

BURMA ISSUES

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"They [the ruling generals] followed the Indonesia model; we will follow the Indonesian students."
— A student in Rangoon



Painting by Saw Techar Doe Doh, age 16, Mawker Refugee Camp

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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INSIDE

- ③ POLITICS: Steps Towards Peace
- ③ HUMAN RIGHTS: Bongti-Tavoy Road
- ③ NEWS BRIEFS
- ④ SOCIETY: Towards the Rule of Law & "Discipline Flourishing Democracy"
- ③ DEVELOPMENT: UNDCP – Dreaming in Burma's Poppy Fields?

STEPS TOWARDS PEACE

In the sixties and early seventies, as America's war in Viet Nam raged on, the American people were constantly assured that an end to the bloody conflict was in sight. While we wanted to believe that the killing was soon to be over, we felt little hope because there was no clearly defined plan of action being articulated by our leaders to give us confidence, a plan that would actually provide the potential to move towards that much-desired peace. Hope is what unifies and energizes people, and when that hope cannot be nourished by concrete plans and actions, unity falls apart, struggle stagnates and people seek means to simply live for bare survival. Thus, dictatorship survives and suffering lingers on untamed and unending. In Burma today, many people live in an atmosphere of helplessness because they, too, seek and desperately need some indication that a workable plan for peace exists and is being put into action.

Seeking a strategy for peace which can revitalize the hope of a discouraged people requires the creativity to pursue processes outside the normal, and the courage to look painfully inward to seek that which presently stymies progress towards peace. Among the many diverse groups in Burma who presently struggle against the militarization the country has lived under for decades, there are a few of those creative and courageous voices which are suggesting some concrete steps that can give us hope that peace will be achieved. Their suggestions not only give the people of Burma reason to hope once again and to struggle in unity, but also give the international community a clear focus for positive and effective actions for peace. Those voices need to be sought out and heeded seriously, for perhaps they can provide the hope that the people of the country so desperately need.

The following five steps to peace are not really that complex. However, each step in the process is extremely significant and needs to be considered carefully and developed systematically. These steps can not only give the long-suffering people of Burma hope, but can also help focus and unify the concerned energies of the world towards an active and positive involvement in developing a long-lasting and just peace.

Nationwide Cease-fire

1 The first step in breaking the present stalemate and opening the way for honest and progressive dialogue is the establishment of a nationwide cease-fire monitored by an international and neutral force. With a total cease-fire, and

assurance that the cease-fire is guaranteed, the people of Burma can start seriously looking at the issues before them which must be addressed in order to bring about justice and peace.

For the Burmese military to agree to such a cease-fire, the international community must get involved in a way that the military will see it in their best interests to take this step. This can be done if significant actions are taken in the U.N. Security Council, and if countries around the world continue putting political and economic pressure on the junta so the military will sincerely agree to abide by such a cease-fire. The purpose is not to crush the military, but to convince them that it is in their best interests to attend honest dialogue with the various opposition groups so that a peaceful settlement can be achieved which will ensure a just peace.

Withdrawal of Troops

2 A cease-fire must be followed by the withdrawal of Burma Army troops from areas predominantly occupied by members of the various ethnic groups. This withdrawal of Burmese troops will provide an atmosphere of relative calm and security for the ethnic groups so that people can return to their villages and begin rebuilding their lives. If this withdrawal is also monitored by an international peace-keeping force, it is very possible that a large percent of the refugees living in neighboring countries will start returning home as well. This step, therefore, would also help increase regional stability by easing the stress some countries experience from having to take care of tens of thousands of refugees. If the refugees can return to their homes under these controlled conditions, it is quite certain they will not feel the need to flee again to escape abuses from a military they so fear and dread. Under these circumstances an atmosphere conducive to dialogue can be established.

Identifying Root Issues

3 The third step entails a meeting of representatives from the various ethnic groups to clearly identify the basic issues which they want addressed in tripartite talks, so that the ethnic people will have confidence that they can live in security and peace. Since the issue in Burma is an ethnic conflict, it can only be solved when the root causes of that ethnic conflict are honestly and openly confronted. If the representatives at this meeting are truly in touch with the grassroots people, they can put together a list of rights which these grassroots people most urgently want pro-

tected in order to feel secure and safe in their homes. This list of rights can then be the basis for further dialogue and national planning.

The involvement of the people in drawing up this list of rights is essential for them to feel ownership of the process and confident in its results.

Tripartite Dialogue

4 Talks between the Burmese military, the National League for Democracy (NLD), and representatives of the ethnic groups can then be held to discuss these specific ethnic issues in detail and seek appropriate solutions which will be acceptable to everyone. These tripartite talks should also include observers from the United Nations or from other third-party groups which are acceptable to all members of the talks. These observers must be in attendance to make the talks more transparent and to help facilitate discussion on some of the more sticky issues.

