



BADEIDHA MOE CIVIL SOCIETY ORGANIZATION

Public opinion research report for

Myanmar-China Oil and Gas Pipelines

*(Survey in NgaPhe` Township, MinBu District, Magway Division and Thipaw Township, Kyauk
Mae District, Northern Shan State)*

By BadeiDha Moe Civil Society Organization



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Summary

During the political reform period in Myanmar, most of the critical issues that have arisen around land issues have concerned foreign investment projects. The civilian government, Houses of Parliament, Members of Parliament, political parties, civil society and farmers are all directly involved and troubled by the land grabbing that is taking place in the establishment of foreign investment projects. Among these projects, the Myanmar–China pipelines project is having the most effects on the largest number of local people in Myanmar simply because of its size: it crosses the entire length of the country from Rakhine State to Yunnan Province through heavily populated and fertile agricultural areas. Because of its length, it affects all types of Myanmar environmental resources such as cultivated land, virgin land, river, stream, forest and mountains, which are all vital to Myanmar's rich biodiversity. This one project has the potential to impact negatively on the environment, livelihoods, culture and social life of a large part of the country. Local ethnic nationality groups have been concerned about unfair compensation without the proper regard given to the environment and social impact. State development should start with the involvement of people in each region. It is especially difficult for a government to start development projects when there is political instability, and the impact of this project is an impediment to the on-going peace process.

Our team surveyed "public opinion" on foreign investments, so-called development projects. Local people voluntarily participated in the research in NgaPhe` Township, Upper Myanmar and Thipaw (Hsipaw) Township, Northern Shan State.

The survey used participatory action research methods, in which local people could learn how to define their issues, cooperate with each other and with civil society organisations, collect data on their situation and understand their rights with respect to government and private company projects.

In summary, our report intends to expose the cases of injustice uncovered through our research to the public, members of parliaments, and civil society.



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Background

In 2007, the Myanmar Government, CNPC (China National Oil Corporation - owned by the Chinese government) and other companies agreed to drill gas from offshore and export it through Myanmar to China. They signed an agreement in 2008 June.

In August 2010, Myanmar Oil and Gas Corporation signed a gas extraction project named "Shwe" (means 'gold'), which runs the length of Myanmar from Kyauk-Phyu in Rakhine State, to Kunming Township in China.

There are two pipelines that run parallel to each other—the first for gas from a Myanmar offshore concession and the second for oil from Chinese-owned concessions in the Middle East and Africa that cross Myanmar towards China, where there is a huge demand for energy for industrial zones.

Initial surveys showed that the villagers did not have any information about the rules and regulations that local officials, international companies and the government should follow. Neither did they have experience of networking with non-governmental organisations (NGOs), activists, and government officials. Because of this, villagers in NgaPhe` Township have started to experience the detrimental impacts of the pipelines. We requested but did not receive permission from the officials to do the same research in Thipaw Township. The surveys took place from September 2013 to December 2013.

NgaPhe` Township

NgaPhe` lies on the edge of Magway Division and Rakhine State. This is a mountainous area and half of the West Mountain Range is populated by villagers from the Asho-Chin ethnic group. About a mile from the NgaPhe` there is a famous Buddhist pagoda called Shwe Sat Taw. The famous Pan Tain old town is about four miles to the south. Burmese people live in the hinterland/plain region, and most of Asho-Chin people live on the highland/mountain range. The Asho-Chin practice traditional shifting agriculture (slash and burn) in the hills. Although most of Asho-Chin people are Buddhist, they hold the annual "Nat Pwe", a spirit cult festival. The main crops are paddy and sesame. Lime, orange and banana are also grown in this region.

Thipaw (Hsipaw) Township

Thipaw Township, Kyauk Mae District is inhabited by people of Shan ethnicity and their livelihood is mainly agriculture and they grow corn for animal husbandry. Until recently, the main crops have been oranges, potatoes and green tea. In 2005, Charoen Pokphand Company (CP Thailand) came to Myanmar and started cultivating GMO corn-seeds which made regional cultivation difficult. In addition, as the cultivation of cash crops increased, the space for traditional agricultural farmland and kitchen gardens declined. The local farmers have also started facing a problem with poor soil quality because the CP Company encouraged them to use too much chemical fertilizer in the region.



