



Burma Issues

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REPATRIATING THE ROHINGYA

On a street outside the RSCU office in Dhaka, 5 Burmese refugees have entered their thirteenth day of a hunger strike. They are protesting the UNHCR's new policy of offering lump sum payments to refugees with the idea of them being able to start small businesses with it. Sounds like a good idea except for a few technicalities like the refugees not having work permits, the language difficulties and the problematic integration it would entail. It also means a reduction in their monthly subsistence payments from UNHCR. They are protesting what seems to them a desertion from the one international body that is supposed to be helping them, and they're not the only ones. The 20,000 refugees living in refugee camps along the Bangladesh-Burma border have been facing controversial repatriation procedures for the past ten years. They fled Burma into Bangladesh, they were forced back, they came back to Bangladesh and were allowed to remain temporarily, they were then forcibly repatriated, they came back, they tried voluntary repatriation, still they come back. The issue is clearly not what procedure to take in implementing the repatriation process but that the repatriation issue should even be on the agenda to begin with.

In 1991-1992 more than 250,000 Rohingya fled into Bangladesh in what was seen as a mass exodus from human rights abuses and religious persecution. They set themselves up in about 20 camps along the Bangladesh-Burma border. The initial repatriation of these 250,000 refugees began in early 1992 after the Burma and Bangladesh governments signed a bilateral agreement regarding their return. The "voluntary" and "safe" return turned into a mass case of forced repatriation and created an outcry from the refugees themselves and the international community. Bangladesh authorities resorted to violence, the confiscation of ration cards, thus

denying the refugees the ability to get food and healthcare, and eventuated in a riot that killed 15, injured 40 and saw 119 imprisoned. UNHCR withdrew their limited support at this point and it wasn't until May 1993 that UNHCR signed an agreement with the Bangladesh government that allowed them access to the refugees to ensure that any return was done voluntarily.

By 1995, 200,000 of the refugees had been returned to Burma. By 1996 reports were filtering through that human rights continued in Arakan state and UNHCR suggested that the remaining 25,000 try and be integrated into Bangladesh society, this was refused by Bangladesh authorities. The repatriation process over the next few years was a slow one, the many players becoming increasingly frustrated and fatigued with the long drawn out process.

UNHCR, one of the major players, has now just released their concept paper that outlines the withdrawal of their presence and the handing over of the last two refugee camps to the Bangladesh authorities. The UNHCR proposal promotes the option of local integration with the choice of voluntary repatriation for the remaining 20,000 refugees. The plan is for UNHCR to end all material support to the two remaining camps by December 2003, handing over the camp administration to the Bangladesh government. By the end of 2004, the remaining refugees will either be self-sufficient in Bangladesh society or they will have voluntarily returned to Burma. There is still doubt as to whether the Bangladesh government will endorse their proposal and it does little to address the continued exodus of Rohingya and Arakanese who flee across into Bangladesh. No one has ever really addressed the estimated hundreds of thousands who live outside the camps in precarious conditions but are labelled as "economic migrants", not refugees. Can ignoring this continual flow simply make it go away, have all the players decided its time to get out and are merely mopping up last minute issues?

UNHCR's stance should be clear, it is interned in the Convention to the Status of refugees, under article 33, "No contracting state shall expel or return ("refouler") a refugee in any manner whatsoever to the frontiers or territories where his life or freedom would be threatened on ac-

The last decade shows a checkered account of forced, coerced and violent repatriation of Rohingya refugees back to Burma.

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count of his race, religion, nationality, membership of a particular social group or political opinion.” The next issue of course is the tendency to lay the blame for the current situation entirely in UNHCR’s court. They have responsibilities, that cannot be denied, but so do the Bangladesh government. Under the above convention they have a responsibility to ensure that any repatriation is only undertaken when conditions of return are safe for the refugees . It is clear from the continued flow of civilians fleeing Burma and the continued return of those already forcibly or voluntarily repatriated that the conditions that forced them to flee in the first place have not been addressed.

