

Arbitrary Confiscation of Farmers' Land by the State Peace and Development Council (SPDC) Military Regime in Burma

Dr. Nancy Hudson-Rodd
Honorary Research Fellow, Edith Cowan University,
Western Australia

&

Sein Htay
Program Coordinator and Researcher
The Burma Fund
National Coalition Government of the Union of Burma (NCGUB)
Washington, DC

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This research document is dedicated to the farmers
and
their families of Burma

Abstract

This research was framed by a human rights approach to development as pursued by Amartya Sen. Freedoms are not only the primary ends of development but they are the principle means of development. The research was informed by international obligations to human rights and was placed within a context of global pluralism and recognition of universal human dignity. The first research aim was to study the State Peace and Development Council military regime confiscation of land and labour of farmers in villages of fourteen townships in Rangoon, Pegu, and Irrawaddy Divisions and Arakan, Karenni, and Shan States. Four hundred and sixty-seven individuals were interviewed to gain understanding of current pressures facing farmers and their families. Had crops, labour, household food, assets, farm equipment been confiscated? If so, by whom, and what reason was given for the confiscation? Were farmers compensated for this confiscation? How did family households respond and cope when land was confiscated? In what ways were farmers contesting the arbitrary confiscation of their land?

A significant contribution of this research is that it was conducted inside Burma with considerable risk for all individuals involved. People who spoke about their plight, who collected information, and who couriered details of confiscation across the border into Thailand were at great risk of arrest. Interviews were conducted clandestinely in homes, fields, and sometimes during the night. Because of personal security risks there are inconsistent data sets for the townships. People revealed concerns of health, education, lack of land tenure and livelihood. Several farmers are contesting the confiscation of their land, but recognise that there is no rule by law or independent judiciary in Burma. Farmers and their family members want their plight to be known internationally. When they speak out they are threatened with detention. Their immediate struggle is to survive.

The second aim was to analyse land laws and land use in Burma from colonial times, independence in 1948, to the present military rule by the State Peace and Development Council (SPDC). The third aim was to critically review international literature on land tenure and land rights with special focus on research conducted in post-conflict, post-colonial, and post-socialist nations and how to resolve land claims in face of no documentation. We sought ideas and practices which could inform creation of land laws, land and property rights, in democratic transition in Burma.

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Everyone has the right to own property alone as well as in association with others. No one shall be arbitrarily deprived of his property (Article 17, *Universal Declaration of Human Rights*, United Nations, 1948).

Land is both a physical commodity and an abstract concept in that the rights to own or use it are much a part of the land as the objects rooted in its soil. Good stewardship of the land is essential for present and future generations (United Nations, 1996: 3).

1 INTRODUCTION

Land is the ultimate resource, for without it, life on earth cannot be sustained. The right to land, livelihood, food, property, and adequate housing are human rights established in several international conventions, resolutions and declarations adopted by different bodies of the United Nations. As the major source of wealth and power land has been the focus of successive ruling regimes in Burma¹. The present illegitimate State Peace and Development Council (SPDC) military regime denies citizens rights of ownership and rights of cultivation declaring “the State as the ultimate owner of all the land, and natural resources above and below the ground, above and beneath the waters and the atmosphere within its territorial boundary” and “the State shall enact necessary law to supervise economic forces, extraction and utilization of State owned natural resources” (Khin Maung Win, Deputy Minister for Foreign Affairs of the Union of Myanmar, January 2004). A future democratic Burma will need to find ways to resolve many conflicting claims on land, property, and housing including the great numbers of people displaced after their houses and property was destroyed or confiscated by the military regime. This research has three major aims. The first aim was to study the current regime confiscation of land and labour of farmers and their families in townships of Rangoon, Pegu, and Irrawaddy Divisions and Arakan, Karenni, and Shan States.

¹ The junta (June 1989) decreed the country's name change (Myanmar for Burma) and the names of most major cities (Yangon for Rangoon), states and divisions (Pegu became Bago), and geographical features (Ayeyarwaddy for Irrawaddy River and Division). We do not endorse the illegitimate regime's interpretations or changes. In this report, we use former spellings for commonly used names of states and divisions except for quotes. There are no standardised transcriptions in the Roman alphabet for Burmese, Karenni, Mon, and other ethnic languages. Words are spelled variously according to different spelling conventions. We have chosen to use all the variety of spellings for townships and villages depending on the sources.



Figure 1: Burma

Source: Ministry of Information, 2007,
Chronicle of National Development, Yangon: SPDC, p. 1.