National Convention

5 Through discussions dealing with the root causes of 50-year civil war, groundwork can be laid for a new National Convention to draw up a constitution. A constitution is only as strong as the support it gets from the people, so the fears and concerns of the people must be effectively addressed by the constitution. If steps 3 and 4 were thoroughly carried out, a bill of rights could be drawn up which lists the rights people most dearly want protected. The concerns of those people who have lived in the civil war zones or in refugee camps for all of their lives must be a high priority. They need to trust that they can rebuild their lives in an atmosphere of peace.

Peace in Burma has been elusive for many generations already. Hundreds of thousands of innocent people have lost their lives and millions have lost their homes, fields and livelihoods. This conflict which continues so aggressively is not simply an internal issue. It is a global issue which we must all seriously help seek solutions to, and become involved in the process which can bring about justice and peace. The five-point plan outlined in very general terms above could be a starting point.



max ediger

BONGTI-TAVOY ROAD

The Bongti-Tavoy road, old World War II era supply road, which over the years had dwindled down to little more than a dirt path, is planned to become a major trade route between the Andaman Sea and Thailand, and a focus of billions of dollars new investment promised to Burma. The Bongti-Tavoy road itself will cut transportation time from Thailand to East Asian markets by as much as 12 days, and is expected to help turn Kanchanaburi into a new tourism hub, providing a convenient overland route to central Burma. Its route is also the locus of a huge amount of planned industrial development, which includes the infamous Yadana oil pipeline, an industrial estate, a deep sea port, sugar mill and sugar cane plantations, a railway, an airport and a hotel. With so much money already committed to the project and so much more to be made, both Thailand and Burma are obviously eager to see it completed. In Burma, the rush has translated into continued military crackdowns on populations in the area, use of forced portering and forced labor, torture and extrajudicial killings.

On the Burma side, serious road work began with the military offensives in early 1997, when witnesses reported seeing road-clearing bulldozers following literally at the heels of the Burma Army troops as they advanced toward the Thai border. At the same time last year on the Thai side the road was already being upgraded from a gravel track to two paved lanes.¹ In November 1997, KTD (Kanchanaburi-Tavoy Development) Ltd of Thailand and KLN (Kyaw Lin Naing) Group of Burma announced joint ventures to invest billions of dollars into twelve projects in Burma, all of them situated along the Bongti-Tavoy road. The first stage of the project is a multimillion-dollar contract to complete the highway itself.² For both Burmese and Thai investors, however, the project's prospects have grown dimmer as political and financial problems in Burma raise doubts about Burma's ability to support its end of the project. In addition, Rangoon remains reluctant to open up the border crossing at Bongti due to ongoing clashes between Burma Army troops and insurgents.³ Meanwhile, for Burmese people living near the highway, the project is unlikely to bring anything but increasing forced labor and other abuses. The military is heavily involved in both securing the area and in organizing forced labor on the various projects, many of them still in the surveying and planning stages. Many villages are abandoned and thousands of people have been displaced already to make way for the first-stage Bongti highway project.

The two men interviewed below labored as forced porters in the area of the Bongti-Tavoy road for more than six weeks before they escaped together at the end of February 1998.⁴ Both men are Burmese, from Law Hloe Township in Tavoy District, and were captured as porters in the same town on the same day.

Escaped porter, 41 years old

I was arrested by [Burma Army] Troops of the 104 regiment at my village on January 3, 1998. Then I was sent to Myitta. I was made to carry 10 rounds of RPG (9) [larger sized rocket-propelled grenades], a hoe and a shovel to Htee Ka village. I was beaten until wounds on my head bled because I was walking too slowly along the way. I saw another porter, about 30 years old, beaten to death near Kwee Wawa village. Another two porters who had been miners were killed near Hteeta village. In early March, U Ein Kyin, 53 years old, from Mineyat village was burned to death because he was unable to carry his load at Hteeta village by troops of LIB 108 in early March.

On [February] 20, we were made to carry army rations to the 17th regiment, which was camped near the border. When we neared the camp, two friends and I escaped from porterage. But now we have to worry about being arrested by the Thai police. I am going back home as quickly as possible.

Escaped porter, 34 years old

I was arrested near a video movie house on January 3, 1998, by troops of the 104 regiment. The porters were transferred to the 25th regiment and then forced to porter for the 66th division. On January 5, we left from Myitta to Kwee Wawa village. I was made to carry 12 rounds of 60-mm mortar shells, one army backpack and cooking pots. We arrived at Hteetar village in February. I have been kicked, punched and cut with machetes. I saw four porters who were unable to carry their loads, blindfolded, choked, and stabbed. I didn't know their names, or where they came from.

I saw a laborer who was burned alive for failing to carry his load. Ko Kyaw Thein, 30 years old, from Ponekyun village, Tavoy District, was beaten to death. A porter from Heinda and another from Maungman were also beaten to death. All the porters were tied up at night while sleeping. I escaped on [February] 20 while we were carrying rations to the Burma Army camp at the border. I'm going to find my way back home as soon as possible.

1 Elizabeth Moorthy, "With the Karen on the Thal Border," *Asian Wall Street Journal*, 5 Mar 1997.

2 "Thailand firm plans huge investment in Burma," *Bangkok Post*, 21 Nov 1997.