Those that flee continue to talk of forced labour, demands that take villagers from their farms and livelihoods and required them to provide their own food, shelter and medicines whilst doing it. Human Rights abuses, rape, extrajudicial killings and portering. They talk of political persecution, family members who work for ethnic opposition groups or are just labelled as activists. They talk of religious persecution, the burning of mosques and christian churches, the deaths or beatings of those who practice these alternative religions. They tell of no freedom of movement, of being restricted to their own villages and having to apply for a license if they want to travel outside their village. They talk of rising commodity prices, starvation, debt and poverty. Witness reports continue to flow from inside Burma as does the documentation of the atrocities that are forcing people to choose a life on the other side of the border. Despite agreements by the Burmese government to offer the Rohingya citizenship, despite promises to accept a certain number of Rohingya refugees back, despite assurances to the ILO that forced labour has been eradicated, despite speeches that the military junta are keen to pursue democracy and equality for all, the records show that little has changed for the people inside Burma and that any repatriation at this time is sending the refugees back into the very conditions that forced them to flee in the first place.

So where do the Rohingya refugees go from here. Their needs aren’t being met in Bangladesh, many accuse UNHCR and the Bangladeshi government of failing to fulfill their mandates. The last decade shows a checkered account of forced, coerced and violent repatriation of Rohingya refugees back to Burma. Their needs aren’t being met inside Burma. They face persecution and threats to their very existence. They



*Internally Displaced Muslims
KHRG*

flee for a reason, they continually return to Bangladesh for a reason. For a people who do not have the freedom of their rights, that face death, starvation, abuse, forced labour and religious persecution, they have to rely on those international humanitarian agencies that are supposedly set up to ensure access to those freedoms, and its demoralising when those institutions fail them. If so little has changed inside Burma then surely those working in NGOs, aid agencies and the international community must maintain pressure on both the UNHCR and the Burmese government. For the first, to show that it is unacceptable to repatriate the Rohingya back into a situation where their lives and freedom are threatened, and for the second, to show that human rights abuses and persecution are an unacceptable treatment for its own people. Now is not the time to leave the Rohingya to fight for survival on their own.

PEACE BURMA'S MUSLIMS AND THE WAR AGAINST TERROR

The black and white portrayal of terrorism post-September 11 belies the ambiguity of the action and the motives behind it. The world has become obsessed with terrorism and the possible ramifications upon themselves. It is no longer something that happens to other people, in far-flung traditional areas of conflict like Israel and Northern Ireland, but something that is capable of hitting you in your own backyard. September 11 is an obvious reminder of that. In this article I want to explore just two things from the climate of post-September 11 terrorism. First, the danger of simplifying terrorism down to the immediate act and second, the way the war against terrorism has been used by states, specifically focusing on Burma, to justify persecution of its Muslim entities. This article is not suggesting these two concepts have been an intentional part of the war against terror, merely that actions have shown they have become an integral part of the response to it.

The Bush administrations response to the September 11 attacks has centred around one particular classic dictionary definition, the purpose of terrorist acts being to create fear amongst the people. Little attention has been paid to another definition, the use of violence for political aims. By simplifying terrorism down to the act one

ignores the complex, often political, issues that lead to the act to begin with. In dealing with the issue of terrorism these issues need to be addressed as well, not just looking for retribution against the perpetrator. Bush's reaction has done little to address the issues of reasoning behind these attacks, that terrorist acts usually require an antagonist and the antagonist cannot be free of responsibility and some blame. Terrorist acts are usually a response to a

situation of oppression, or a feeling of wrongdoing where a course of violence is undertaken in response to violence and in the spirit of being free of this violence. Its kind of a contradiction but shows that terrorism is usually a reaction to something and should not be taken in the context of the single terrorist act but in the wider context of the root causes that cause terrorists to choose this act of violence. My point being that terrorism isn't black and white and that the Bush administrations treatment of it as such has allowed a multitude of repercussions and actions across the world, enacted in the name of the "War Against Terrorism", a phrase coined by the Bush administration, and ensuring little accountability for the actions of those who have used the "War Against Terrorism" to attack supposed Muslim rogue elements within their state boundaries. The danger lies in the flippancy in which the words terrorist, terrorism, and the "War Against Terrorism" have been allowed to be thrown around. It has become acceptable to attack, often innocent victims, in the name of the "War Against Terrorism", often shielding behind which is a states own intent purposes.