What pressures are farmers facing from the regime? What changes have farmers made on the land? Had land, crops, household food, assets, bribes, and labour been confiscated, if so what by whom, and when? What were the results of these demands? In what ways did people contest these demands? Household and family members revealed concerns of health, education, and insecurity of land tenure and livelihood. The second aim was to analyse past laws and regulations concerning land and land use in Burma to put the current regime confiscation in context. The third aim was to review international research on land tenure, property rights regimes. We considered social relations between farmers and their land, as a means to inform policy and secure land tenure including customary/ indigenous land in future democratic Burma.

Four major river systems feed Burma's rich fertile land. The country is endowed with natural resources of arable land, teak and other hardwood forests, minerals (natural gas, oil, petroleum, lead, silver, tin, zinc), precious and semi-precious gems (jade, rubies and sapphires). Burma's plentiful natural and human resources are sufficient to sustain the present population of 54 million and future generations while maintaining its diverse ecological milieu. Yet, Burma is a most impoverished and isolated nation with per capita national income level below that of its neighbours, Bangladesh, Cambodia, and Laos. Burma's impoverishment results from decades of repressive policies implemented by successive military regimes since 1962. These regimes are responsible for a mismanaged economy (Burma Economic Watch, 2006), extreme poverty with most families spending 70% income on food compared to the global benchmark of 50% as an indicator of poverty (The Economist 2004; FAO & World Bank, 2004:40), gross human rights abuses (AAPP-Burma, 2005; Amnesty International, 2007; Human Rights Watch, 2007), continued use of forced labour (ILO, 2006) human trafficking (US Department of State, 2007), and regime attacks on ethnic minority groups (KWO, 2007) in border areas.

Burma's isolation is due to atrocities committed by the regime in 1988. About 3000 citizens taking part in countrywide peaceful demonstrations were killed by the military which seized control and suspended the constitution declaring martial law. In 1990, multi-party democratically held elections resulted in citizens of Burma overwhelmingly voting out the regime in favour of the National League for Democracy, led by Daw Aung San Suu Kyi and U Tin Oo, who both remain under house arrest. The regime refused to implement the election results rather harassed, detained, imprisoned, killed, or forced elected members into exile. Burma has become increasingly isolated from the World Bank, the International Monetary Fund, and the Asian Development Bank. The World Bank has not approved any new loans to Burma since 1987 and has no plans to resume its programmes given continued rule by military regime. Burma is currently in arrears to the World Bank and has not enacted essential economic and other reforms. The Asian Development Bank and the International Monetary Fund have not made new loans to Burma since the 1980s (U.S. GAO 2007: 7).

The International Monetary Fund's report on Burma (September 2006) estimated the per capita gross domestic product (GDP) of Burma in 2005 to be US\$ 170, less than half of the per capita GDP of the poorest countries in the region. For example, per capita GDP in Cambodia for the same year is estimated to be US\$ 350, for Laos the figure is US\$ 400, and for Bangladesh, US\$ 440. Agriculture accounts for more than half of the Burma's GDP and employs over two thirds of all labour. Many of the estimated 19 million farmers increasingly struggle to provide a living for their families. The rural poor (about 70% of the poor) face a range of problems: limited access to land, credit, paid employment, education and health facilities; and a dwindling supply of natural resources in the context of increasing environmental degradation (U.S. CIA, 2006). Current estimates are that 30% of rural people are landless, while some parts of the country experience much higher rates. The proportion of households with medium size farms (5-10 acres) in 2003 was estimated to be about 15% and a further 37% of rural households depend on small or marginal farms with less than five acres. Only 7.6% of households farm more than ten acres of land (FAO & World Bank, 2004).

The UN Development Program (UNDP) ranked Burma 132 out of 177 countries in its 2007/8 annual human development index based on social and economic indicators (life expectancy, educational attainment, and adjusted real income). According to the World Health Organization (2000), Burma's health care system is second worst in the world, 191 out of 192 nations as health indicators show that high mortality and morbidity rates are due to preventable diseases. Only Sierra Leone ranked lower (Council on Foreign Relations, 2003). Rural populations' increased vulnerability is due to a burden of preventable diseases, HIV/AIDS, tuberculosis and malaria, and diarrhoea which is the major killer of children. In 2005, Burma accounted for over half of all malaria deaths in Asia (UN, Second regular session, 2006: 4). Burma contrasts with other countries in the region in spending more money on defence than on health and education combined (Selth, 2002: 135). Increasing problems with HIV/AIDS and narcotics abuse in Burma attract international attention (Garrett, 2005: 37), but there is a dearth of accurate field research and data. Health needs of Burma cannot be addressed in face of denial of access to information, no freedom of academic research, and no ability to disseminate research findings. Secrecy and censorship severely impact the health of people in Burma.

