

# BURMA ISSUES

News, Analysis & Peoples' Stories

February 1998

Volume 8 Number 2

BBC



**"We would like the Thai government to do what they can to alleviate the sufferings of our refugees. We are very distressed by their plight."**

*– Aung San Suu Kyi, February 14, 1998, shortly before Burma's Union Day, which commemorates the 1947 Panglong agreement between ethnic groups and Burmans to form the Union of Burma.*

*Drawing by  
Tin Aung Win, age 15,  
Huay Kaloke 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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## HUMAN RIGHTS DOCUMENTATION: SUGGESTIONS FOR A BURMESE AGENDA

**"Without initiative and organizing from within the community of the poor no change will be possible and external support is to no avail." – Asian Human Rights Commission, 1995.**

Human rights abuse information is the single unifying feature of Burma-related activism across the globe. No matter what differences of opinion and purpose separate them, activists of every persuasion make use of information detailing the misdeeds of the Burmese government in various political and humanitarian campaigns. Over the last ten years a mountain of data has been compiled, and much of it has been used for awareness-raising worldwide. Nevertheless, serious human rights abuse in Burma continues unabated, forcing the question: What benefits does documentation offer the human rights movement and what direction must it take to produce tangible results?

Conventional documentation, the category into which the overwhelming majority of work on Burma falls, is characterized by three phases of information development:

**1. incidental reporting** Incidental reporting is the basic building block of conventional human rights documentation. Testimonials are collected and published with little analysis and only prefatory explanations. Incidental reports may appear random, based on the chance convergence of a victim or witness with someone able to publish his or her account. Incidental reports may also be collected systematically, as part of a specific research program. The most common formats of incidental reporting are newsletters, scheduled or frequent reports made by organizations working near Burma's civil war zones, and postings on the internet.

**2. anthological reporting** Anthological reporting collects a substantial number of incidental reports into one comprehensive volume. These anthologies may be organized chronologically, such as NCGUB's annual *Human Rights Yearbook*; geographically, such as Karen Human Rights Group's "Slorc in Southern Shan State;" or topically, such as ImagesAsia's "Report on the Situation of Muslims in Burma."

**3. argumentative reporting** Argumentative reports are the culmination of the conventional documentation process because they attempt to focus on a limited set of issues, often a single type of human rights abuse, in the service of an argument, which usually boils down to proving the Burmese government's culpability and responsibility for abuses. Within the argumentative genre there is a wide range of strategy and sophistication. The purpose of the argumentative report is to present a clear, airtight study in support of a specific political cause, usually public policy change at the national or bilateral level. They are generally more self-conscious in their presentation, differing from incidental reports in their heightened awareness of how individual facts, collected from a range of sources, relate to a larger human rights issue. Argumentative reports are usually the central outcome of short or medium-term dedicated research projects. One excellent example of thorough argumentative reporting is AsiaWatch's 1993 report, "A Modern Form of Sla-

very: Trafficking of Burmese Women and Girls into Prostitution in Thailand," the product of a year-and-a-half's research and preparation.

On the other hand, a fourth documentation style is not a phase of conventional reporting, but rather a response to the needs of a different audience:

**interpretive reporting** The interpretive report is the rarest style of all, probably because it is based on a different conceptual model of human rights and the role of human rights information in the peace movement. While the subject of an interpretive report may be social trends, its object is not public policy or government, but the cultural liberation of the individual from oppression. The interpretive report seeks to present the totality of human rights in people's lives in an effort to unmask and analyze the economic, cultural and political forces shaping their reality. This presentation may be punctuated by incidents of abuse, but is not defined by them. While a truly innovative publication of this type has yet to appear, some writers have made important first strikes. One interesting example of interpretive reporting is ImagesAsia's recent "Migrating With Hope," something of a hybrid argumentative-interpretive report which explores the lives of migrant Burmese women working in the Thai sex industry.