Historically, the word terrorism has been used by states for the actions of minority groups. That a majority or ruling government could also be an instigator of terrorists acts is rarely discussed. Robespierre in the 1700s most famously defended terrorism, "They say that terrorism is the resort of a despotic government. Is our government then like despotism? Yes, as the sword that flashes in the hand of the hero of liberty is like that which the satellites of tyranny are armed...". Whether tyranny or liberty, they are using the same means of violence for opposing causes but for the same ultimate goal. The problem arises from peoples understanding of liberty and tyranny, for one persons definition of a tyrant is anothers version of a liberalist. Governing bodies carry out terrorism in the name of liberty, to the recipients of this terrorism it seems more like tyranny and from this stems some of the root causes of the Bush administrations need to fight their "War Against Terrorism".

Which brings me to the second point, that many states are using the war against terror as a justifiable excuse for persecuting muslim minorities. Panic, fear and revenge have contributed to the strategy of ensuring terrorist acts are contained and the perpetrators punished. The world has been encouraged to route out terrorists from within their borders, debatably at the expense of democratic institutions and



Protesting the "War Against Terror"
BI 2003

accountability. If someone is seen as a terrorist threat then it seems acceptable for states to discard state and international laws in the interest of protecting the state against these supposed rogue elements. Is it now acceptable to brand anyone a terrorist who is anti-your political ideology or system of governance? Certainly the Bush administration has branded their war on Iraq as an attempt to combat terrorism. The Burmese government has certainly branded their armed ethnic minorities as terrorists, their main offence: disenchantment with the treatment they receive from the Burmese government, their disillusionment with the way that same government runs their country and their demands for their political needs to be met and the resort to violence to get it. I distinctly remember calling my brother a terrorist because he spent three consecutive days sitting on my stomach with my shoulders pinned beneath his knees. It was an act whose purpose was to fill me with fear. Russia accuses the Chechens of being terrorists, Israel the Palestinians. The point is that being a terrorist or carrying out terrorist acts is often defined by the moment and the level of power of the person making the accusation. And it often has its basis in a response by the little man to a prolonged act of oppression by the big man.

The government of Burma could be classified as carrying out terrorist acts against its minorities, they attack villagers often without warning, they burn and destroy homes and crops, denying people a livelihood, they rape, torture and persecute ethnic minorities and religious minorities - these are acts of terrorism, they are aimed at creating fear amongst the general population and they are done with a specific political aim. This context is rarely acknowledged or talked about in the international community. Instead the focus, post-September 11 was on the muslim minority that resides in Burma and their possible links to Al-Queda, I say possible as there still seems to be little concrete evidence to back up this accusation. Evidence though is not a high priority in the post-September 11 world that has evolved and the Burmese government has taken advantage of this new climate to crack-down on its Muslim minority. Muslims in Burma make up 4% of the population, rating as one of the larger ethnic minority groups in Burma, yet Muslims in Burma are denied citizenship, they have their freedom of movement restricted and post-September 11 they were subjected to an increase in late night searches, raids and arrests, riots, deaths and destruction of homes and mosques, all in response to the fear created after September 11 that all Muslims were poten-

tial terrorists. In Burma this fear was heightened by the supposed speeches of Osama Bin Laden and a report by Jane's Intelligence Review that placed Al-Queda operatives in Burma. Denials were issued from both the Muslim populations and the Burmese government that such groups existed in Burma. This didn't stop the Burmese governments newly conscreated anti-terrorist campaign against its Muslim minority, perhaps more out of fear for the internal stability of the country than any wish to fall into line with other "War Against Terrorism" states. The reasoning for their action is almost irrelevant, its the fact that the Post-September 11 climate allows them to do it.