Based on civilian testimonies from ten out of 14 states and divisions, food scarcity was shown to directly result from militarisation and its accompanying lack of freedom of expression (Asian Human Rights Commission, 1999). The United Nations estimates that the Burmese population spend up to 70% of their monthly income on food (Kyi May Kaung, 2007). As the military regime expands into non-Burman ethnically dominated border areas in Arakan and Chin States of western Burma and Mon, Karen, Shan, and Kayah States of eastern Burma, poverty becomes more acute and humanitarian needs are especially high after years of conflict and instability. Burma facing severe economic stagnation,

widespread poverty and serious health and social welfare issues remains one of the “countries of most concern” in the Asia Pacific as it falls ever further behind in attaining their millennium development goals (Asian Development Bank 2006). The majority of the population are poor, the land is increasingly impoverished and most people survive day to day, in fear of the military regime. Those living in rural areas are most severely affected in all measures of health, education, transportation, and social services.

The relentless attempts at totalitarian regimes to prevent free thought and new ideas and the persistent assertion of their own rightness bring on them an intellectual stasis which they project on to the nation at large (Aung San Suu Kyi, 1995: 175).

Burma faces a problem not of a lack of financial resources, but rather a regime which denies freedom of expression, censors all material, and gives no space to the views, ideas, and contributions of the dis-interested educated, knowledgeable, and learned people of Burma. There are strong reasons to believe that freedom of expression makes possible other rights to be fully realized (Lasner, 2005: 250). An open and independent media can promote not just democracy and human rights but also economic development in whose name freedom of the press is often sacrificed. The lack of media freedoms facilitates corruption which increases the burden of poverty and prevents individuals from making any informed decisions. Amartya Sen (1999a: 15-17) argues that development consists of the removing of a variety of “un-freedoms” that leave people with restricted options to explore and create their lives. Restrictions on media reinforce the corruptions in the process of Burma’s developmental policy-making. As such the denial of freedom of expression is central not just to the regime’s continued power but also to the lack of economic development in Burma.

Economic planning proceeds in Burma with no public input, reliable economic data, or official accountability. Without freedom of academic research and the ability to disseminate research findings, there can be no public debate informed by independent sources. The *Review of the Financial, Economic and Social Conditions* published under different names by the Ministry of Planning and Finance since military rule in 1962 was publicly available until 1998. This had been the main source of annual data on the Burmese economy as projected by the regime itself. Since 1998, the public has been denied access to even this document. While the accuracy of the data in such publications could never be fully ascertained, the publication did provide a record for comparison and evaluation by researchers.

The regime also ceased publishing annual budget estimates in 2001/2. The Central Statistical Organisation (CSO) releases erratically the *Selected Monthly Economic Indicators*. The CSO claimed to have completed a *Household Income and Expenditure Survey 2000*, but the report was never released. The regime restricts access to official documents and reports conducted by international organizations. In-country researchers are not able to use information from publications available to those outside Burma. For example, the International Monetary Fund (IMF) makes regular reports on Burma, but the regime denies release of these reports within Burma. As one economist in Burma points out most cogently, “as

well known to all responsible members of the Burmese mass media, both within the country and abroad, academics like us play no role and are completely out of the picture in the decision-making process regarding issues that are of major concern to the people of Myanmar” (Maung Myint, 2007).

Reliable, consistent data on human needs and poverty in Burma is lacking. It is recognized that the economy is basically agrarian with the largest share of agricultural production being rice with beans and pulses among other important crops. Agriculture provides more than half the country's GDP and employs about two thirds of all labour. Seventy per cent of the population live in rural areas, the most disadvantaged in all ways. According to *Article 17* of the *Universal Declaration of Human Rights* (1948), “everyone has the right to own property alone as well as in association with others” and “no one shall be arbitrarily deprived of his property” (United Nations 2002: 4). In Burma, the ownership of rural land is vested in the State and the right of cultivation can only be provided by village level committees when approved by higher level land committees. Land cannot be used as collateral to access rural finance. There is no legal basis for transfer of land ownership from one person to another. Farmers have no freedom to own land, to grow crops in a sustainable manner, or to improve their communities' economic and social well-being.