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Baw Gyo Pagoda and Saw Mon Hla Nat-Nan are two historical places nearby. Most of the people are Buddhist who also pay respect to the traditional spirits (Nat). They hold customary spirit festivals annually. Shan language is the main language. Haw Nan, where the palace of the last Sawbwa (Lord) is located, is a tourist attraction. Sar Twin Village, which is crossed by the pipelines, is famous for producing salt by evaporating brine.

Map of the Pipeline Route



The regions is crossed by Oil and Gas Pipelines

Companies involved in the "Shwe" Natural Oil and Gas pipelines¹

No	Company	Country	Investment (%)
South-East Asia Gas pipeline			
1	South-East Asia Pipeline Company (subsidiary of China National Petroleum Company CNPC)	China	51
2	Daewoo international	Korea	25
3	Oil and Gas Corporation (ONGC)	India	8.3
4	Myanmar Oil and Gas Enterprise(MOGE)	Myanmar	7.3
5	Korea Gas Cooperation (KOGAS)	South Korea	4.2

¹ <http://www.mmmtimes.com/2012/business/637/biz63706.html>



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6	Gas Authority of India Limited (GAIL)	India	4.2
	South-East Asia Crude Oil Pipeline Company Limited (SEAOP)		
1	South-East Asia Pipeline Company (subsidiary of China National Petroleum Company CNPC)	China	51
2	Myanmar Oil and Gas Enterprise	Myanmar	49

Objectives of the Study

- To present the statements of local people on the impacts the pipelines have had on their lives.
- To use our findings as bases for useful recommendations to people in government and business on how responsible investment could be used to support Myanmar's development.
- To determine the needs surrounding the formation of community organizations in NgaPhe` and Thipaw Townships in order to deliver useful capacity building programs and to community organizations.

Participatory Research Process

We invited local people in selected areas to a training program on survey methods, covering topics such as: developing survey questions, data collection, interview techniques, ethical considerations and data analysis. Our team members later on under took field trips to the areas many times and provided further follow-up trainings and participatory workshops. Villagers willingly participated. The documentation of impacts provided in this report is a result of these trainings, and was gathered by the community trainers whom we trained.

Attendees at the training and Workshops

No	Township	Villagers (Male)	Villagers (Female)	Activist / Religious Leader	Staff/ Administrator	All Members
1	NgaPhe`	113	36	3	4	158
2	Thipaw	56	16	5	1	78



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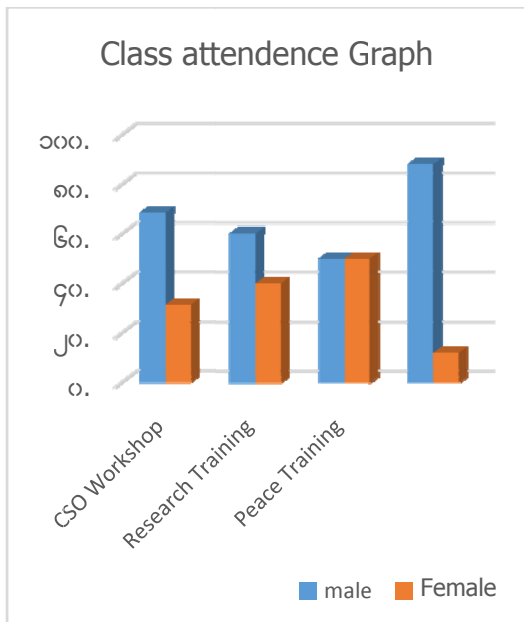
We implemented the research using three steps:

1. Planning for the team survey and assigning responsibilities for team members
2. Capacity building and improving networking skills of local participants
3. Undertaking community-based impact assessments

1. Planning for the team survey and assigning responsibilities for team members

For the first step, BadeiDha Moe Civil Society Organization planned and designed a survey that would encourage the local people to willingly participate in the process. Then, we conducted several formal and informal meetings with community representatives at Kyauk Mae District of Northern Shan State, MinBu and NgaPhe` District of Magway Townships to verify if the local groups agree with our plans.