So who should take responsibility for the proliferation in attacks upon Muslim minorities in response to the "War on Terrorism"? Should the man who coined the phrase and set the "War Against Terrorism" mechanism in motion be held responsible for the consequences. A man of Bush's stature and position has to take responsibility for the words he utters and the consequences of those words. He cannot hide behind the excuse of not being responsible for others peoples actions, he coined the phrase with an intent purpose, he has allowed it to proliferate in a time of panic, fear, uncertainty and now manifesting in persecution of many innocent victims. It's unfathomable to hold one man responsible for the actions of persecution in the aftermath of September 11 but he cannot be absolved from partial blame for the loose interpretations of the "War Against Terror" and the consequences that have spread because of it. He has created a new acceptance of what constitutes terrorism and what treatment should be enacted upon terrorist actors. In its current context it is being used with a frequency that belittles its complex meaning and with little accountability for the consequences from those making the accusations.

GIVING HOPE TO IDPs

I had never heard of an Internally Displaced person before working with the people of Burma. I'm sure I knew of the millions of people in Africa who were homeless in their own lands but I never called them IDPs and I never associated that problem with Burma.

I now try and remember what my first recollection of an Internally Displaced Person was, what it all meant. I find myself thinking of the words and concepts that all people working with IDPs come to learn. Lack of food, education and healthcare, denial of livelihood, denial of stability and security, and the deaths of family and loved ones. I can rattle off statistics like there are an estimated two million IDPs all over Burma, that Burma spends only 6.9 kyats per capita on health, that 40% of children in Burma are denied access to education.

But does this really tell the story of the IDPs. It certainly gives NGOs and aid agencies statistics to work with, allows the indicators of what work needs to be done and where. IDPs aren't a statistic though, they are a people who have refused to be forced from their own land. Unfortunately they are an often overlooked problem, especially in Burma. We can't really see IDPs, we don't really know what they're living conditions are like. They are displaced in a relatively closed off country, in the border areas of Burma where access for the international community, in fact the majority of people in Burma, is routinely denied.

The problem with working on the IDP issue in Burma has always been how to get the international community interested and aware of a group of people they can't really see. How to get them active on an issue that is growing increasingly catastrophic but is difficult to get statistics about. We have estimates of numbers but we can't be certain about it because few people get in there to assess it. And how do you count a constantly moving group of people. How do you get the international community to care about the person, what they are struggling for, not just the numbers they so often demand. Here you have a huge amount of people who have refused to flee across borders to a third country, who every day fight to survive, pitting their wits against an

army intent on their destruction. I can't help but admire the resilience, the strength and the courage of these people. An IDP interviewed by BI told how they would set up make-shift schools as they moved from one location to the next. Hardly the ideal way to receive an education but the perfect example of the resilience of the people of Burma. It displays a determination not to let the severity of their situation get the better of them. In return, at the very least, we need to maintain a sense of hope for these people. They get a raw deal, that's not in doubt, they endure horrendous conditions and a lot of the time it



*IDP children
Free Burma Rangers, 2002*

must seem like they're doing it alone. They need support, they need encouragement and they need hope that they have not been forgotten about. Many IDPs have expressed the feeling of isolation. They are so engrossed in the daily battle to survive, oppressed constantly by a ruthless army, that they often feel removed from the rest of the world.

The important thing for those working on the IDP issue is a simple question asked by a villager in Karenni state. What would we do with the information they were giving us. Would there be a result, would it improve their life. To this I add my own question. When someone risks their life to go inside Burma and bring this information out, when a villager risks their life to impart this information to that person, how are we going to show them that their enormous risks to personal safety are not a waste of time, that they aren't lost on an uncaring international audi-

ence. To millions of people inside Burma this issue is personal, its a matter of survival, and I often wonder if we, the international community, fail to recognise this struggle.

So now when I think of IDPs, I don't think of concepts, I think of the people and their stories, stories they have risked to tell and entrusted to us to do something useful and effective with, to change their conditions and give them a better life. The international community has a role, they can pressure the Burmese government, they can create awareness that the IDP problem is a very

real one in Burma and that it is in desperate need of support. They can give support to those groups who are already working with IDPs, the groups that have access, albeit limited, to the IDP communities, the groups that act as the bridge between the IDPs and the outside world, for it is these groups that can give the IDPs the hope and encouragement that they need, that can take their stories and let the rest of the world hear them.