3 "Help sought from Burma for scheme," *Bangkok Post*, 15 Feb 1998.

4 Interviewed by friends of Burma Issues.

NEWS BRIEFS

Burma caught in the feud between India and China

Indian Defence Minister George Fernandes accused Rangoon of allowing China the use of Burma's Coco Islands to set up a sophisticated electronic surveillance base there. The Coco Islands are 40 kilometers from the northern tip of India's Andaman Islands, which allows China to monitor defence activity along India's east coast. Burma's junta denied the accusations, saying that Mr Fernandes was using the threat of Chinese aggression as justification for regional nuclear expansion.

Bangkok Post, 7 May, 5 Jun 1998. *The Nation*, 5 May 1998.

The U.S. renews sanctions

President Clinton on May 20 renewed an order banning new investments by Americans in Burma. According to Clinton, the U.S. will maintain economic sanctions against Burma as it continues large-scale political repression.

Bangkok Post, 20 May 1998.

Tensions in Rangoon over Indonesia

The government-controlled media in Burma have not reported any of the tumultuous events in Indonesia over the last few months. News of it in the country was limited to foreign broadcasting radio stations such as BBC, RFA, and VOA. Some analysts in Rangoon say the generals are nervous. As tension heightened in Indonesia, troops rolled into Rangoon and took up position in buildings, houses and hospitals. It is a well known fact that the generals wanted to borrow Jakarta's New Order system in three areas: the 1945 constitution, the dual function of the military and the state ideology. Analysts and dissidents warn that social unrest in Burma could erupt at any time.

The Nation, 27 May 1998, 7 Jun 1998. *Bangkok Post*, 7 Jun 1998.

Burma Women's Day

Burma Women's Day was celebrated on June 18, 1998. As a prelude to the day, Aung

Continued on page 7

TOWARDS THE RULE OF LAW & "DISCIPLINE FLOURISHING DEMOCRACY"

"Prevalence of peace and tranquility and rule of law and order are the most basic requirements in building a peaceful, modern and developed nation."

— SPDC Secretary-1, Lt-Gen Khin Nyunt, New Light of Myanmar, January 20, 1998

The following is an account of three young men's encounter with Burma's legal system after being arrested and accused of collaborating with rebels. They were tortured into "confessing" the truth of the accusation and sent to court:

Then Captain Zaw Win sent us to court charged with four criminal offenses under Article 17 (1). We had no opportunity for defence. The Plat Wa [district] court said, "We cannot sentence for political offenses," so they transferred us to Sittwe Township in Arakan State. In that court we had an opportunity to defend ourselves. In court we told them that we were not collaborators with rebels. The judge said to the Burma Army men [bringing the charges] "You must show evidence. Unless you can produce evidence, we cannot convict them of being against the country." So the SLORC army sent a man to the court. The judge asked him, "Can you give any evidence against them? If not, we can't convict them under this Article, and we can't detain them. If you can't produce any evidence, we will release them." The Army had no evidence. Then the judge said to us, "I'm sure that you are not rebel collaborators. I could release you now by my authority. But I am so sorry; I cannot do that for the time being because the Army ordered me not to release you, and to put you in jail. According to the law you are clear of the crime, you are not guilty. But as you know, the Army governs our country and we cannot do anything against their orders. Therefore, I have to go along with this Article. It says you can be detained for three to seven years. I am going to sentence you to three years, because this is the shortest possible period of time. I am sure you are not guilty, and they couldn't produce any evidence. But I am intimidated by the military authorities." So the judge sentenced us to three years and they sent us to Sittwe prison.¹

This account of the legal system starkly illustrates the lack of rule of law in Burma, and how far Burma has to go in what the military regime says is its "transition to democracy" phase towards a "peaceful, modern and developed nation." Political transition is very much in the genesis phase, as Burma is still experiencing internal armed conflict, repression, and the majority of the population have little real participation in the dealings and decisions of the central authority. There is no substantive separation of the executive,

legislature or judiciary. The State Peace and Development Council's (SPDC) imprint pervades the judiciary; there is no formal or substantive independence or impartiality from the regime, as evidenced by the judge's statement, "I am sure you are not guilty, and they [the Army] couldn't produce any evidence. But I am intimidated by the military authorities."

"Burma has been under de facto military rule since 1962, when General Ne Win staged a coup d'état. Democratic institutes were replaced by a military-dominated bureaucracy."

However, with the recent drive by the SPDC to stamp out corruption, the administration of justice has been targeted. In the English daily newspaper, *The New Light of Myanmar* (NLM) on January 20, 1998, Lt-Gen Khin Nyunt urged judges and law officers to be upright and correct in the administration of justice so that the rule of law will be ensured, "and peace restored for the emergence of a disciplined flourishing democracy." Khin Nyunt's use of this phrase is apparently derived from General Suharto's "disciplined democracy" regime in Indonesia, which recently witnessed the worst political unrest since 1966, resulting in Suharto's resignation.² Let's hope the generals are observing what happens when regimes pursue modernization without democratization for all groups; civil liberties are critical for economic success and continued governance.