2. Capacity building and improving networking skills of local participants



No	Training type	Participants (%)		Place	Date completed
		Male	Female		
1	CSO workshop	68.6	31.4	KyunKa Lay	23.4.2013 to 30.4.2013
2	Research training	60.0	40.0	Yangon	20.8.2013 to 24.8.2013
3	Peace training	50.0	50.0	PyinOoLwin	2.9.2013
4	Environment and human rights training	88.1	11.9	PyinOoLwin	24.10.2013



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The training participants provided the following feedback on this step:

- Most of them said they were very interested in all the topics and learned a lot about community development processes.
- Participants noted that the training helped them to cooperate better with each other, and to unite in order to bring peace and harmony of social life, and share in the responsibility of protecting the environment.
- Participants said they became more confidence when talking to those in positions of authority in the project areas
- Participants said that our trainings helped improve their daily lives.
- Community members requested more trainings and discussions in the future.

3. Undertaking community-based impact assessments

Data collection in the form of individual interviews and focus group discussions was carried out at NgaPhe` Township from September 15 to September 30, 2013 and at Thipaw Township, Northern Shan State from October 21 to November 10, 2013 based on the skills learned from the trainings. The assessment focused on the following impacts of the oil and gas pipeline projects on the selected communities:

- a) Impact on human rights
- b) Environmental impact
- c) Social impact
- d) Natural disasters impact

Findings from impact assessments

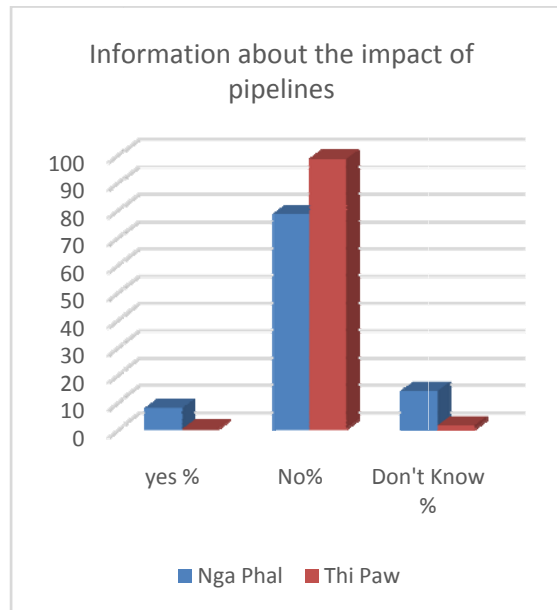
A) Impact on human rights

According to the survey, the government failed to give the communities any advance information about the planned pipeline route, nor did the government or the companies announce a resettlement program and compensation for those affected by loss of their farmland and their housing. Below is a summary of the kinds of impacts reported by the villagers through 46 individual interviews and four group discussions in Thipaw and NgaPhe` Townships (in following chart):

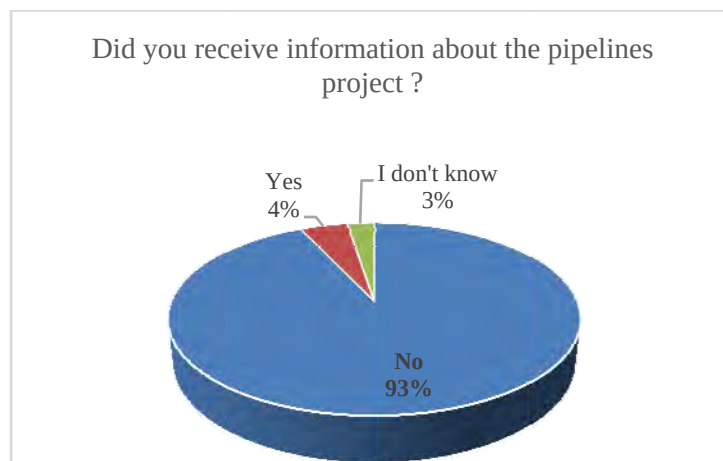
- Complete information about the project was not made available to the villagers
- No compensation was paid to some local people in pipelines project area
- People who lost their land moved to places far from their ancestral lands
- Where compensation was given, it was not enough for people to buy new land and build a home in the area. For that reason, people lost not only their home but also their livelihood.



