-won right to interview each refugee individually to ensure that s/he was returning voluntarily. Indicative of the shortcomings of mass repatriation was the exodus of a further 10,000 Rohingyas from Burma in 1996, and as many as 15,000 this year. According to a BBC World Service news bulletin on June 14, "The refugees say they are escaping forced labour, discriminatory taxation and compulsory relocation." A second condition for repatriation to be fully voluntary, according to a 1980 UNHCR executive committee (EXCOM) policy statement, requires refugees to "be provided with the necessary information regarding the conditions in their countries of origin." Human Rights Watch/Asia (HRW) said the UNHCR did not include information regarding evidence that some Rohingya Muslims suffered disappearances and arrests by Burmese authorities when they returned from Bangladesh in 1992 and 1996, and general conditions to exiles in Bangladesh. Refugees who have returned, cite the same reasons for their exodus that they did in 1978, 1991-92 and this year.

Repatriation is not voluntary "when host countries deprive refugees of any real freedom of choice." – *UNHCR*

Despite the cycle of exodus, the Bangladeshi Government is trying to press ahead with repatriation of the remaining refugees from the influx in 1992. The number of returnees in the past five years has totaled 229,100 with more than 21,800 remaining, and now there appears to be another exodus attempt – one that is being hampered by denial of access by Bangladeshi border guards, heavy mining of the border (thought to be planted by the Burmese Army and by insurgent groups), and the immediate deportation of those who cite economic reasons for their flight (there is a famine situation in Arakan State). The current repatriation policy is obviously of limited success and needs to be redefined.

Lessons for Thailand

What needs to be addressed is how will the cycle of exodus stop? Under what conditions will it be safe for the refugees to return permanently to their homes. Voluntary repatriation is a desirable option for the refugees and host country only if individual refugees have access to accurate and independent information on which to make an informed decision about whether it is safe to return. The camps along the Thai-Burma border are becoming increasingly uninhabitable. Consolidation of the camps has led to over-crowding, limited food rations, and fear of infectious diseases, and there is pressure by the authorities for the people to return. By not ensuring that refugees have a real choice of deciding whether to stay or go will only be temporarily successful, taking the Bangladesh experience as an analogy.

The Thai government must not violate the customary international norm and principle of non-refoulement (states are obliged not to return any person to a country where he or she would risk serious human rights violations) and fulfill conditions which will make any repatriation truly voluntary. The repatriation program should include human rights guarantees at all stages of the return.

The government should not impose repatriation until there is a fundamental and lasting change in the human rights situation in Burma. The human rights situation in Burma should be subject to independent and impartial assessment based on available information before, during and after any repatriation. To assist this, the Thai government must allow the UNHCR to fulfill their international mandate of protection and be allowed a permanent presence along the Thai-Burma border. The UNHCR should be allowed to take an active role in assessing the human rights situation in the area where the refugees will be repatriated to. The Thai government must ensure that this condition is fulfilled in any repatriation agreement with the government of Burma.

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LANDMINES IN BURMA: THE BATHTUB RUNNETH OVER

"It's like trying to empty a bathtub with a teaspoon while the tap is running"

*– **German Foreign Minister Klaus Kinkel** expressing discouragement over global efforts to eliminate landmines.*

Since 1992, the international campaign to ban landmines has achieved unprecedented attention. As the movement has snowballed, its scope has broadened. Initially focused on getting UN member states ratification of the 1980 Convention on Certain Conventional Weapons, the ultimate objective of total landmine elimination is now firmly cemented in the public agenda.

On the whole, 'landmine' refers to anti-personnel mines, that is, all mines designed to maim or kill people. Such weapons are fundamentally indiscriminate, superbly barbaric and ridiculously cheap, hence their global proliferation. It is understandable that they have been targeted for extinction by humanitarian agencies worldwide.

The precedent-setting Ottawa Conference in October 1996 witnessed 50 national governments pledging total bans. A follow-up meeting to be held in December 1997 will establish a treaty unequivocally reaffirming a total ban for signatories, taking the world well beyond the limited parameters of the 1980 Convention.