Enelke

The Peace Way Foundation warmly invites you to attend the screening of our new video on IDPs in Burma, "No Place To Go". Please see the following information for details of the event. Please note that the FCCT also has an entrance charge.

"No Place to Go"
Video and discussion on IDPs in Burma
by Peace Way Foundation (Burma Issues)
At FCCT (Foreign Correspondents Club, Thailand)
On April 23, 2003
8.00-9.30 pm

Internally Displaced People in Burma now number over 1 million. The Burmese military has systematically enacted village attacks, divide and rule techniques, food deprivation and human rights abuses that has led to an increasing amount of people forced to live a precarious existence in the jungles of Burma. These people have little access to assistance, from both inside and outside aid sources, they have no access to education nor health facilities. They are a people who have refused to be forced from their own land, who have refused to make themselves victims. It is now up to us to ensure their voices are heard.

Video Screening - "No Place To Go" (14minutes)

Speakers

1. Ajarn Mark Thamthai
2. Saw Kwe Say
3. Pa Doh Kwee Htoo

Publications and merchandise will be available for interested parties, both free and available to buy. They will include videos, VCDs, reports, information sheets, t-shirts and posters.

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We hope this will make the newsletter more accessible and look forward to your feedback.

news briefs

usda trains villagers to lie. The Burmese authorities have started conducting training courses in Mon State on how to answer and deceive investigative teams sent in by international institutions. The trainees are taught how to direct an international team during its investigation into rural areas so as to steer them away from incriminating evidence which could tarnish Burma's image to the international community, a local source said. Over a hundred members of United Solidarity and Development Association (USDA) attended the course run by military officials in uniform. Officials from the Women Affairs Committee from MuDon Township lectured young members not to tell the truth about forced labour and human rights abuses that have occurred in their areas, said Min Win, a trainee from the village. "It's a course on how to lie to people who ask questions." The officials forced young boys and girls to attend the training course.

"USDA train villagers to lie to international institutions", Independent Mon news Agency, Feb 27

burma fails on forced labour. Plans by Burma's military government to end

forced labour are not yet adequate or credible, a Rangoon-based International Labour Organisation (ILO) officer said during a visit to Thailand. Burma is the only country in the world where forced labour is imposed by authorities and is in talks with the ILO to draw up a plan to eliminate the practice. "In spite of very serious and very constant discussion with the government I have not been able to convince the authorities to take steps I consider necessary for the plan to be a credible plan," Perret-Nguyen said. A main sticking point was an ILO demand that Rangoon agree to establish a credible system to verify allegations of forced labour and to prosecute offenders. Rangoon has proposed an area where a public information campaign against forced labour would be increased, she said. Other government proposals included translating orders prohibiting forced labour into ethnic languages and distributing pamphlets about the issue. Forced labour in Burma typically involves work as porters for soldiers or in road and other construction projects.

"Burma plan to eliminate forced labour not adequate: ILO", Agence France Presse, Mar

economic woes. Burma is buckling under the weight of a worsening financial crisis. Ever since private banks started telling customers they couldn't withdraw all their savings last month, prices have become unstable, businesses have closed, workers have been laid off and crime has increased. After more than a month of financial woes across the country, some businesses have now been forced to close. At the same time, financial problems have been attributed to an increase in burglaries. Recently, a house in Rangoon's Kyee Myin Daing Township was robbed at daytime while the owner was stabbed to death, a neighbour reported. A wealthy Chinese businessman at Phar-Kant in Kachin State was killed on Feb 21, the day after he was seen arguing with bank staff at a branch of the Asia Wealth Bank (AWB). Though no one has been able to confirm why he was killed, sources say he was angry at being restricted to withdrawals of 100,000 kyat per week. He was believed to have had millions invested in the bank.

"Crisis forces businesses to close, crime to rise", The Irrawaddy, Mar 14

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