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	Have %	No%	Do not Know %	Total
NgaPhe`	7.6	78.5	13.9	100
Thipaw	0.0	98.7	1.3	100



These findings are demonstrated in the following verbatim accounts from interviews with villagers:

Interview with farmer/local from KyanKhin Village, Thipaw Township

"I lost three acres of my land. I cannot cultivate. I got compensation but I cannot buy any land in place of my lost land. I want to buy but there is no seller. While I have a chance to buy one piece of land, it is very far."

Previously, the interviewed farmer's family had enough income from their shop and farmland. With their farmland taken, they are left to rely only on their shop. He said, "There is no regular income from my shop so it is difficult for our family."



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A farmer from Sone-Kone Village in NgaPhe` Township, was one of many who said,

"I lost farmland (1.50 acres) due to the pipeline projects. I was not given compensation even though I signed a contract for this compensation. I did not know that the Chinese government will own these pipelines for the next 30 years ".



Above: Envelope with compensation and letter with only name and amount (of compensation)

One farmer from Thipaw said that,

"After receiving compensation, they gave me a contract agreement. I read the agreement but I did not understand it. They decided on the first part and second part of payment. When I read about agreement, it said that the land would be categorized as first, second, and third class by local authority. Then, they said that we are not allowed to claim extra compensation after we heard that it was possible to do so.

"My farm used to provide us the income needed to live, but has been taken and the compensation is not enough. At the moment, I have no more land.

"Now I cannot change it. After signing the papers, I got some money and they gave me the papers. They said I should keep them well and not to lose them"

In Minbu, one man said,

"The Chinese pipelines cross the middle of my farm. I was not present when they measured my land, and after receiving compensation, my wife and I were shocked when the bulldozers started scraping off soil into my cultivated fields. They scraped off the soil in the middle of my farm so that there is no more place to do plantation. As a result, I lost use of is almost 0.75 acre of land but I only got compensation for 0.26 acre."



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A woman in Minbu said,

"In 2011, after compensation, my family faced a lot of economic hardship. I had to send my daughter to work in a local grocery store in Padan Village, 4 miles away from my home."

And one farmer from Pyan Kyi said,

"I do not know where to put my cow now that we have lost our land. My wife always cries and she told me to find job so I humbly tried to find work as a casual labourer."

Another villager said, "MOGE says they will pay but where are they? They have disappeared since then and I have not received any money for my plantation."

According to interviews with local people, they did not know the full consequences of selling their land: that they will not be able to get it back, and that the compensation will be based only on the company estimates of land area. Many farmers said they signed the agreements to sell their land under threat and pressure by local authorities.

အမျိုးအမည်	ဧရိယာ	မှတ်ချက်
...	...	...
...	232	...
...	...	...