The bevy of governments and international organizations working towards the December treaty quantify their success in terms of numbers of signatures upon a page, mine stockpiles destroyed, etc. However, as Mr Kinkel observed, the global warehouses are not easily depleted. Indeed, to the extent that dozens of countries have become actively pro-ban, it is equally the case that dozens more, oblivious, continue to run the tap. Burma is amongst the latter.

American M-76 anti-personnel mines found in Burma's civil war zone. [Karen Human Right Group]

The Players: Undermining Tactics

The International Landmine Project's landmine burden list documents Burma as having an "unknown landmine burden," and also as one of the 39 nations still producing and exporting mines. Burma has been involved in none of the international anti-mine efforts. Indeed, business continues as usual, regardless of the change in the collective international heart. As in most other late-twentieth century conflicts, landmines in Burma are being employed in non-conventional civil warfare. Those most commonly manufactured and employed in Burma are:

- **blast mines** - Typically small, activated by 5 - 20 kg of pressure, typically triggered by a person's footfall. Larger models are used versus vehicles. Chinese or American designs, manufactured in those countries or copied elsewhere, including Burma. 'Home made' mines are also regularly manufactured by insurgent groups.
- **directional mines** - Upright mines triggered by tripwires that fire hundreds of steel pellets in an arc of 50 to 100 meters. The American Claymore model is most popular and widely copied, including in Burma.

Landmines are particularly favored by small, mobile military units, who use mines both to cover territory and to support ambushes. As the multi-ethnic insurgent armies of Burma face increasing pressure from an ever-swelling enemy, they are increasingly drawn towards such cheap and effective means to increase their strength.

The KNLA (Karen National Liberation Army; the armed faction of the Karen National Union) is certainly bringing this strategy into play. As field commanders are dislodged from border posts, they are deploying scattered units to launch ambushes daily. Because they have limited weapons and ammunition which are hidden in caches and transported with difficulty, the use of landmines has become a strategic tactic for military survival. A friend who was traveling with Karen soldiers in Hlaing Bwe Township verified the strategic value of mines when he commented to me, "If the KNLA didn't use landmines there you wouldn't see them [the KNLA] anymore."

In the report Landmines must be Stopped the ICRC (International Committee of the Red Cross) notes that the military value of landmines lies fundamentally in their capacity to sap enemy morale: "... fellow soldiers [forced to witness the distress of one of their own ... The effect of such a spectacle is to make each individual member of the military move with extreme caution. It undermines the denial of death that keeps soldiers following orders, by confronting them with the horrendous suffering of their companions, and causes great anxiety because of the arbitrary nature of the event." Given that among the impoverished and ill-equipped Burma Army regulars the 'denial of death' is already a tenuous concept, little discouragement is usually needed to induce operational reticence.

A small number of KNLA soldiers in Hlaing Bwe region operate on this principl keep control of the Dawna Range, from w they launch forays onto the western plains. But the KNLA usage of mines extends much further, both down the southern peninsula, and to the northern mountain regions such as Papun. There, the horrific 1997 Burma Army offensive has systematically targeted entire civilian populations, operating a cut-destroy-cleanse strategy against which isolated and poorly-equipped rebels have been hard pressed to retaliate. Some examples from KNU press releases:

- On 4-5-97: A SLORC soldier stepping on a land-mine was seriously wounded at Oo-kray-klo village... south of Myawaddy town. On 7-5-97, a DKBA soldier was shot to death by the SLORC soldiers (having been)... seriously wounded by a land-mine at Saw-pa-law village in the same area. Three SLORC soldiers were wounded by land-mines at Kwee-ta-ut in the same general area on 8-5-97....

- On 12-3-97, a KNLA unit attacked SLORC LIB 547 in Ka-law-ta village (Papun district). In the evening LIB 547 was hit by a land-mine. On the same day 2 soldiers from SLORC LIB 341 were seriously wounded by 2 land-mines at Htee-ku-plaw village.

- 12-4-97: A SLORC porter (probably an unpaid civilian conscript) was killed by a land-mine near Thay-ko-hser-doe village (Shwe Kyin township).

- 14-4-97: The SLORC troops hit land-mines once near Taw-nar-soe and twice near Taw-doh-lay (Kyauk Kyi township), resulting in the death of one and the wounding of 7 SLORC soldiers.