**"THE INTERPRETIVE REPORT SEEKS TO PRESENT THE TOTALITY OF HUMAN RIGHTS IN PEOPLE'S LIVES IN AN EFFORT TO UNMASK AND ANALYZE THE ECONOMIC, CULTURAL AND POLITICAL FORCES SHAPING THEIR REALITY."**

### Conventional Documentation

The basic premise of preparation for legal proceedings is that there will be some legal recourse open to the victims of human rights abuse which will al-

low them to seek the recognition of their suffering, the punishment of the abusers and perhaps some compensation. The hope of future legal action usually motivates the act of documenting abuses; yet in the case of Burma, it seems highly unlikely that the majority of victims will ever have their day in a Burmese court, and much less so in any international forum. Nevertheless, most human rights documentation is carried out according to this legal model, predicated on an anticipated need to prepare for a contest of evidence in which the victim and accused plea their cases before an impartial jury. Thus directed, documentation becomes a process of collecting facts and details about individual instances of abuse, as defined by international law

By focusing on the separation of history into individual events of abuses, conventional human rights reporting, from the single incidental report to the sophisticated legal and historical argument, makes several assumptions about human rights and human rights work. The emphasis on discrete events, most evident in the isolated incidental report, provides little other than the basic facts: time, date, place, names of those involved and a description of what transpired. This documentation style serves the needs of argumentative reporting, but in doing so it decontextualizes human rights abuse in the life of the individual and

community. It pays disproportionate attention to the abusive act while overlooking the infinite field of social and psychological data available, producing an inadequate representation of both individual events and Burmese society as a whole.

The isolation of human rights abuse into discrete "events" devoid of context is even more problematic when it contributes to an inadequate understanding of human rights. This misdirection ultimately retards, rather than promotes, Burma's peace movement. There is a philosophical assumption underpinning the legal approach: "human rights" are an entity or a state of being to be "established" or "defended" or "protected," to use the common terminology. In the case of Burma, perhaps more so than anywhere else, it is often presumed that the people are helpless with regard to protecting their rights, and since the courts and government are considered an enemy, only the international community holds the key. Thus the objectification of human rights abuse and presentation of data are a case for some form of legal or moral interdiction by the United Nations, foreign governments, multinational corporations or their shareholders – all powers beyond the reach of the individual Burmese and his community. Reporting human rights abuse in the hope of evoking interdiction is both consistent with the theory of legal arguments and contradictory to the reality that direct legal interdiction is hardly viable. By sticking to a very narrow legal argument, conventional reporting understates the need for awareness at all levels, particularly inside Burma. Conventional reporting generally does not address the issue of the Burmese people's role in their own human rights struggle. Rather, it implies a power structure dominated by irreconcilable oppressors and distant saviors, with the role of the Burmese "victim" receiving little attention.

### Interpretive Documentation

By contrast, human rights reporting in the interpretive mode differs in intention, form and function. The underlying philosophy is that human rights entail the total well-being of the individual and community, physically as well as culturally and psychologically. Its primary aim is to contextualize human rights abuse information in order to highlight social trends, attitudes and cultural norms. An interest in context seeks to find humanistic meaning in the data. Rather than arguing the "facticity" of individual events, it searches for ways to understand social phenomena. The emphasis is less on establishing fact than asking: What is the impact on us, and what shall we do about it? An interpretive report's impact on a community might more closely resemble that of literature rather than of a legal brief. It questions social morals and cultural values, and illuminates the realities of the human condition: hope, anguish and frailty. Like the historical novel, however, the illumination of social trends and the human condition transcend superficial politics, and that illumination is more significant than the facticity of any one element. It combines the wisdom of retrospect with an imperative for action in the present moment.

Notably, the best reporting to date, in both the argumentative and interpretive styles, is in a single topical area, the trafficking of Burmese women into Thailand's sex industry. ImagesAsia's "Migrating With Hope" suggests several features of the interpretive approach. This re-

port immediately distinguishes itself by aiming "to present and highlight the needs, interests and realities of undocumented migrant women from Burma." Thus stated, the purpose of "Migrating With Hope" is essentially humanistic, not legalistic. The authors further define this stance by hoping "that the documentation presented will provide useful information to prospective migrants from Burma." It intends to reflect back into Burmese society the issues raised by a widespread social phenomenon, which though pockmarked by clear-cut incidents of abuse, involves a complicated array of economic and cultural forces as well. Yet the report is no detached sociological survey; it makes plain its moral contentions:

*Some women have gone so far as to state that they feel that their life in Burma is worthless and that they have no hope in Burma under the Slorc.... Without exception, these women show an incredible dedication and commitment to the well-being of their parents and families. It is unjust that they are stigmatized by their communities, and by society*

*in general, because of the work they do in the hope of earning enough money to support their families.*



**"THE UNDERLYING PHILOSOPHY IS THAT HUMAN RIGHTS ENTAIL THE TOTAL WELL-BEING OF THE INDIVIDUAL AND COMMUNITY, PHYSICALLY AS WELL AS CULTURALLY AND PSYCHOLOGICALLY."**

It may be that as a topic, the trafficking of women is particularly conducive to interpretive reporting. Trafficking is a process, rather than an individual event, involving several actors and often some degree of consent from the women themselves. It marks the transition from one social and economic existence to another, from rural poverty to urban exploitation, from collapsing subsistence economies and the social structures which support them to the darkest extremities of capitalist expansion, bereft of social control. It is a remarkably clear example of how poverty, political oppression, and cultural values conspire to create in the individual woman's experience a microcosm of society's dysfunction. In this regard trafficking naturally resists decontextualization, not only because it comprises an array of factors across time and space, but more importantly because it compels one to seek answers to questions which de-

mand a broader understanding of Burmese society. It also resists the temptation to blame everything on the Burmese military, because the most graphic exploitation occurs in Thailand. Even in Thailand, the abusers are usually civilians, reducing the issue of a government's inadequacy and raising the question: how can people do this to each other?

Furthermore, interview techniques in cases of trafficking are inherently reflective. They involve the telling of life stories, from the conditions which lead women to seek employment beyond their communities to their hopes for the future. The goal is to learn about the "entirety" of human lives, and this holistic approach gives equal if not greater weight to the individual's struggle for dignity within her own historical context than to the writer's manipulation of discrete historical facts. The women interviewed have far greater control over how their life is portrayed and understood than do their counterparts giving testimony in a standard incidental report, pared of all nonessential opinions and feelings.

*Continued on page 7*

## BUREAUCRACY DAYS

**“Departments lack coordination and cooperation, and work only in response to motivation of higher authorities.... Some District, Township and Ward organizations are trying to lord over [the populace, and are] engaged in such acts as playing tricks... collecting various funds... commanding and bullying the people... shirking duties... taking bribes and refusing assignments.”**

— *State Law and Order Restoration Council (Slorc) Secretary No. 2, Lt.-Gen. Tin Oo quoted in the state-run The New Light of Myanmar, 8 January 1996.*

The practices of Burma's expansive middle-level administration have far-reaching effects that demand special attention. Much is made of allegedly massive corruption among the military clique itself; and at the bottom of Burma's administrative heap, corruption is a necessity for mere survival. A Burma Issues information collector reported in July 1997 that “bribery and corruption are on the rise.... private sector incomes are now greater than those being offered by the government.... civil service employees are unable to keep up with the ever accelerating inflation rate.” However, rarely is attention paid to the substantial girth that is the civilian-based middle bureaucracy. Here, corruption seems driven by varying combinations of greed, opportunism and want.

The reality that corruption is entrenched in administrative behavior throughout Burma receives tacit recognition from the top, who occasionally make explicit public reference to it, as in Tin Oo's remarks quoted above. A more recent attack on the civil service by the Secretary No. 2 was reported in *The New Light of Myanmar* of 12 December 1997: “(I)f one... seeks his own benefit and if his working norms are unjust for the public and if he pays priority to personal interest rather than the policy, it would be deviated (sic) from the path for national development... it is also essential... not to burden the public by collecting funds, to avoid bribery, not to work perfunctorily and not to apply red-tapism and bureaucratic methods.” This statement hints at fear of something uncontrollable expanding below, in the middle levels of Burma's civil service.