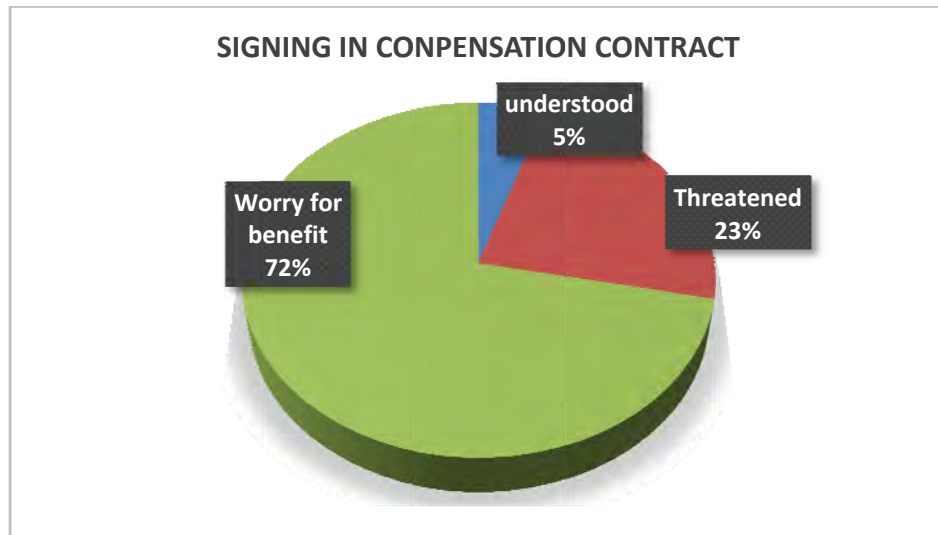
(a) List of crops and land signed by local farmers
Shows one farmer had 232 mature coffee plants.

အမျိုးအမည်	ဧရိယာ	မှတ်ချက်
...	...	...
...	175	...
...	...	...

(b) Amended list, without local agreement.
Same farmer, listed as having 175 coffee plants.



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B) Environmental damage in pipelines area

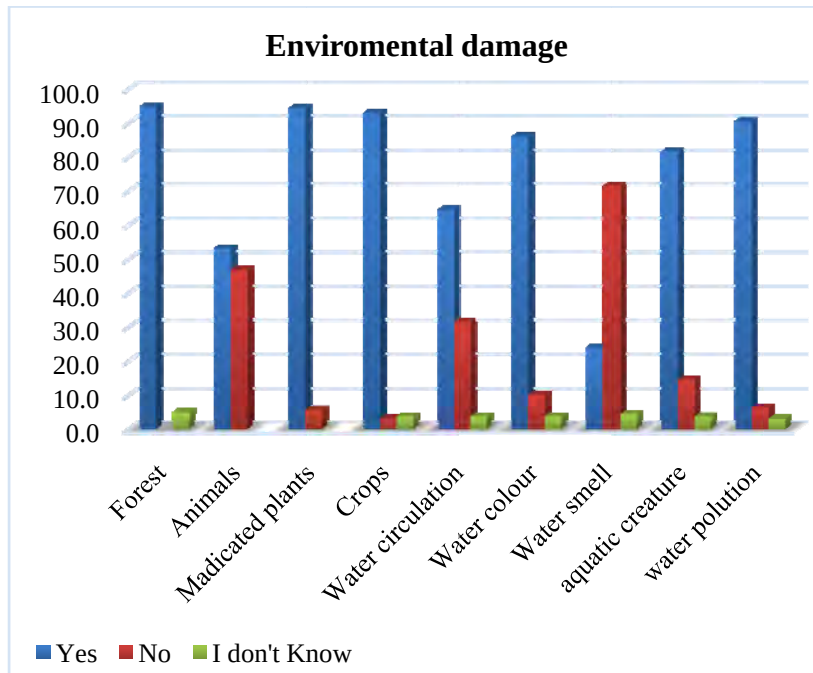
The data showed that the following were the main impacts on the environment:

- Loss of freshwater resources along pipelines
- Paddy fields and farmland were destroyed by falling stones and rocks in the course of excavation for the pipelines
- Loss of thousands of fish because of water pollution due to the disposal of waste soil in the rivers
- In some areas where streams were dammed or totally filled in by waste, freshwater fish have been lost permanently
- In some areas fresh water sources (wells and ponds) were destroyed due to the mining of stone for construction.
- Natural forests and community forests were damaged in whole or in part in some areas along the pipelines project.