The fact that the KNU publishes successful landmine forays for public consumption testifies that the growing global abhorrence of mines has not filtered through to Burma's civil war combatants. Fastidiously recording the killing and maiming of enemies (see Cycles of Futility, Burma Issues May 97) leaves one wondering how many civilians have suffered similarly but for lack of cheap military points to be scored whose fate has never made an 'enemies killed' list.

The Losers: A bomb and a hard place

In a time of constant skirmishes and low intensity conflict, the civilian population inevitably bears the brunt of the fighting. For instance, Burma Army units stationed in insecure areas routinely demand villagers to sweep roads (usually done quite literally, with palm fronds and the like, to remove the surface layer of dirt from a mine). On mobile operations civilian porters are commonly forced to walk ahead of the soldiers. Mine-sweeping is but one of a plethora of security tasks. If villagers are perceived to have inadequately fulfilled the allotted duties, i.e. in the event that a landmine explodes in proximity to their village, compensation is usually demanded by the military (regardless of whether or not the military themselves actually sustained any damage). In Hlaing Bwe our friend observed villagers begging the KNLA soldiers not to lay mines for which the villagers would eventually bear responsibility of one kind or another.

The same associate noted that the use of mines seriously restricts villagers' movements: ill-considered travel can be highly dangerous. While Burma has escaped the excesses of random mine-laying such as experienced in Cambodia, traveled routes are obvious targets. So in spite of our friend's working knowledge of the Hlaing Bwe terrain, he had to travel with Karen soldiers to avoid stepping on mines. He bore witness to KNLA soldiers notifying villagers as to where they had planted mines, however, the extent to which this practice mitigates danger is highly dubious. Minefields are usually unmapped, and when territory is lost the bitter harvest remains to be reaped regardless.

Obviously, the ultimate civilian cost is counted in lives and limbs lost. In exchange for the misery derived from valiantly sacrificing a limb for the nation, maimed Burma Army members are honored with television handshakes and superficial smiles. By contrast, civilians receive no special privileges, and the families of those who lie dead suffer without compensation. A recent incident at Htee Hsah Ra village, Kawkareik Township, Pa'an District, serves to illustrate.

A 16 year old girl in the Papun hills blinded by a landmine blast that took off half her teenage friend's leg. [Karen Human Right Group]

Htee Hsah Ra villagers have lived under Burma Army control for more than a decade, however the civil war continues to impact upon their daily village life. Villagers there, as elsewhere, are compelled to participate in a panoply of tasks assigned by the local Burma Army battalion.

During the early hours of May 27, 1997, a young villager named Par Kyaw Dar boarded his bullock cart in accordance with instructions to transport supplies for troops stationed north of the village. He traveled out of the village at around 7 a.m., ahead of a couple of companions, whose carts had been similarly consigned. Par Kyaw Dar had been traveling not more than two minutes along the road past the monastery when his cartwheel hit a large mine. It caused a massive explosion that killed both Par Kyaw Dar and his two cattle instantly, and scattered his destroyed cart and the remnants of its contents across the landscape.

Par Kyaw Dar left behind his young wife and two small children. As compensation for the two bulls and the cart, the Burma Army unit demanded the villagers take up a collection of 15,000 kyat (about US$ 85) from among themselves, ostensibly for the widow. Presumably her husband was not considered worthy of compensation, no matter who might be paying.

Who was responsible for Par Kyaw Dar's death? Those planting the mine? Those demanding he undertake the journey? However we might attempt to apportion blame based on the limited facts available, one reality remains: Par Kyaw Dar was but another innocent civilian casualty in an atrocious and pointless war. Through such meaningless events, neither side endears itself to the communities caught in the middle.

The people who are being pummeled by the hazards and injustices of mine warfare need a way out. Burma's civil war communities have great creative resources for survival, but they need a breath of air to find ways forward. Can we help from the outside? Perhaps a first step should be to pressure Burma's liberation armies to reject mines as ultimately hurting rather than promoting their multifarious causes. External agencies need to recognize that in war there are no paragons of virtue; all sides are responsible for the consequences. Likewise, far greater pressure must be put on Rangoon to begin taking even piecemeal steps towards curtailing mines production and use. Indeed, intense focus on all states involved in mine warfare will help to eliminate both supply and demand. Mr Kinkel's frustration is not a throwing up of arms but a call to them, for the bathtub runneth over.