Burma's administrative framework has served well the regime that has nurtured it. But some creations turn into monsters, with the power to turn on even their master. Higher level officials in Burma have considerable opportunity to use their power to make money and may develop power outside of the sanctioned cen-

tral power base. While no formal explanation has been given for the recent metamorphosis from Slorc to State Peace and Development Council (SPDC), the change was widely interpreted as an attack on entrenched corruption at the very top. Swift politicking ended in the soft thudding of tarnished brass falling from

lect taxes and paddy rice quotas<sup>1</sup> and control large physical inventories.

Township Councils are high enough on the pecking order to have a substantial degree of power over the communities beneath them, especially via control of the Village and Ward



*A government official meets with villagers. [Illus. from the “New Eye” cartoon book series, BI.]*

grace. For the magnificent expanse of abuses enjoyed by Burma's middle bureaucracy, there is no equivalent instant-fix mechanism readily available.

### Hands on the tiller...

*“Personally, I’ve never had very much to do with anybody from the military. Mostly orders just come to us through the Township and Village level authorities – that’s how we get instructions, and just do what we’re told....”* — 42 year old laborer from the Irrawaddy Delta, September 1997.

The essence of corruption in Burma is not fast deals and big money. It is creeping and insidious, manifesting daily in the petty bureaucracy that holds sway over people's lives.

Of all authorities, the Township Councils are pivotal (see box, next page). Township Councils are typically comprised of police officers and civilians, not military officers. They col-

Councils. Although Village and Ward level officers are elected by their communities, the Township Councils generally make the nominations, and have the power to sack and appoint their own Village or Ward level officials at will.

An event at Ohn Bihn village, Pyapon Township, Irrawaddy Division illustrates the kind of position that Township officers assume over the people. The following is excerpted from a villager's account of the event:

*The government issued instructions for the cultivation of dry season paddy crops [see ‘Dam Lies’ Burma Issues, January 1997, for*

<sup>1</sup> According to reports in Burma's state press, the paddy quota system appears set to change. Until the present, the government still controls the production, purchase and distribution of rice for domestic use as a holdover from the previous socialist regime. All farmers are required to sell a quota of their harvest directly to the state, at prices set by the government (usually around half the market price). The standard quota is 12 baskets per acre.



more details about these crops] and placed District, Township and Village level officials in charge. These officials seek only to keep their superiors pleased, however possible.

On 10 January 1997, the Minister for Agriculture and Irrigation, 2nd Lt.-Gen. Myint Aung, held a meeting with farmers at Ohn Bihn village, and Township officials ensured that one member from every farming household in the Township attended. After the Minister spoke about the importance of the dry season crop, he invited comments from the farmers.

Two farmers who had been pre-selected by the Township Council stood up and praised the Minister for the dry season cropping program. Then, unprecedentedly, an elderly farmer stood up and risked arrest by roundly criticizing the program, and directed particular complaints against the local officials. His outspokenness was greeted with pandemonium, and other farmers joined him in voicing disgruntlement.

After the uproar diminished, Myint Aung responded by saying that he had repeatedly heard only fabricated reports by the Township level officials working under him. He started summarily dismissing officials who had made such reports, and thanked the elderly farmer for his honesty. He warned local officials to ease up on the farmers. The Township officers left the meeting in a hurry and the elderly farmer was surrounded by a large crowd demonstrating their appreciation.

Ironically, Myint Aung was among the disgraced generals removed from office in the November shake-up which resulted in the creation of the SPDC.

### ...and hands in the till

**"People use excuses and bribes to get out of their full (paddy) quota requirements... a couple of bottles of alcohol here and there, and maybe you can get ten baskets cut off your quota."** – 60 year old farmer from Rangoon Division, August 1997.

Burma is a nation of farmers, and agriculture is big money. Agriculture Ministry positions and highly coveted, and Myint Aung evidently lost his job for the same reason that everyone else wants to be there: the perks.

But it's the officials in the middle, not the top, whom the people typically identify with corruption and abuse. They come to personify institutional injustice. Their relative proximity to the people, in contrast to the distant elite, makes their greed conspicuous and quantifiable. In May 1997, a 34-year-old farm laborer from Thaton District, Mon State, voiced popular impressions of these bureaucrats:

*The [central] administration provides enough*

## FROM TOP TO BOTTOM

Burma's military regime maintains effective control over all levels of society through a well-organized hierarchy of offices that extends from the national leaders to the smallest village community under their jurisdiction. In summary, it stands as follows:

National Council	(formerly the Slorc, now the SPDC)
State/Division Councils	16 offices
District Councils	57 offices
Township Councils	318 offices
Village/Town Ward Councils	14,356 offices

(Reference: Burma Debate, Vol. IV No. 1; Jan/Feb 1997.)