Farmers are further denied any rights through the SPDC implementation of a large-scale, arbitrary land confiscation policy in Burma which has broad negative cultural, social, environmental, and economic consequences. The multiple aims of this policy include: relocating civilian populations deemed supportive of the armed opposition; establishing military bases in disputed areas by constructing or supporting new army battalions; creating infrastructure development projects such as three proposed Salween River dams; facilitating natural resource extraction such as the offshore Arakan Shwe Gas; and privileging interest groups such as military and foreign investors with commercial opportunities, including mining, logging, and agricultural. This policy has led to many forced evictions, relocations, and resettlements. People have lost their land, their livelihood, and their homes (United Nations General Assembly, 2006: 14; Amnesty International, 2005). The most significant rural problems in Burma are those associated with lack of land and property tenure, landlessness, rural poverty, inequality of access to resources, and the SPDC military regime that denies citizen rights determined to rule by force and not by law (Hudson-Rodd & Myo Nyunt 2001: 1-2). The regime not only denies voice to the farmers who have an intimate relationship with the land, but confiscates their land, squeezing their living space.

2 LITERATURE REVIEW

United Nations Human Development Initiative (HDI) Programme

A large proportion of Burma's population are poor facing extreme constraints on their ability to contribute to their families' survival. The SPDC military regime provides limited budgets for rural development and an environment which denies focus or funding on poverty alleviation. Those who live in rural areas are significantly disadvantaged and disenfranchised from the system in Burma in terms of education, health, transportation, or agriculture. The rural poor have a disappearing supply of so-called 'free' natural resources with increasing environmental degradation. Their access to land, credit, and wage employment is very limited. Access to education is rare in rural areas with children forced to walk great distances to school. There is a greater incidence of preventable diseases including HIV/AIDS, tuberculosis, malaria, and diarrhoea resulting from unsafe water supplies and sanitation.

The United Nations Development Programme since 1994 in recognition of the severity of unsustainable livelihoods in Burma has implemented a set of projects collectively known as the Human Development Initiative (HDI). United Nations' guidelines stipulate that as long as Burma is ruled by a military regime in defiance of the results of the 1990 elections, a country programme for Burma is considered inappropriate, and all assistance from UNDP and related funds for Burma should be clearly targeted towards programmes having a positive grass-roots level impact. Therefore, UNDP activities have focused on the community level with the basic objective of meeting basic needs and alleviating poverty in some of the poorest areas of rural Burma. Projects have been designed and implemented through a Human Development Initiative (HDI) framework. Designed to address basic humanitarian needs of rural poor communities by supporting sustainable livelihoods, the HDIs include income generating activities and improving access to basic social services such as primary health care, basic education, small village infrastructure, water and sanitation and HIV/AIDS prevention information.

The initial 1994/95 HDI Programme was a structured approach to human development with an aim to impact in a sustainable manner on basic needs of the people. Interventions were concentrated in villages of 24 of the poorest townships (3 in the Dry Zone, 5 in Shan State, 3 in the Delta, 5 in Chin, 5 in Rakhine, and 2 in Kachin State). In these 3,900 villages, people had the least access to land and to social services, low educational facilities and inadequate health services in relation to the needs of the population. More than 50% of households were landless or had less than 3 acres. The fourth phase of the HDI (2002-2007) began in the 24 original areas and was expanded from March 2005 to a further 40 townships. An extension of this fourth phase of the Human Development Initiative to run 2008-2010 was recently approved (UNDP, 2007).

Many constraints restrict the UNDP initiatives including the regime policy environment and the difficulty of operating in rural and remote areas of the country. One of the major restraints on the work of the UNDP is the inability to conduct research, collect field level data, and publish the results for discussion and analysis. The regime does not support any research which yields results disputing those of the central statistical organization and the government controlled media. Over the years, some examples have been the denial of an HIV/AIDS problem, and even the existence of poverty and hunger in Burma. As one prominent economist in Burma succinctly states, "The overriding political desire to use statistics to present the country in a favourable light has compromised objectivity and credibility" (Maung Myint 2004).

Agricultural Sector Review

In a dynamic world, if Myanmar aspires to be on equal footing with other ASEAN economies in terms of economic development and standard of living, the country would need to formulate, test, implement, and evaluate people-centered institutions and policies, based on regular monitoring and periodic evaluation with an aim to provide assistance to various interest groups. National policies and institutions need to change. As an example in agriculture, the current commodity focus within the national agricultural research system is of limited relevance to the majority of farmers. In reality, small and medium farmers tend to adopt a mixed farming system, combining crops with such activities as livestock, fishery and aquaculture, collection of natural resources, and off-farm income, depending upon geographical location (FAO & World Bank, 2004).