❖ *Nyah Pay Thwet*

CEASEFIRE TALKS: CHANGING THE SUBJECT

Aung San Suu Kyi has had to make a career of repeating herself. Since the 1990 elections, she has never stopped calling for dialogue between the opposition and Burma's military rulers, though her pleas have been ignored and rebuffed for years. Nevertheless, Burma's generals have proved more than willing to talk 'peace' with many of their former enemies. Since 1992, Slorc talks with numerous insurgent groups have resulted in more than a dozen cease-fire agreements. However, while Aung San Suu Kyi calls for dialogues that "bring about benefits for the people and for the nation," actual 'peace' talks with the Slorc continue to result in benefits for a very few, and peace for almost no one.

To date, the Slorc has convinced 15 insurgent groups to agree to ceasefire and lay down their arms. However, these talks do not happen unless the Slorc can swing the balance strongly in their favor by setting strict pre-conditions for discussion. Talks have frequently broken down before discussions could actually begin, because of the Slorc's inflexibility over these pre-conditions for negotiation: the Slorc sets the agenda, often chooses the speakers, and cloaks the proceedings in secrecy.

"After the cease-fire is in effect, NMSP is not allowed to discuss nor even present political issues to the Slorc. Instead, NMSP is allowed to present business and border development projects only." – ***Mon National Council***

Burma's generals have used pre-conditions to made sure that no outsiders can be sure of what has actually been agreed to. To date, every one of the 15 agreements has been what the Slorc prefers to call a 'gentleman's agreement', with no official document of the proceeding and no signatures. Requests for the presence of neutral or outside observers have been consistently rejected. Talks are usually held in secret, often in remote locations. Under typical pre-conditions, insurgent leaders agree not to make any public statements while talks are underway, and to announce any agreement reached only through a joint public statement. In practice, most ceasefires have been made public via a ceremony where the insurgent leaders state only, among much uniformed fanfare and before the press, that they have decided to "denounce armed struggle and return to the legal fold."

The Slorc strategy has been to divide, and divide again, the members of its opposition. Alliances between ethnic insurgency groups, notably NDF (National Democratic Front) and the DAB (Democratic Alliance of Burma), had made resolutions that members would not meet with the Slorc individually. Despite signed agreements, press statements and the best intentions, none of these alliances have held up to external pressures and individual concerns. In many cases, the ink was barely wet on one resolution before individual members were back in secret discussions with the Slorc. Bertil Linter quoted a source close to the insurgents in 1994, "... even worse is that the ethnic groups lack any kind of coordination. They're entering into these talks just to see what the Slorc has to offer, not with a comprehensive, coordinated agenda." This lack of unity has not been overcome three years, and half a dozen cease-fires later.

What does the Slorc have to offer? The little that is known about the content of these ceasefire agreements must be based on the public statements of individuals and on hearsay. However, these details reveal agreements which look like surrenders. Generally, insurgent leaders are required to present the Slorc with lists of all their forces and ammunitions, and these forces retreat to specific locations named by the Slorc. The insurgents must usually agree to give up armed struggle, to cease collecting any tax and revenue, and shut down the government of their areas. Finally, they must agree not to address political issues of any kind outside of the Slorc-controlled National Convention, a forum which was never open to real political debate and which has not even convened in more than a year.

"Now these people can do anything they want ... They can even send their children to study in Bangkok, Singapore and the United States." – ***Maung Thint***

Why are groups, many of whom have been fighting for autonomy from Rangoon for more than four decades, willing to capitulate to this extent? It seems clear that political solutions are not any part of the package. In fact, the most telling element of these ceasefire agreements is that they require complete silence on what the Slorc terms 'political' issues, while what may be called economic or 'business' issues may be openly discussed. In a statement released by the Mon National Council regarding the ceasefire agreement between the NMSP (New Mon State Party) and the Slorc, "After the cease-fire is in effect, NMSP is not allowed to discuss nor even present political issues to the Slorc. Instead, NMSP is allowed to present business and border development projects only." If the Slorc thinks that peace has nothing to do with politics, it obviously thinks that peace has everything to do with money.