The National and State/Division Councils are made up exclusively of high-ranked military officers. At the District level, most chairmen and their deputies are military officers of major or colonel rank. At the Township level, they are usually local police commanders and civilian administrators. The Village/Ward Councils are composed almost entirely of civilians. Hence, at the lowest level, the military regime co-opts considerable civilian support as a base upon which to stand. ❖

*fertilizer for farmers, but the Township officials sell it to merchants [and under-supply the farmers]. [This is a reference to a state program to provide fertilizer to farmers on credit, to be repaid after the harvest.] At the end of the year they make the farm owners pay the value of a full amount of fertilizer for their land [as if they had received the entire quantity allotted them]. This kind of activity is prevalent throughout our region.*

*The farmers also heard that the administration had sent irrigation pumps for them [to purchase at a discount price] but after the Township officials received them, the pumps all disappeared. The local Agriculture and Irrigation Department head has also become wealthy through various corrupt practices such as over-taxation and selling goods like this.*

From a 53-year-old farmer in Thayawaddy Township, Pegu Division, in June 1997:

*When the paddy [quota] is weighed by the government agents, we must add five to ten baskets for every one hundred delivered. They always find ways to cut [the weighed amount] back so we need to take along a supplement. They reduce the weight by claiming there is trash among the grains. They make deductions for various things, which they call 'donations'. They draw up registers and promise to provide one bag of discounted fertilizer per acre off farmland, but until now [the start of the rice planting season] they've given nothing. [If they do provide fertilizer,] the bags are underweight.*

Also, an edited extract of a statement by a 30-year-old farmer in Pyapon Township,

Irrawaddy Division:

*The Township administrators suck up to their superiors, and so they demanded the villagers cultivate dry season paddy rice [second crop, as noted above] along both sides of car roads [to ensure that if their superiors were traveling along those routes would see that all of the paddy was being planted as instructed in compliance with national agricultural development objectives.] Many people only contributed half of their quotas, myself included. We have been pressed many times by Village and Township Council officials to complete our contributions. We tell them stories, and after they go away at least we're left in peace for a while. However, owners of land [who fail to meet the quota] are being required to pay a 1000 kyat fine per acre before they can plant again. If there were a guarantee that we'll be able to plant again once the fine is paid, that would be well and good, but we have none [because] the village officials are not giving out receipts.*

*As the government didn't get full quotas, they closed the rice mills [to prevent farmers from milling grain they hadn't delivered to the officials.] Farmers bribe police to [allow them to] use the mills; the policemen too, have insufficient incomes on which to live. The farmers get their rice nicely milled and the police get their cut. But when the District or Township level officials approach, then the mills stop. They know what is going on. They have their own corrupt practices and know all too well about this sort of behavior. We have to tell them lies to use our own possessions and property. That's the way of life these days.*

Continued on page 7

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## A "HUMANE" DETERRENCE POLICY?

In the last few months, there have been no reported incidents of *refoulement*<sup>1</sup> by Thai authorities. This may be a sign of a new commitment on the part of Thai Prime Minister Chuan Leekpai's administration to human rights principles, or that new refugee movements which would put this commitment to the test, have not occurred recently. Are people still inside Burma being deterred from entering Thailand by a known tough policy toward asylum seekers? It is hard to determine, but current Thai policies are becoming more effective at increasing difficulties for asylum seekers who wish to remain in Thailand. The Thai government is currently discussing extensive plans to deport the thousands of illegal immigrant workers from Burma; new arrivals are denied admission into existing camps; increased restrictions are making the camps less habitable; and major camp consolidation programs that are currently being carried out will result in a "loss" of camp residents, as many choose not to move to the designated site. These policies can be interpreted as "push" factors encouraging people to make the decision to leave the camps. Under these conditions, the decision to leave cannot accurately be described as "voluntary repatriation".