The *Agricultural Sector Review* was conducted by the FAO / UNDP over an 18 month period completed in early 2004. It found the key to reduction of poverty in Burma and the mitigation of extreme vulnerability is the lack of a cohesive national policy framework for education, health, infrastructure, or agriculture. The regime does not recognize farmers as being central to agriculture and therefore has impeded their ability to gain sustainable livelihoods. Two volumes and an *Agricultural Atlas of the Union of Myanmar* with maps on land use, climate, irrigation and water resources, crops, livestock and aquaculture, mechanization and inputs, was produced.

According to the 1993 Agricultural Census, the latest census analysed, more than 80% of land holdings in Burma were below 5 acres, roughly the minimum sized holding needed for subsistence farming, at current levels of technology and input use. Landholdings have remained small (FAO & World Bank, 2004). Almost half of households in Burma have no access to cultivable land and about one third of rural households are landless. Another 37% of households live on small farms cultivating less than five acres of land. In Shan East, less than 5% of the households have farms greater than five acres. Kachin and Chin States have the next proportion of marginal farms with only 25% and 28 % of the households farming greater than five acres.

There has been limited change in land use over the past two decades. About 10.6 million hectares (16%) of land is occupied, being cultivated or in fallow. A further 6.7 million (8.5%) was classified as

cultivable but unused. The remaining land includes reserved forests (18%), other wood land (25%) and other (22%). Significant differences in access to land and household size depend on location and sex. For example, the proportion of rural landless households is highest in Pegu (West), Pegu (East), Mandalay, and Arakan State. Landlessness is positively correlated with household size and this relationship is especially pronounced for female headed households. In 2003, one in ten rural households was headed by a woman and female heads of households tended to be older women with little formal training. Very few women had been engaged in any formal education. Once women assume any leadership role they are even less likely to participate in formal education. As the age of the household head progresses more females tend to assume leadership roles in the household. It is often suggested that gender difference is minimal in Burma. There is little evidence to support this claim. Landlessness is positively correlated with household size and this relationship is especially pronounced for female headed households (Khin Pwint Oo, 2004). Members of large households with small land holdings indicate surplus labour. Landless households indicate lack of livelihood choices with individuals more apt to move outside the family and village.

Three fourths of landless households reside in rural areas. The greatest share of small and marginal landholding households exist in the States and Divisions remote from central Burma. As the military establishes its network of bases in these border areas more people are displaced from their homes and villages, especially in Shan and Karen States on the eastern Thailand border and Arakan and Chin States of western Burma. The lack of assets such as land or livestock is a strong indicator of rural poverty. The 1997 Human Development Index Baseline Survey (HIDBS) of 20,000 rural households revealed that one-third of these households had no land, 40% owned no livestock and 25% owned neither land nor livestock. Many families who have land are also poor.

The ownership of rural land is held by the State. The right of cultivation is only provided by the village level committee as per approval by higher level land committees. Under normal situations, land cannot be used as collateral to access rural finance. There is no legal basis for transfer of land ownership from one individual to another. But personal communication (2004) reveals that rural land transactions are common all over Burma and especially in the most densely populated areas such as the Irrawaddy Division. People speak of informally mortgaging land with money-lenders. They may sell their land to meet immediate cash needs or to repay high interest loans secured by households. A consistent pattern of indebtedness is emerging in Burma with rising levels of landlessness. The inability of most farmers to afford fertilizers and a general lack of access to credit reduces their ability to farm productively. The poor and the landless have resorted to casual labour, usually employed at less than US1\$ / day if work is available. There is significant seasonal migration in search of work.

The following key issues covered in the report include (Adair, Jayaraman, Birgegard, 2006: 25):

- Comparative advantages of Burma's agriculture and sub sectors that may arise through use of more market-oriented principles and policies;
- Increasing community development initiatives and identifying ways that can improve the sustainability of people's livelihoods;
- Transformation of agricultural services and institutions to enable a multi-disciplinary approach and increase of rural financial services; and
- Conservation and development of land and water resources through an assessment of needs and feasibility consistent with economic and environmental requirements.

The Review identified specific issues and problems, proposed feasible options and ways of addressing the problems for creation of a broad based agricultural growth which would assist poor farm households. One major finding of the *Agricultural Sector Review* (FAO & World Bank, 2004: 159) was that the greatest benefit to poor rural households would accrue if land rights were issued to all farmers. For example, the right to land confers security of tenure and provides assurance to the farmer that their investments to the land will not be lost. The farmer has the ability to recover any capital improvements at the time of sale or disposal of rights to another person. A farmer can use her right to access to the land for securing loans. There have been very limited changes to national agricultural policy following the release and workshop in Burma on the Review findings in 2004. The regime has not pursued any of the suggestions made by the review team.