Prior to 1962, the judiciary in Burma was generally considered to be competent and independent, especially at the appellate level.³ Burma has been under *de facto* military rule since 1962, when General Ne Win staged a *coup d'état*. Democratic institutes were replaced by a military-dominated bureaucracy. The 1974 constitution formalized single party rule by the Burma Socialist Program Party (BSPP), and established "People's Courts" which enshrined BSPP control of the judicial system especially in political cases, as the courts acted as another arm of the BSPP government, rather than as a defender of

rights. The judicial system continued to deteriorate through the 1980s as party connections, not professional skills, became the primary criteria for personal advancement.⁴

All civilian government institutions, including the judicial system, were abolished after the military takeover on September 18, 1988, which put in power the State Law and Order Restoration Council, SLORC.⁵ The military junta immediately implemented martial law and assumed all executive, legislative and judicial powers. A week after, however, the SLORC decreed the Judicial Law, which established a Supreme Court and provided for the creation of civilian courts at the trial level. The Supreme Court consists of a Chief Justice and not more than five judges. It hears appeals on decisions of the state and divisional courts and exercises original jurisdiction in certain matters, but the judges are political appointees – a legal education is not a prerequisite.⁶ An office of the Attorney General was also established, whose duties include offering suggestions and guidance to the regime and its ministries; representing the government in all legal matters; referral of matters for revision if the lower courts do not rule according to the law; and drafting, revising and translating laws.

Khin Nyunt, quoted in the NLM on the administration of justice, stated that during the second half of 1997, the Supreme Court accepted 76% of the cases as proposed for revision by the Attorney-General's Office. The Secretary-1 used this high success rate to berate the lower courts for failing to "mete out appropriate punishment in spite of sufficient evidence thereby requiring higher courts to take corrective action." He criticized law officers for neglecting their duty to offer appropriate legal advice – citing insufficient knowledge in legal matters or otherwise, the seizure of irrelevant evidence, failing to give instructions to seize evidence, and not adequately addressing arguments of the defence counsel, as reasons for offenders being released without being tried, and even the wrong people being tried. He also called for a concerted effort to "minimize and eliminate irregularities and malpractices." Judges were advised to "keep themselves free from malpractices and at the same time make sure they are not used by unscrupulous persons." Corruption was openly addressed in the article as rampant throughout the administration of justice – it is partly due to the low salaries government servants

receive,⁷ along with pressure from local authorities and the regime.

Is this open criticism of the administrators of justice mere propaganda? Is Khin Nyunt trying to show the regime's commitment to the transition to democracy; of which the rule of law is an essential component? To recognize the existing problems, address them openly, lay blame on the administrators and urge them to better the system conveys the SPDC's apparent commitment to establish the conditions for the emergence of a "discipline flourishing democratic system."

The obvious question to ask is whether the malpractices of the courts are a symptom of the regime. There are few people with legal education or qualifications for appointment to high judicial office due to the Ne Win period, and the current regime has not been prepared to take the inherent risks entailed in allowing the judiciary to function and grow as an independent institution. The current dearth of qualified lawyers practicing in Burma will continue, considering repeated closure of the universities since the regime came to power. In reality the civilian courts operate with little independence from the regime; there is no formal legal basis for them to operate without intervention: "The general fear of SLORC and its complete control over every institution makes judicial independence and the independence of lawyers impossible."⁸ This is exacerbated by the fact that judges and law officers are not provided with any security of tenure or with any protection against removal.⁹ The courts have not been used to seek relief to widespread reported and documented allegations of forced labor, forced portering, forcible relocations resulting in loss of land, human rights violations etc., illustrating the lack of faith the people of Burma have in their legal system.

Although civilian courts can hear criminal matters, those with political overtones are generally heard by military courts. These courts are not formally independent or impartial. It is rare that anyone is acquitted. Political detainees are not given any real opportunity to prepare a defense and are rarely permitted access to defense counsel. The U.S. State Department believes defense counsels are permitted in those cases which, "for its own reasons, the state wishes to publicize."¹⁰ In both civil and criminal matters, the role of the defense counsel is limited and subdued for fear of the consequences if the defence is conducted vigorously.¹¹ For this reason, appeals are rare. In March this year around fifty lawyers were arrested in a crackdown on political opposition;¹² there have

been no further details of their detention. Military officers administer these courts, and details of the procedures are usually secret. Sometimes trials are publicized in a display of openness, but observers are harassed at checkpoints, and their details taken and recorded by the military intelligence service.¹³

Most of the cases heard by the military courts are charges under the Unlawful Associations Act, the 1950 Emergency Provisions Act (a broadly worded sedition law), offenses under the 1975 Law Protecting the State from Dangers of Disruptive Elements (the State Protection Act), and various provisions of

"Although civilian courts can hear criminal matters, those with political overtones are generally heard by military courts. These courts are not formally independent or impartial. It is rare that anyone is acquitted."