Maung Thint, Slorc Minister for Progress of Border Areas and National Races and Development Affairs, indicated in a *Bangkok Post* interview what he considers to be true progress with the ethnic minorities. Maung Thint stated that the Slorc had allowed ethnic leaders and their associates to go into business to make a living after putting down their weapons. Without giving any details, he said that no groups were dissatisfied with the ceasefire agreements: "Now these people can do anything they want ... They can even send their children to study in Bangkok, Singapore and the United States."

In her recent book *The Voice of Hope*, Aung San Suu Kyi spoke of a statement a Slorc minister had recently made to a reporter: "You can do anything with money. If you hold a ten dollar note above a grave, a hand will come out and reach for it. And if you held out a hundred dollar note, the whole body would come out." Indeed, the Slorc's negotiation strategy has come to little more than baiting the hook with dollars in the hopes of bringing forward the kind of people they know how to work with: the ones for whom money matters more than politics. The strategy has worked extremely well with 'insurgent' organizations, such as Khun Sa's Mon Tai Army, and the United Wa army, who long ago converted their energies to the narcotics trade. With other groups the strategy has worked to divide allegiances and confuse the issues, and many seem now convinced to let politics go in favor of business. The resulting splits leave the ones who can not, or will not, be bought out in the cold.

The Slorc's ceasefire solution requires complete surrender in exchange for benefits which have little to do with true peace for the majority. The deals are made with leaders who, though they are members of Burma's ethnic minority groups, are more importantly members of an elite who have access to power and money. For the masses of Burma's minority groups, the situation under these ceasefire agreements is only slightly less desperate than it was before. For the time being there are, in some areas, fewer bullets. However, as long as those leaders who currently represent Burma's minority groups can be satisfied with the money and the status that Rangoon has to offer, 'peace' talks with the Slorc will continue to broker nothing but an exchange of dollars for continued silence.

❖ *G.B.*

RETURNING TO THE LEGAL FOLD: STORIES FROM RANGOON

For many former rebels who have made ceasefire agreements, 'returning to the legal fold' means leaving armed struggle behind in the jungle, and coming to Rangoon to concentrate on doing business and on getting rich. The signs of wealth and the power that goes with it are everywhere on the streets of Rangoon, from brand new cars to cellular phones. Among those who are not participants in this new gold ruch, dissatisfaction is mounting at the incredible disparity between rich and poor, and at the lack of justice for anyone without ready cash.

After ceasefire, the road for many former insurgent leads straight to Rangoon.

In Rangoon, ordinary peoplefear driving on the same roads as the insurgent VIPs. One traveler was cautioned to avoid all Toyota Land Cruisers and Mitsubishi Pajeros because the people who drive them "come out of the jungle and don't know anything about driving. They think they can go wherever they want." And they appear to be above the law. A typical story: some people were in a car that was hit by a Pajeros. It was the Pajeros' fault, but the police would not do anything about it. The offending driver verbally abused the people in the car he had hit. The former insurgents have the money to buy the law, so common citizens rarely stand a chance against them. In another case, an insurgent VIP hit a car carrying two women. Both women were injured and the police did nothing until they found out that one of the woman was a daughter of one of the Slorc ministers. Then the police were willing to take some action against the VIPs.

The insurgent VIPs like to use their money in very public ways. This often involves giving substantial donations to religious sites or government ministries. Some ordinary people are offended by such public donations because many believe that the money the former insurgents are spending was obtained unethically/illegally (drug trafficking, smuggling, prostitution, etc.) The public donations are seen as buying legitimacy and influence. There's a Burmese saying that to have power one must contribute much.

VIPs from insurgency groups usually have money at their disposal, and now that ceasefires allow them to legally travel the country, they are buying land. As a result, land prices are rising. The former insurgents seem to see land and want it without much consideration for for what reasonable price should be. Realtors are taking advantage of this land-grabbing trend. Insurgents are also buying up other businesses. When the state privatized its soft drink and cigarette companies, a drug trafficker who returned to the legal fold bought them and now has a monopoly in Burmese soft drinks and cigarettes.

Both in Burma's urban areas, as well as in rural and insurgent areas, the vast majority of Burma's population spends every day trying to solve the problem of feeding themselves and their family. For these people, rumors of opportunism at the top of the revolutionary organizations have proven to be incredibly demoralizing. The situation can only remain stable as long as people can tolerate such an existence. Whether you call it 'ceasefire', 'surrender', or 'peace', it is nothing more than business as usual until democracy and development can bring opportunities for everyone.