At the end of January 1997, three large camps in the Thai border province of Tak were attacked and burnt down by the Slorc-backed Democratic Karen Buddhist Army (DKBA). Several people were killed and more than

10,000 refugees were left homeless and in fear of further attacks.<sup>2</sup> Following pressure from the diplomatic community and NGOs, Thai officials moved some camps further inside Thailand and consolidated others. This consolidation process continues, with the removal of the population of Shoklo camp to Mae La in February; and more than 12,000 refugees and people in the vicinity of the Salween National Park to a camp in Sop Moei district during February and March.<sup>3</sup>

In 1997, NGOs estimated that each time a camp was consolidated approximately 30% of camp members were "lost", and some NGO workers think the rate this year may be higher due to increasing restrictions in the camps.<sup>4</sup> Rather than relocating to smaller sites in more crowded and tightly controlled areas, or areas further from where their villages are in Burma, many families opt to either leave the camps; return to villages on the Burmese side of the border, head to another location along the Thai side of the border, or disperse further inside Thailand. Since June 1997, groups of new arrivals have regularly been denied entry into existing camps, increasing the numbers of people on either side of the border living with very limited access to outside assistance.

Conditions in the refugee camps vary from one region to another, depending on which Thai authority is in control of the camp, the size and accessibility, and the age of the camp. Gener-

ally, living conditions are best at the older, more established camps, while many of the newer ones are located in remote areas, isolated and severely restricted. During 1997, the Thai authorities imposed new restrictions in previously established camps, consistently denied refugees permission to build shelters in newly established camps, and failed to provide adequate security.

Of particular notoriety are the conditions for refugees at Tham Hin and Don Yang camps. Both camps were established early last year in central Thailand, an area controlled by the 9<sup>th</sup> Infantry Division of the Thai Army. When the first 5,000 residents settled at Tham Hin in May, 1997, they were not permitted to build bamboo sleeping platforms above the ground; their shelters were composed almost completely of donated plastic sheeting. Despite the onset of the rainy season two months later, the refugees were still not permitted to build platforms.<sup>5</sup> Families have been permitted to construct very basic platforms, but they continue to be denied permission to build thatched roofs to reduce the heat which will become intense during the approaching hot season (see photo).

Conditions are also changing at established camps, with increased restrictions on building schools and repairing houses, the construction of new fences around some of the camps, the closure of some markets and shops, increased rents, imposition of curfews, and restrictions of movement in and out of most camps.

In 1997, there was also an increase in reported incidences of harassment by Thai soldiers. The reports made by camp members, are confidential due to fear of reprisals against the authors. It has been reported that people who do not abide by or are unaware of camp restrictions, have been abused by Thai units stationed at the camps.

Restrictions and enforcement often change abruptly, as the military/army units are regularly relocated. Confusion about "the rules" has sometimes led to incidents. In one instance, Thai soldiers stationed at Mawker interfered with a New Year's celebration by breaking a guitar and physically assaulting a camp section leader. Camp members had allegedly asked the previous army unit stationed there for permission to have the celebration, but the new unit had not been informed.

At the Thai checkpoint on the road to Mae La camp, a bamboo structure has been constructed to detain people who are caught outside the camp without appropriate documentation. Previously, people detained sat in an area close to the checkpoint waiting for transportation to take them back to the camp. There have been



*With nearly 8,000 residents, Tham Hin camp is largest refugee camp in central Thailand. From the beginning, conditions there have been far below average. Crowded conditions at Tham Hin have continued for nearly a year now in spite of persistent complaints by residents and camp officials, NGOs, diplomats, and the Thai and international media. With houses crowded together in a denuded valley, the heat and dust are inescapable. Cars driving on the dirt road raise clouds of red dust that settle over the camp. The plastic sheeting traps and magnifies the sun's heat; there are no trees or other sources of shade. With the onset of the hot season in April, the heat will become unbearable.*

reports that inside this structure, Thai authorities intimidate refugees into saying that they wish to return to Burma. Later, the detainee is taken to the border and dropped in DKBA territory, necessitating a harrowing journey back to their camp.