the Burma Penal Code. These Acts have been used to outlaw a variety of activities involving the freedom of expression. Recently San San, a 60 year old outspoken dissident, was sentenced to 45 years prison. She was charged with treason after speaking on the telephone to a reporter for the British Broadcasting Corporation.¹⁴ Two former student leaders were sentenced to death in April for breaching the Emergency Provision Act, the Unlawful Association Act (which prohibits public gatherings of more than five people), and the 1962 Printers and Publishers Registration Act. They were among six political dissidents tried by a military court on charges of terrorism. Details of the charges and court martial testimony have not been released. It is believed that their real crime was an attempt to hand a letter on human rights to Alvaro De Soto, a special United Nations investigator and personal representative of U.N. Secretary-General Kofi Annan who visited Burma in January.¹⁵ Following the death sentences, The All Burma Students' Democratic Front (ABSDF) accused the regime of launching a secret crackdown on opposition groups. The ABSDF said the SPDC had stopped publishing details of arrests in the state-run press as a campaign against opposition in the lead-up to the resumption of the National Convention later this year. The arrests are also viewed as an attempt to stamp out and/or repress potential dissent prior to the reopening of universities, which were closed following un-

rest more than a year ago.¹⁶

For most countries in the transition phase to peace and democracy, promises are made that free general elections will follow the establishment of a rule of law based on a constitution guaranteeing fundamental rights, such as freedom of expression and a free press. Burma's infamous constitution drafting process under the National Convention to resume later this year, and Khin Nyunt's urging of judicial officials to administer justice correctly in the official press could be viewed as illustrating the new-look SPDC's commitment to establishing a democratic system. A more cynical view, based on the observations in this article of how the legal system currently operates in form and substance, conveys how far the country has to go before a substantive rule of law is established. The formal political rhetoric may promise modernization in the guise of a constitution, but without addressing the root causes behind Burma's dysfunctional justice system, the potential ramifications in the transition to democracy could be grave.

V. Coakley

- 1 "SLORC abuses in Chin State," Karen Human Rights Group (KHRG), 15 Mar 1995.
- 2 K. Chongkittavorn, "Regional Perspective: Uncertainty in post-Suharto ASEAN," *The Nation*, 2 Jun 1998.
- 3 *Summary Injustice: Military Tribunals in Burma (Myanmar)*, Lawyers Committee for Human Rights, 1991, p. 3.
- 4 *Ibid.*, p. 3.
- 5 The regime changed its name to the State Peace and Development Council (SPDC) on 15 Nov 1997.
- 6 M. Ali Khan, "The Burmese Way to Where? Report of a Mission to Myanmar (Burma)," *International Commission of Jurists*, 1991, p. 47.
- 7 Law officers at the District level receive 1,000 kyat a month, while those at the Supreme Court receive 3,000 kyat plus a residential allowance - correspondence with the Burma Lawyers' Council (BLC).
- 8 M. Ali Khan, p. 48.
- 9 M. Ali Khan, p. 47.
- 10 *Summary Injustice*, p. 46.
- 11 M. Ali Khan, p. 52.
- 12 "Junta detains lawyers, monks," *Bangkok Post*, 23 Mar 1998.
- 13 Correspondence with the BLC.
- 14 Editorial, "Burma sentences decency to death" *Bangkok Post*, 11 May 1998.
- 15 Editorial, *Ibid.*
- 16 "Students accuse Burma Junta," *The Nation*, 5 May 1998.

UNDCP: DREAMING IN BURMA'S POPPY FIELDS?

The international community has been singing in respectable chorus these days, in condemning Burma's military junta's record on human rights abuse and suppression of political opposition. However, the unity seems to get lost when the subject comes around to the drug trade, one of the few points where Burma's internal politics impact the society and economies of the wealthier nations. Indeed, flow of heroin from the Golden Triangle continues to be such a sore point that Burma's most vocal critics, in spite of their condemning talk, are often tempted into the subtle and intimate kinds of "constructive engagement" with the junta over the issue. A new phase of the dance seems to be beginning, with the announcement this month of an ambitious United Nations Drug Control Program (UNDCP) plan to eradicate the opium poppy from the Golden Triangle, discussed at a special planning session of the U.N. General Assembly.

The UNDCP initiative, called SCOPE, is currently budgeted at US\$5 billion over the next 10 years.¹ The plan was developed in cooperation with the governments of Laos, China, Burma, Vietnam, and Thailand; however its success or failure will be determined in Burma, where the vast majority of the Triangle's poppy fields lie. This is more than a crop substitution program; it is a significant multinational development effort aiming at no less than a radical transformation of the core economies of the Golden Triangle. Can such a project work in Burma? There are many reasons to doubt it, the main obstacle being the vested interests of the government of Burma, itself.