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From a Traveler

Continued from 'Voluntary Repatriation', page 3

The Thai government should ensure the involvement of a representative cross-section of the refugee community in assessing when return is possible. This in turn rests on the government allowing the refugees access to accurate information provided by the UNHCR and NGOs.

The Thai government should actively participate with the international community's call for the government of Burma to enter a tripartite dialogue with the democracy movement and ethnic nationalities to reach a national reconciliation. National reconciliation, recognized in a legitimate constitution, entailing protection of rights or a separate bill of rights, would end the serious human rights violations in Burma which cause people to flee to border areas.

Conclusion

There is a saying that prevention is better than cure. In favoring voluntary repatriation as a durable solution to the refugee problems rather than addressing the cause of the cycle of exodus – the human rights situation in Arakan State – the UNHCR failed to provide adequate monitoring of security and protection for the Rohingya refugees. Hopefully, the UNHCR will have learnt from the Rohingya experience that it must remain focused on its responsibilities to the refugees in a situation where there is a conflict of interest. The need to publicize and advocate against continued abuses must not take a second place to the need to maintain good relations with both Burma and the host country. As Alison Parker, a consultant to HRW commented: "the UNHCR must not participate in policies which contradict its purpose or stand by as a silent witness to governmental abuse." The Thai government, by actively participating in ensuring the security of the returnees and complying with the fundamental conditions of voluntary repatriation, would avoid the danger of an analogous situation with Bangladesh. The government should direct its energies in that direction, of resolving the cause of the exodus, rather than turning a blind eye to the security issue and pursue a mass repatriation program which is a short term 'cure' and will not resolve the problem, or prevent, refugees seeking refuge on Thai soil.

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V.J.C.

The Last Word

What Others Have to Say About Burma

"I have given you a detailed account of how some anti-government organizations, with the assistance of certain Western NGOs, have exploited every opportunity to assail Myanmar, employing every means at their disposal including the perpetration of all kinds of outrage and terrorism." – *From **Secretary-1 Khin Nyunt**'s press speech on Slorc Military Intelligence's recent findings about terrorism in Burma.*

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"It has been an endless trickle." – ***Lieutenant-Colonel Rafiqul Hannan** of the BA Rifles, on the arrival over the past three months of nearly 15,000 Burmese muslims refugees into Bangkadesh.*

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"Surely, what has gone wrong for Asean is its double standards, inconsistency and hypocrisy, its blind pursuit for economic gain over human rights and democracy, and its bull-headedness in defending what to many is a morally repugnant 'constructive engagement' policy." – *Editorial from **The Nation**, Thaliand.*

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"The foreign ministers' decision has exposed finally and firmly that Asean's so-called commitment to the principle of non-interference in the internal affairs of another state is an utter myth." – ***Burma Solidarity Group Malaysia** in response to Asean's decision to delay Cambodia's Asean membership.*

"Burma's addicts go through the trash at hospitals, and use old intravenous lines, and blow drugs into themselves. You can force the drug in with air pressure." – ***Jon Parker** of the Boston-based National Aids Brigade explaining how impoverished junkies inject heroin using dirty equipment.*

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"... a dangerous elitism has emerged in Burma over the last nine years. Ours has traditionally been a caste-less society without any insuperable barriers between different classes. ... However, in recent years there has been an enormous widening of the space that divides the privileged few from the rest of the population. Many people have learned that without the right connections it is well nigh impossible to profit from the economic opportunities that have become available since the collapse of the Burma Socialist Programme Party government." – ***Aung San Suu Kyi** describing the increasing socioeconomic stratification in Burmese society.*

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"Unscrupulous persons are spreading rumors in Yangon that the monetary system will be changed after Myanmar becomes an Asean member." – *Slorc **Secretary-1 Khin Nyunt** on the sharp plunge in the value of the kyat (Burmese currency), which lost more than 20% of its value in July. To counter the drop, Rangoon has responded by printing more banknotes.*

BURMA ISSUES
PO BOX 1076
SILOM POST OFFICE
BANGKOK 10504
THAILAND

ADDRESS CORRECTION REQUESTED

AIR MAIL