In answer to survey questions about environmental impacts, the data showed the following results:



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	Damag e to the forest	Impact on wild animal s	Damag e to herbal trees	Damag e for crops	Chang e to the river course	Change in water colour	Change to water smell	Damag e for aquatic creature	Air pollutio n
Yes	94.9	53.2	94.3	93.0	64.6	86.1	24.1	81.6	90.5
No	0.0	46.8	5.7	3.2	31.6	10.1	71.5	14.6	6.3
Don't know	5.1	0.0	0.0	3.8	3.8	3.8	4.4	3.8	3.2

These findings are demonstrated in the following verbatim accounts from interviews with villagers:

Interview with local people from Ma Htone Village, NgaPhe` Township

“Due to the Myanmar-China pipelines, land was piled into or slid down the hillside into water sources and therefore a lot of fish and aquatic creatures were lost. In addition, a bad smell came from the stream after about seven days.”

At that time, the local people in Ma Htone Village were very surprised by the effect on their fish stocks.



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Above: Fresh water was changed to red colour from West Mountain Range

Interview with two local people from MinBu -

“There is a water source for the farm; it is vital in the summer time. Now, because of the pipelines that cross the farm, it is dry.”

In Kwan Lae village, NgaPhe` Township, around 70 acres of land was made unusable and the farmers could not do any planting because the water canals in the fields were destroyed by the pipelines. Although the local officials said that they would repair the canals in the first cultivation season, the local farmers said they lost the use of 100 acres of land, including 70 acres that were unusable because no repairs were made. When the local people raised the matter with the company, staff said that they had given 1,683,000,000 Myanmar Kyats (about \$1,735,000) to the Township level officials to repair the irrigation canals. So, 100 acres were lost to the farmers directly due to the actions of the local officials, who received funding, but used unqualified workers who took over six months to do the work.

One farmer told us,

"We reported to the township level officials that 100 acres of land needed to have the irrigation canals repaired. I am not able to replant my fields that are not irrigated, as I only have cows to do the work. I felt very upset, even cried and when my irrigated fields were ruined by the company bulldozers. Until now, the authority has still not removed the waste soil. As for me, I do not want the money but I just want to get back my family's ancestral irrigated farms."



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Another farmer said,

“We have lost our only means of survival and are trying to live day by day, as most of our cultivated fields have been changed into rocky waste soil because the contractors just dumped their waste soil on the top. It is not possible to buy irrigated farmlands in these areas, and our fertile top-soil in the fields has been destroyed.”



1. A spring from 27 miles in West Mountain Range, GoteGyi Village, Soan TatGyar, Min Bu.



2. Connecting a Con-Ju pipe that is not useful for farm 100 acres



Rocks and waste soil left on good, fertile fields, making them unusable.



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C) Social impacts

The A sho Chin ethnic nationality group lives mainly in the mountain ranges, and Burmans live on the flat, more fertile plains in MinBu Township. These two communities live side by side peacefully and farming is their major source of income. The majority of A sho Chin are Buddhist; they celebrate respect the traditional spirit (Nats) annually and disputes are generally settled using traditional intervention by respected leaders. However, communal tension began when the project started, between local authorities, migrant labourers and the local community such as robberies and other crimes that had never happened before.

In addition, local and migrant workers were paid at very different rates, so that many migrants came to find work, but the locals were then unable to get work, since the rate was so low for migrants. But they needed the income from working on the project, as they could no longer farm.

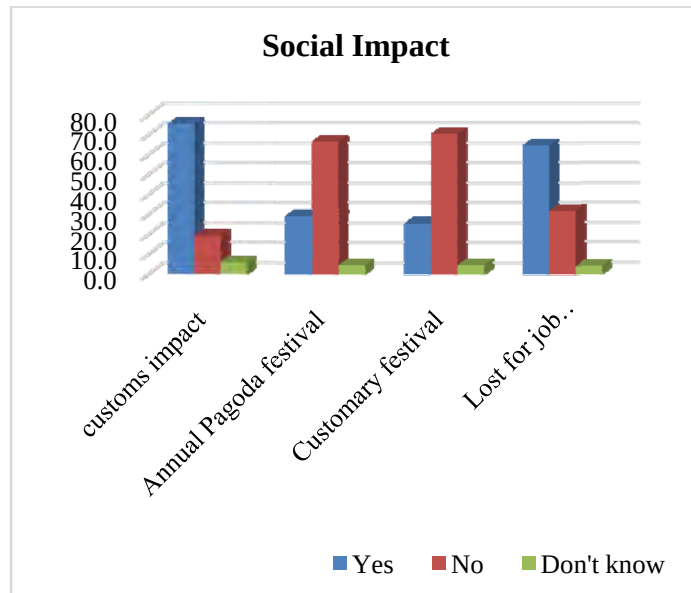
For these reasons, Gote See Yoe Villagers said,