No one knows the exact amount of revenue generated in Burma through the production and trade of opium, heroin, and other poppy products, but it is indisputably large and the government seems to have access to a significant amount of it. In 1997, the *Far Eastern Economic Review* (FEER) reported that economists had found discrepancies in Burma's trade and financial statistics, amounting to \$400 million in unexplained foreign financial inflows during 1995-1996. Add the \$200 million per year that Burma spends buying weapons from China, also unrecorded income in official government financial statements, at least \$600 million of Burma's economy cannot be accounted for. The economists argued that only opium could generate that

kind of money, as gems and precious stones are now no longer smuggled but exported legally through Rangoon.² Compare opium's possible \$600 million (which some consider to be a conservative estimate) with the \$879 million value of Burma's official exports,³ and it's clear that the opium trade plays a massive role in Burma's economy.

Rangoon's alleged connections with the drug trade have drawn steady criticism, in spite of the junta's self-congratulating press over its own in-country eradication efforts. The international community generally sees Burma's existing programs as ineffective. Periodic public burnings of confiscated opium, which make top news in Burmese media, represent less than 1% of the country's total heroin production.⁴ Indeed, this year a bumper opium crop is expected; U.S. Drug Enforcement Administration (DEA) and Thai authorities have estimated that heroin production in Thailand and Burma will be up this year by 20%.⁵ The market is already glutted with Burmese heroin; the street price of heroin, particularly in Southeast Asia, has been falling as supply gains on demand.⁶ With overproduction an issue, critics argue that a few tons of heroin burned

will not affect the number of buyers of the drug, and may actually only

nudge the street prices a little higher. Drug eradication at the current scale boosts the junta's image without doing much, if anything, to shift opium's place in Burma's economy.

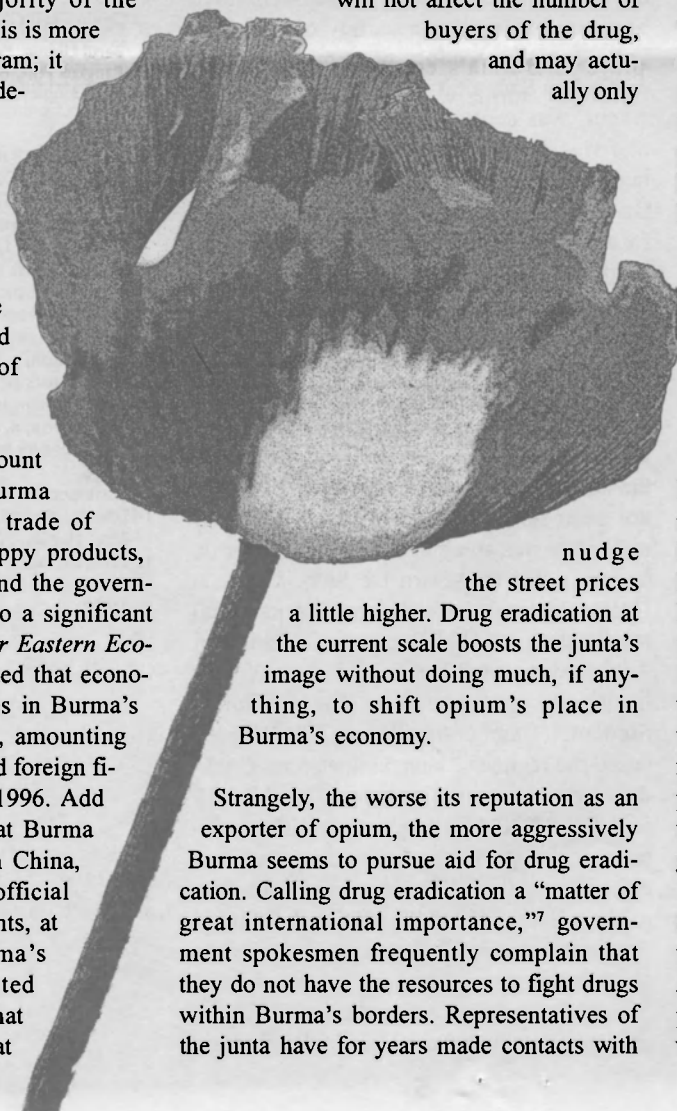
Strangely, the worse its reputation as an exporter of opium, the more aggressively Burma seems to pursue aid for drug eradication. Calling drug eradication a "matter of great international importance,"⁷ government spokesmen frequently complain that they do not have the resources to fight drugs within Burma's borders. Representatives of the junta have for years made contacts with

other governments in pursuit of drug eradication money, usually to small avail. In 1989 the U.S. removed Burma from its list of countries eligible for drug eradication aid, and the U.N. eradication programs in Burma have been limited and highly controversial. Burma's participation in the UNDCP's new Golden Triangle initiative is their chance at a portion of the \$5 billion planned to be spent on the region over the next 10 years, not to mention a major image overhaul. This may be where the junta's public relations efforts pay off.

U.S. policy has already run up against itself over the Golden Triangle project. In April the U.S. contributed US\$3 million directly to the Burma program, prompting speculation that aid to Burma had been reinstated.⁸ A State Department release promptly countered: "The funding goes to the UNDCP, *not* the government of Burma." Nevertheless, the move seems to contradict U.S. policy, reflected in Secretary of State Madeline Albright's statement last year, "It is hard to imagine a lasting solution to this region's narcotics problem without a lasting solution to Burma's political crisis." Does funding to the UNDCP represent a "political" solution?