Regime Corruption: Induced Poverty

Findings of household interviews conducted clandestinely over three consecutive years (2001 to 2003) in seven districts of Karen and Mon States revealed harsh realities of individuals, families, households, and villages surviving under the regime that systematically denied people their right to subsistence (Hudson-Rodd, Myo Nyunt, Saw Thamain Tun, and Sein Htay 2004: 3-5). The military regime denies access to resources, economic, social, and political power keeping people in a state of poverty, an "extreme form of deprivation" (Office of the High Commissioner for Human Rights, September 2002). The SPDC induced poverty through systematic and sustained violation of human rights. Individuals have no freedom of expression to publicly discuss violations of their rights. In this process, systematic violation of farmers' rights perpetuates poverty by constantly reproducing generations of poor. The military elite extract rents strengthening their position of power. Corruption thrives as secrecy and suppression of worker rights (no freedom of association, forced labour) further undermines human rights. Rent-seeking thus prevents the emergence of civil society and good governance (Mehmet, 2001). Rent-seeking exists at all levels of Burmese society including extortion of money through official and unofficial tax levies, confiscation of crops, labour, goods, destruction of property, looting, and the creation of capital intensive agri-businesses.

Burma was the second most corrupt nation out of the 163 countries in the 2006 Transparency International survey, lower than its rank of fourth in 2005. The only country to receive a lower score was Haiti (*Narijana*, 2006). The inter-governmental Financial Action Task Force (FATF) charged with the aim of combating money laundering, first drafted a blacklist of 23 countries of concern for illicit money transfers in the year 2000. Burma remains the only country on the blacklist, after Nigeria was removed from the list in June 2006. Given the intransigence of the regime in Burma to make transparent their financial transactions, the FAFT issued the following statement calling on all “financial institutions to scrutinize transactions with persons, business, or banks in Burma” (*Irrawaddy*, 26 June, 2006). “Pervasive corruption, nonexistent rule of law, arbitrary policymaking, and tight restrictions on imports and exports make Burma an unattractive investment destination and severely restrained economic growth” and resulted in Burma being listed as the world’s 153rd least free economy and ranked as 29th out of 30 countries in the Asia Pacific region according to the 2008 *Index of Economic Freedom* (Heritage Foundation 2008).

Regime Forced Migration

The depth and extent of human rights abuse committed by the military on people of ethnic minorities living in border areas of Burma, including dispossession from land, forced evictions from villages, confiscation of labour and materials has been well documented. For example, *Dying Alive: An Investigation and Legal Assessment of Human Rights Violations Inflicted in Burma, with Particular Reference to the Internally Displaced, Eastern Peoples* (Horton, 2005). Research conducted by David Arnott (*Forced Migration/ Internal Displacement in Burma with an Emphasis on Government-Controlled Areas* 2007) revealed reasons of forced migration from Irrawaddy, Magwe, Mandalay, West Pegu, Rangoon and Sagaing Divisions, and Kachin, Chin, Arakan, northern and eastern Shan State. A survey conducted with 560 refugees and migrants from Burma now living in India, Thailand, and Malaysia, revealed the following reasons for leaving their homes: land confiscation (39.1%); food insecurity (69.8%); forced labour (59.9%); extortion/ heavy and arbitrary taxation (60%) and; ruinous agricultural cropping and marketing policies (18.6%). These reasons for forced migration are closely connected to the lack of secure land tenure in Burma. Despite large numbers of people forced to flee, the majority remain inside Burma living under increasingly severe conditions.

Regime Land Confiscation, Mon State

With no right to ownership of land or property in Burma, no person, household, or village is secure from the SPDC that arbitrarily confiscates, destroys, evicts, relocates, and displaces citizens from their land, denying them a livelihood. For example, since 2000, a steady increase of troops, including 10 Light Infantry Battalions and 10 Artillery Regiments in Mon State, South-east Command (see map 3) forced villagers to work without payment on various construction sites building roads and barracks. Use

of forced labour for the military continued with massive abuses of forced labour in southern Ye Township in 2006. During military deployment, the SPDC confiscates land from local farmers. According to Human Rights Foundation of Mon Land (Kaowao News, 25 December 2006), land confiscation in Mon State began in 1997 under direction of township authorities and military battalions. Since 1998, about 8,000 acres of prime agricultural land including orchards, rubber plantations, salt production fields, and pasture lands were confiscated. Army, police, and township authorities confiscate land from farmers who cannot pay the high taxes imposed by SPDC. The lives of villagers are decimated by the military occupation of their land. Farmers are forced to apply and pay for permission to work on their own land. Once the land is confiscated the army removes all fruits and vegetables for themselves and their families. The army profits from tapping and selling of rubber latex. During 2006 land continued to be confiscated for a military fund in Mudon and Thanbyuzayat Township and military battalions now force young men (20 to 40 years) to join militia forces and provide unpaid security for their villages.