“We knew when the machines would arrive at a farm. We tried to block them, but our Township administrator told us not to disturb them. They did not give compensation to us but paid 18,705,000 Myanmar Kyats (US\$ 19,000) to Ko Kyaw Thu Soe (New World Company) to do the work. We protested several times but I do not know if the President knew about it or not. They oppressed us (A sho Chin Ethnic group) deliberately.”





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Social impacts in MinBu, NgaPhe` Township

	Have	Do not Have%	Do not Know %	Total%
Customs impact	75.3	19.0	5.7	100
Annual pagoda festival	29.1	66.5	4.4	100
Customary festival	25.3	70.3	4.4	100
Lost for job opportunity	64.6	31.6	3.8	100

D) Environmental anxiety

The people from Kyauk Mae District, Thipaw Township, Northern Shan State are anxious about the safety of the pipelines that cross their area. In particular, they are worried about possible explosions and salination or pollution of the water courses from small leakages.

They explained that the companies and the local authorities have not given them information about the safety of the pipelines, and as a result many people have moved away from the pipelines.

An Asho Chin woman from GoteGyi Village, NgaPhe` Township, MinBu District spoke about her concerns:

"We are very frightened about what might happen if they repair any leaks in the pipelines when it is raining. If we hear about pipeline explosions, we will try to run away with my daughter because these pipelines cross my village, behind in our houses."



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After the 2012 rainy season, pipelines were eroded by water on 18/20 mile, West Mountain Range.

A migrant resident from Thipaw Township, said,

"We moved to the north of Village. Now we live in a tent. I have heard about pipelines exploding in other places, and I am very worried for my Village."



The home is destroyed by pipelines explosion .

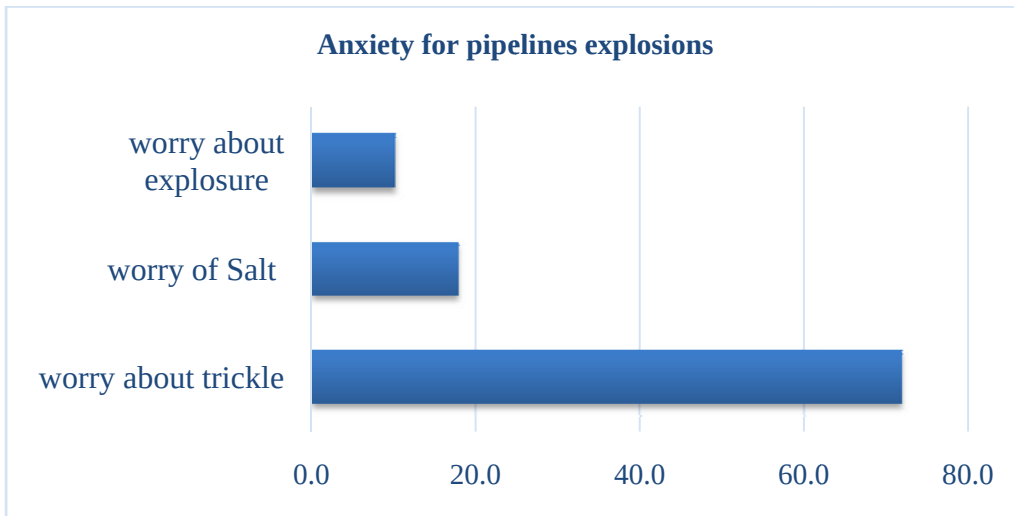
ပိုက်လိုင်းအိမ်ရှေ့ဖြတ် လူနေအိမ်တအိမ် ပိုက်လိုင်းပေါက်ကွဲ စိုးရိမ်ပြီးအိမ်ပြောင်းသွားသောပုံ