These and other harsh conditions are creating an environment which discourages people from staying. Last month there was a slight decrease in the reported camp populations along the border. Camp populations may drop substantially in the following months with the ongoing consolidation of five camps, involving relocations of more than 17,000 refugees. The camp consolidation policy along with other policies of deterrence, are having more of a "push" effect that cannot be termed a voluntary repatriation.

As camps are relocated, various groups of refugees have agreed to set a date when they will return to Burma, in exchange for a little assistance, or a bit more time. The Thai military has said it will send a letter to the Burmese government to ensure safety for those who voluntarily agree to return.<sup>6</sup> However, the Burmese government does not seem to want people back: the regime recently blasted Thailand over the pending deportation of 300,000 illegal workers, mostly from Burma and Cambodia.<sup>7</sup> It is imperative that the government of Burma give a substantive assurance of security before people return.

Thailand has made it clear that the refugees along the Thai-Burma border will be repatriated eventually. What remains obscure is how – whether repatriation will follow a clear humanitarian plan, or merely result from a mixture of applied pressure and persuasion. It is a difficult and politically sensitive task to determine whether conditions in a country of origin have changed so that it is safe to return. There must be clear evidence of an effective and durable change in Burma. Ideally, people should have accurate information concerning the situation not only in the villages they plan to return to, but the country as a whole. Otherwise, refugees should not be pushed or even encouraged to return, nor should they be told that it is safe to do so. However, if people are deciding to return before this assurance, the international community must be present to provide support, assistance, monitoring of the refugees, during and after. Members of the international community, diplomatic corps and NGOs should be visiting the camps, discussing the options with the refugees themselves, not just with camp leaders and "representatives", and asking what assistance they think is necessary to ensure a safe return.



V. Coakley

### Continued from 'Bureaucracy,' page 5

People's voices suggest that Burma's civil society is on the verge of being overwhelmed by a cancer that will take more than just a clean-up at the top to remove. Yet the regime has proven time and again its ability to avert danger inherent in such threats well into the eleventh hour. They will continue to do so, unless they themselves can be actively outmaneuvered by agents of change. Whether or not this is possible depends on the ability of those working for change to be able to critically analyze and understand the nature of Burma's problems as a whole. Obsessive focus, for example, on the highest echelons as paragons of vice ignores the reality that administrative corruption is a nationwide institution and must be examined accordingly. One approach to meaningful analysis may be to trace the historical development of this bureaucracy across the years of pseudo-socialist control, to shed light upon the nature of its contemporary entrenchment. Or in another case, analysis of the agricultural distribution network could reveal the extent to which different administrative tiers are responsible for policy failure. Institutionalized corruption demands consideration of whole institutions. Burma's bureaucratic whole rides not by the back seats of Rangoon's Audis. The bulk sits astride the backs of the nation's farmers, and must be accounted for.



nyah phay thwet

### Continued from 'Corruption,' page 3

Instead of a litany of indistinguishable stories of abduction and abuse, "Migrating With Hope" reveals some of the aspirations and forfeited dreams of a generation of impoverished Burmese women. It questions the implications of filial obligations in the context of modern Burma and Thailand. It sees the Burmese woman in a historical context which relates her individual experience to the economic, political and cultural realities she faces each day. The underlying message is that human rights will be built primarily by understanding and replacing inadequate social structures, not through the tenuous hope of legal interdiction.

The philosophy that human rights are a product of vigilance and social responsibility within the community of the oppressed is the starting point for social change. When this approach is communicated through a provocative, reflective report, the complexity of oppression in society is revealed not only to an international audience, but more significantly, to where true change must finally take place – within Burmese society. It recognizes that in the case of a Burmese audience, among whom nearly everyone can recount a dozen similar atrocities, awareness raising does not entail establishing the bare facts of individual cases, but compelling readers to reflect and act on that which is under their own control.