The UNDCP's plan appears to avoid addressing politics as much as possible. Instead, it will take what's been called a "bottom-up comprehensive development approach" to opium eradication, including a heavy focus on crop substitution, comprehensive road building and other infrastructure development, as well as health care and education projects. As UNDCP country representative Richard Dickins claims, "the tactics [of the international community] have been too strong; Burma also needs to be encouraged to change, if you're too harsh then it does backfire." Indeed, his attitude toward Burma's political hegemony has been far from harsh. Since Dickins arrived in Rangoon in April, the state-run press has reported him in numerous meetings with high-level government officials. In May, Dickins and UNDCP director Pino Arlacchi traveled with an entourage of prominent SPDC officials to northeastern Shan State, where they met with Wa leaders. There, they were apparently making final arrangements for the first part of the plan: a development program in Wa areas, where for many years the majority of Burma's opium has been grown.

Strangely, no one seems to be mentioning the fact that in 1993, the United Wa State Army (UWSA) itself proposed just such a plan: offering to stop production of opium within their areas in exchange for develop-



ment assistance. Their stipulation was that assistance came directly to their hands and was not channeled through the government, on the grounds that Rangoon was complicit in the drug trade. At the time, the *FEER* reported, "it seems extremely unlikely the U.N. will get involved in its implementation."⁹ Things have obviously changed since then.

What exactly has changed? The UWSA staged a meteoritic rise in power and influence. Formerly part of communist insurgent forces, after mutiny broke Communist Party of Burma (CPB) ranks in 1989, the Was, like the majority of the former-CPB factions, turned their attention from insurgency to the drug trade. Since the surrender of its major rival, Khun Sa's Mong Tai Army (MTA) in 1996, the UWSA has joined with remnants of the MTA and succeeded in dominating all of Khun Sa's former territory. It has gotten heavily involved in production of amphetamines. This past year, UWSA has focused its growing forces on expanding its empire, spreading and consolidating control throughout eastern Shan State. Most recently, reports from refugees fleeing Wa areas in Shan State indicate that the UWSA's latest offensive aims southward from the Chinese towards the Thai border, accompanied by reports of forced portering, executions, and other abuses. Thai military sources have recently suggested that the UWSA plans to spread its region of control as far south as Thailand's Tak province, where it already has drug-processing bases, to open more routes for its trade in amphetamines.¹⁰ Whatever Wa officials may be saying at the official level, to SPDC or to U.N. officials, the UWSA's military actions betray their real intent: long-term control of the majority of Burma's corner of the Golden Triangle, including broad areas of the border with China, Laos, and Northern Thailand.

Supposing the Wa leadership genuinely wants to eradicate opium from its areas – as they themselves pointed out – getting Rangoon involved may not be the best idea. As the *FEER* reported in early 1997, Rangoon's involvement apparently had a direct negative effect on drug eradication projects in Kachin State. In the early 1990s, following a declaration by the Kachin Independence Organization (KIO) of an "opium free zone," satellite photos recorded reduced poppy cultivation in Kachin State. However, following the KIO's cease-fire agreement with Rangoon in 1993, satellite photos showed that opium production was up again: "The regime appears to have encouraged local farmers to grow poppies in the areas it controls, and Kachin rebels have been unable to sustain their anti-drug campaign."¹¹

Prying poor farmers free from their dependence on poppy production has historically been a difficult task – but relieving Burma's powerful from their financial addictions will prove even harder. It is sure to fail without full political commitment to the project, a fact that Dickens has paid lip service to, as the *Bangkok Post* reported: "Dickens said the project had high chances of success with the political commitments of all parties concerned: the Chinese and Burmese governments, the Wa leadership and the UNDCP."¹² If the UNDCP's project is to succeed it must generate more than rhetoric, joint statements and photo opportunities. Powerful figures involved would actually have to be convinced that the elimination of Burma's poppy fields will benefit them, or at least that they will lose more by not substantively cooperating with eradication programs. Will the UNDCP's development plans be persuasive enough to convince them? Many would argue that at best, all the program will do is free the SPDC from a few persistent distractions along the border, in an area of Burma that has long eluded government control. At worst, the U.N.'s gentler approach to opium eradication may help legitimize Burma's shadiest power holders, doing nothing to reduce the flow of drugs from the Triangle.

Considering the massive role that opium plays in Burma's economy, to eradicate opium in Burma without causing the total collapse of the economy will require nothing less than an economic and social revolution.

That means transforming Burma's illicit economy, now in the control of a powerful minority, into a licit economy based with the people. It seems naive in the extreme to think that lasting change at that scale could be implemented by international organizations, military groups famous for their involvement in the drug trade, or through the standing military dictatorship. In Thailand, opium eradication programs strengthened in step with its democracy movement, as government gained both the political power and the will to eradicate opium cultivation. Likewise, putting Burma's economy back in the hands of the people will first require a government receptive to their demands, able to address both economic and political issues – a government in which the people are not just the objects of change, but the masters of it.