No Independent Judiciary or Rule of Law

Individuals who protest confiscation of their land have no effective support for appeals to justice. The State rules by decree not bound by any constitutional rights for public trials or any other human rights. There is no independent judiciary, no meaningful rule of law, and lack of political, intellectual, and legal discourse required establishing a system of Burmese law to direct Burma towards transition to legality. Burma remains guided by martial law as defined in Declaration No. 1/90 to prevent “the disintegration of the Union, the disintegration of national unity and the perpetuation of Sovereignty”. These foundational aims of the State were reiterated by Khin Maung Win, Deputy Minister for Foreign Affairs of the Union of Myanmar in the State Constitution (January 2004). The SPDC has subordinate Peace and Development Councils ruling by decree at the division, township, state, city, ward, and village levels. The SPDC appoints justices to the Supreme Court who in turn appoint lower court judges with the approval of the SPDC. The court system includes courts at the township, state, district, and national levels. These courts adjudicate cases under decrees promulgated by the SPDC that effectively hold the force of the law “what the generals from day to day decide it to be” (Gutter & Sen, 2001: 14). Laws are applied selectively and arbitrarily by the military regime seeking to maintain control (Steinberg, 1995: 7).

Almost all of the criminal, civil, corporate, and commercial laws stem from British rule. The latest law regarding the judiciary is the judiciary law promulgated 27 June 2000 (amended since). Based on that law, the SPDC constituted the Supreme Court (1 Chief Justice, 2 Deputy Chief Justices, and a minimum of 7 judges to a maximum of 12 judges) with military personnel. The Supreme Court sits in Rangoon and Mandalay and if necessary in any other appropriate place. Under the Supreme Courts are the Chief Court, the State or Divisional Courts, the District Courts and Township Courts, with powers of civil and criminal jurisdiction. The judiciary is not independent. It has to obey SPDC orders in

adjudicating cases. The SPDC appoints only those men loyal to the regime to be Chief Court Judges. Therefore the Chief Justice and the Attorney General comply with all decrees of the SPDC.

The laws, courts, and other legal structures have been manipulated over decades by the regime to punish perceived enemies and to harass and intimidate civilian populations. While the number varies of people held as prisoners of conscience and political prisoners, about 1500 political prisoners are held at any one time. Outcomes of trials concerning political activists or any person seen to be a critic of the regime are determined before trial. "Evidence" is made up or taken after individuals are picked up and tortured in detention centres. Only the arguments which lead to a guilty verdict are allowed by the judge. Lawyers cannot defend their clients independently, especially in cases where there is political or state interest. Decisions are predetermined by the SPDC. The special hostility held by the SPDC towards lawyers may result from the regime's view that lawyers initiated and supported the large demonstrations against the military regime in 1975 and in 1988 (US Department of State, 2002: 22).

Remnants of the British era legal system remain formally in place, the court system and its operations are severely flawed especially for handling political cases. The military junta controls the three key powers of the State: the judiciary, the executive, and the legislative.

Location of Prisons, Prison Labour Camps and Primary Detention Centres and Military Intelligence Units



Map 2: Location of Prisons, Prison Labour Camps, Primary Detention Centres and Military Intelligence Units.

Sources: Amnesty International (AI), 1990, *Myanmar. 'In the National Interest': Prisoners of Conscience, Torture, Summary Trials under Martial Law*, London: AI Publications; Assistance Association for Political Prisoners (AAPPB) Burma, December 2005, *The Darkness we See: Torture in Burma's Interrogation Centers and Prisons*, Mae Sot: AAPP; Human Rights Documentation Unit (HRDU), 1996 to 2002, *Human Rights Yearbook Burma (Myanmar)*, Washington: NCGUB; Selth, A., 1997, *Burma's Intelligence Apparatus*, Working Paper No.308, Strategic and Defence Studies Centre, ANU, Canberra.