Interpretive reporting is the most sophisticated and promising human rights documentation style available today. By seeking to contextualize human rights issues within the constant interplay of economy, politics and culture, it assigns meaning to the facts recorded in traditional documentation work. By elaborating on the implications of social trends rather than establishing the facticity of discrete events, it speaks to an audience for whom the conclusion of argumentative reporting – that the Burmese government is guilty of widespread human rights abuse – is common knowledge. In addressing a Burmese audience, interpretive reporting corrects the paradox of detailed legal appeals to a nonexistent jury. Interpretive reporting marks the convergence of human rights documentation with human rights education and community organizing. It returns human rights to their estranged owners in society: those who suffer from structural oppression. Yet this restoration comes with a price of its own: undertaking the social responsibility to replace unjust values, practices and institutions with ones that respect the rights of the people.

C. Cusano

### Sources, 'A 'Humane' Deterrence Policy?'

- 1 Refoulement is forcible repatriation of any person to a country where he or she would be at risk of serious human rights violations.
- 2 See Karen Human Rights Group report, "Attacks on Karen Refugee Camps," 18 March 1997.
- 3 A primary reason for this latter move is to prevent illegal logging which has become rampant in the Salween National Park, causing a national outcry in Thailand. Cheewin Satha, "Task force to relocate refugees: foreign agencies promise to help," Bangkok Post, 11 February 1998.
- 4 Reported in CCSDPT meeting, 12 February 1998.
- 5 JRSAP, Burma Update No.42 July 1997 pp4-5, and Human Rights Watch/Asia, Burma/Thailand: No Safety in Burma, No Sanctuary in Thailand, (Vol. 9, No. 6c) July 1997, pp. 19-20.
- 6 Cheewin Satha, "1,800 Karen refugees to return to Burma," Bangkok Post, February 15, 1998.
- 7 AFP Rangoon, "Repatriation of Burmese workers blasted: accusation of double standards leveled," Bangkok Post, 16 February 1998.
- 8 A Neve, "When is it safe to go home?" The Activist, Amnesty International, Canada, August/September 1997.

Adapted and excerpted from "Human Rights in Context: Documentation Strategies for a People's Movement," publication pending.

# The Last Word

## What Others Have to Say About Burma

"We are used to living here and have made this place our home. But after rumors spread that the Thai government will send us back, everyone is worried. They don't want to go back." – *A Burmese migrant laborer, currently working as a shrimp packer for Thai company outskirts of Bangkok, speaking about Thailand's plan to repatriate illegal Burmese workers living in Thailand. Quoted in the Bangkok Post.*

. . .

"If I beat you it might hurt my hands. If I kill you, it will only cost me 35 baht to have you buried." – *A Thai pimp threatening a Burmese woman who was forced into prostitution in Ranong, Thailand.*

. . .

"Civil society under a military regime is almost a contradiction. NGOs find it difficult to operate here without being influenced by the government because it's an authoritarian regime. Under an authoritarian regime NGOs can no more operate freely than say the NLD." – *Aung San Suu Kyi, discussing the role of NGOs in Burma.*

. . .

"Some governments and NGOs would prefer to deal with and support one united [Burmese opposition] group. They are confused." – *Sai Myint Thu, Democratic Front leader, speaking about the failure of the Burmese ethnic and other political opposition groups to effectively unite.*

"Union Day is the day when we should be giving special consideration to our ethnic nationalities. I would like to appeal to NGOs to do what they can to help our Karen and other ethnic refugees who have had to leave their homes and try to scrape together a form of living in foreign lands. I would also like to make an appeal to all governments concerned to do what they can to alleviate the sufferings of our refugees abroad." – *Aung San Suu Kyi, 14 February 1998 – appeal during an interview with Asean-based activists in Rangoon shortly before Burma's Union Day, which commemorates the 1947 Panglong agreement between ethnic groups and Burmans to form the Union of Burma.*

. . .

"It is rather pitiful that [Burmese] nationals, legal or otherwise, once welcomed in Thailand, are now being sent back home.... While millions of Thais seek better-paid jobs outside of their country, [Burmese] people go to work at places in Thailand where Thais do not want to work." – *The state-run New Light of Myanmar*

. . .

"We are prepared to face all the hardships and know it won't always be easy, but Burma has survived isolation and hardship before and can certainly do so again." – *A senior Burmese government official commenting on the financial difficulties hitting Burma.*

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