E. Zeamer

- 1 "Man with a Grand Plan," *Time*, 22 Jun 1998.
- 2 "Safe at Home," *Far Eastern Economic Review*, 14 Aug 1997.
- 3 1995 financial year, *CIA World Factbook*, 1997.
- 4 Bertil Lintner, "The Dream Merchants," *FEER*, 16 Apr 1998.
- 5 *The Nation*, 28 May 1998. *The Nation*, Reuters, 11 Nov 1997.
- 6 Bertil Lintner, "The Dream Merchants," *FEER*, 16 Apr 1998.
- 7 Myanmar news release, Embassy of the Union of Myanmar, Ottawa, 29 Jul 1997.
- 8 Reuters, 22 May 1998.
- 9 Bertil Lintner, "Kicking the Habit," *FEER*, 1 Jul 1993.
- 10 *Bangkok Post*, 6 Jun 1998.
- 11 Bertil Lintner "High on Drugs," *FEER*, 20 Feb 1997.
- 12 "Project to end...", *Bangkok Post*, 6 May 1998.

NEWS BRIEFS, CONT'D

... from page 3

San Suu Kyi hosted a tea party on June 8, which was attended by women from ASEAN countries. It was the first time in a decade that the military allowed such an event to occur.
Bangkok Post, 8 Jun 1998.

On Burma Women's Day in Bangkok, a new book produced by the Alternative ASEAN Network on Burma was launched, entitled *Burma: Voices of Women in the Struggle*. The book marks a significant, concerted effort to bring together some of the voices of women of different ethnic, religious and political persuasions in Burma. It is a small step towards building a distinct women's voice within the movement for a free Burma; one that recognizes and nurtures diversity.

To order the book, contact: ALTSEAN-BURMA c/o Forum-Asia, 109 Suthisarnwinichai Rd., Samesennok, Huaykwang, Bangkok 10320, THAILAND. email: altsean@ksc.th.com.

'Role for the UNHCR on the Thai-Burma border

At the end of May, Thai and United Nations authorities worked out details of a role on the Thai-Burma border for the U.N. High Commissioner for Refugees (UNHCR). Thai authorities have been seriously considering an expanded role for the UNHCR towards displaced Burmese people since the burning and shelling of two camps on the border in March. The UNHCR will have access to asylum seekers and refugees in the camps, and will conduct joint registration of camp members with the Thai government. A UNHCR official said that a long-term strategy for the eventual repatriation was also under consideration. This comes at the same time Thailand has hardened its resolve not to join the U.N.'s 1951 convention relating to the Status of Refugees, and its 1967 protocol. Government officials cite the economic slump and the threat of high unemployment as reasons for their position.

The Nation, 11 Jun 1998. *Bangkok Post*, 11 Jun 1998.

The Last Word

What Others Have to Say About Burma

"For the Burmese government political stability is the priority, drugs control comes later. If the two can go hand in hand, then fine but if a choice is to be made, it will be political stability." – *Thai Office of Narcotics Control Deputy Secretary General Kittti Limchiakit.*

...

"It is necessary to be vigilant against attempts by internal traitors and some neocolonialists to create disturbances in the education sector." – *Secretary-1, Lt-Gen Khin Nyunt, speaking to schoolteachers, warning them to curb unrest in the country's education system*

...

"The Indonesia crisis has alerted everyone in the region to the possibility of new student-led unrest. I don't think they are going to reopen schools." – *A student in Rangoon, on the closure of universities and high-schools since student protests late last year.*

...

"Let us say we won the game and Khun Sa is the trophy, so we believe that we have the right to display it wherever we like ... in the living room, the dining room, garage." – *SPDC spokesman Lt-Col Hla Min, on the SPDC's refusal to extradite drug-lord Khun Sa to the U.S. for trial on narcotics trafficking charges.*

"Cooperation between Thailand and the UNHCR has already started, Burma-Thailand is already beginning but the Burma-UNHCR circle of cooperation has yet to start." – *Thai Foreign Ministry permanent secretary Saroj Chavanaviraj on UNHCR's new role along the Thai-Burma border.*

...

"We are firmly convinced that the only way to overcome [the country's current] difficulties is to hold politically significant talks among the Tatmadaw [armed forces] group, democratic forces, including the National League for Democracy and ethnic groups, comprising ethnic parties that won in the general elections and ethnic armed groups." – *A statement by four ethnic leaders in Burma, all elected to parliament in the 1990 elections: Saw Mra Aung, Arakan (Rakhaing) State; Khun Tun Too, Shan State; Naing Tun Thein, Mon State; Kyin Cin Htan; Chin State.*

...

"If there is no more military rule in Burma, we will be able to join hands with our ethnic brothers and sisters to build a genuinely peaceful nation. If there is no more military rule in Burma, we all, regardless of ethnicity, religion, or sex, will be able to build a nation based upon the principle of non-discrimination." – *Khin Htay Khu, from Burma: Voices of Women in the Struggle.*

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