The place crossed by pipelines

	%
The middle of Village	24.4
Out of Village	25.6
In the field	50.0
Total	100.0



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Additionally, there are no fences or other means of protecting the pipelines, and where the pipes are underground they are not marked, which shows that neither the companies nor the government are showing concern for public safety. 19 families from Thar-yar-kone Village Tract, SoneKone Village, NgaPhe` Township lost their homes in the village where the pipelines went through, and another 30 families are afraid to stay in their homes because of proximity to the pipes. Moreover, the compensation they received was not enough to buy new homes.

A villager from SoneKone told us that he discussed this problem with the land-officer,

“Our land is not farmland; it is for our home to live in. But this land-officer asked me ‘Do you have any evidence?’ So, I showed him my documents, land-list form (105) and another form (105) and these were confirmed by the village leader and township land office. But he told me, ‘It is not legal.’ So we got



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4,125,000 Myanmar Kyats [US\$ 4, 200] for nineteen families. We cannot buy new a new house with that amount.”

Another villager from the same place also commented,

"We have nowhere to move, so now we may die if there is an accident with the pipeline.”



Above: PadaukMyaingKwatThit, SoneKone Village, NgaPhe` Township and across pipelines

Corporate Social Responsibility Programs

The companies involved paid to build a school for 70 students in 2012, and built a health clinic in Long Kong Village. In 2013, they also built a school and rest house in GoteGyi village. They promised to build a new road and compound wall for a monastery in KyanKhin Village, KyinThi Village Tract., and they told local villagers that they would give 14,000,000 Myanmar kyats (US\$14,400) to the village fund. But as of the time of writing of this report, these promises had not been fulfilled.



Gote-gyi Rest house (by CNPC)



Gote-Gyi School (by CNPC)



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Limitations of our report

There is lack of academic skills because most farmers involved in the research never got higher education and local authority put pressure on some farmers and volunteers not to cooperate with the research.

Strong points of our report

Despite threats, there was active cooperation from farmers, who showed awareness and started to express their opinions on human rights in their neighbourhood because of our capacity training. The locals are now also able to gather information, and can use that information in their networking and cooperation with NGOs and partner organizations.



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The following are our recommendations to the Myanmar government, the companies involved, local governments, political parties, civil society organizations and the general public:

1. Always ensure that local people are given advance information about the work to be carried out, the data collection process and the contracts.
2. Always ensure that the laws and regulations concerning the project are understood by local people and are transparent.
3. Always ensure that there are public meetings open to all where the development project can be discussed, prior to its commencement.
4. Respect the people's property rights.
5. Ensure transparency on short-term and long-term impacts.
6. Make public announcements about the social and environment impact appraisals.
7. Make the areas accessible to civil society research.
8. Study possible natural disaster impacts and prepare communities accordingly.
9. Ensure just and sufficient compensation.

Additional recommendations to foreign investment companies

- Obey Myanmar laws, bylaws, procedures, directives and work within the limits of their permits.
- Ensure transparency in operations.
- Follow international standards and basic principles of human rights.

Additional recommendations to local authorities:

- Maintain contact with grassroots communities to be aware of their situation. Ensure consistent application of laws.



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End notes

This report was made possible by the participation of the people from MinBu District, Magway Division and Thipaw Township, Kyauk Mae District, Northern Shan State. The aim of this report is to make share the perception of local villagers documented here with lawmakers, local administrators, companies, NGOs and the general public, especially regarding impact of the oil and gas pipelines

“Report on public opinion” is the result of capacity building trainings for local people who lost their land. Though we faced many difficulties, we are satisfied with the result.