Laws such as the Emergency Provisions Act, the Unlawful Associations Act, the Habitual Offenders Act, and the Law Safeguarding the State from the Danger of Subversive Elements are used extensively to stifle any dissent or questioning of the regime with political trials not open to the public. Human rights and democracy activists, people participating in peaceful demonstrations, speaking, writing, singing any words deemed to be against the regime, have been arrested, tortured, and jailed the many prisons located in Burma. Most are given long prison terms, in isolation cells, and placed in remote prisons, making family visits if allowed, almost impossible (Hudson-Rodd & Myo Nyunt 2005). Political prisoners and prisoners of conscience are sometimes charged under a section of the criminal act which authorises them being sent to hard labour camps (AAPPB, 2001: 1). For example, Aye Tha Aung, secretary of the Committee Representing the People's Parliament was accused of violating publication and emergency laws and given a 21-year prison term (7 June 2000). He was refused any legal defense and sent to a hard labour prison camp where he with other prisoners was forced to construct the Myitkyina airport. He was then transferred to another prison labour camp in Sumprabum to build a highway. Both labour prison camps are in northern Burma, Kachin State (see map 2).

In 2007, the regime continued to rule by decree and was not bound by any constitutional provisions providing for fair public trials or any other rights. "Pervasive corruption further served to undermine the impartiality of the justice system" (US Department of State, 2007: 3). The dispossession of people from their land and livelihood is done according to 'decrees', 'laws', 'directives', 'proclamations' that have nothing to do with justice. The Asian Human Rights Commission (AHRC) reported on the continued destruction and control of the courts in Burma by the military regime and other authorities. The following are a few of the many cases of persecution of Burmese farmers through the courts by petty local officials using state 'apparatus' (laws, directives, proclamations) for their own benefit of financial gain or personal revenge (AHRC, 2006):

- Farmer U Tin Nyein was jailed for complaining about the destruction of his crops due to incompetent government officials;
- Lawyer U Aye Myint, jailed for helping farmers to make a complaint about land usage by the government, was released after intense pressure from the International Labour Organization (ILO);
- Farmers U Aye Min and U Win Nyunt were jailed for complaining about local corruption;
- U Thein Zan, Ko Zaw Htay and U Aung Than Htun were prosecuted for helping villagers to complain about the death of a man on a military forced labour project;
- Villager Ma Su Su Nwe was jailed for complaining about forced labour and released after intense pressure from the ILO, for which she was awarded the 2006 John Humphrey Freedom Award;

- Farmer U Tin Kyi, a 65-year old villager, was jailed for ‘insulting government officials’ when the four men cleared local village land for a new castor oil plantation;
- Daw Khin Win was sentenced to one year in jail for complaining about various illegal activities of local authorities.

3 RESEARCH CONTEXT

Military Regime Administrative System

Independent democratic government lasted for only 14 years. Burma ruled by a series of army generals since 1962 brought almost all of political, social, economic life under strict military control. At the end of General Ne Win's long rule (1962-1988), a country wide popular uprising against military rule, led by student activists, was brutally attacked by the army. The generals held an election in 1990, anticipating a return to a military run parliament, but their chosen party failed to win votes. When the National League for Democracy (NLD), led by Aung San Suu Kyi, won the majority of votes, the State Law and Order Restoration Council (SLORC) generals refused to give power to elected parliamentarians, insisting that a new constitution would first have to be drawn up by the military. The NLD and Aung San Suu Kyi effectively excluded from the constitutional process have been subjected to years of repressive actions including jail.

The current State Peace and Development Council (SPDC) holding political and military control since 1997 appoints the Prime Minister, senior officials, and determines national policy. The twelve members of the SPDC all military officers hold the most senior roles in army hierarchy. Cabinet ministers, except for two, are military officers with no background in governance. The SPDC does not meet on its own but joins once monthly cabinet meetings and thrice yearly meetings of all senior cabinet and military officials at which broad policy and strategic issues are decided. The Vice Senior General chairs the Trade Policy Committee, which meets once a week to rule on all decisions affecting external and internal economic regulation. Senior General Than Shwe chairs the Special Project Implementation Committee and Special Border Projects Committee which approves all decisions on infrastructure construction (e.g. bridges, dams, irrigation), energy projects and agricultural policy. Committees do not seek advice. People dare not offer it. Top generals frame the issues and make decisions based on limited knowledge.

The Union of Burma comprised Kachin State, Shan State, Karenni State, Chin Special Division and Burma proper at the time of independence on 4 January 1948. Karenni State was renamed Kayah State and Karen State formed in 1951. According to the Constitution of the Socialist Republic of the Union of Burma (Myanmar), promulgated on 3 January, 1974, there were seven States and seven Divisions. At present the Union consists of the same seven States and seven Divisions (Hla Tun Aung, 2003: 604). The country is divided into seven primarily Burman ethnic Divisions (*taing*): Irrawaddy, Pegu, Magwe, Mandalay, Rangoon, Sagaing, and Tenassarim and seven ethnic States (*pyi nae*): Chin, Kachin, Karen, Karenni, Mon, Arakan, and Shan. Each State or Division is administered through a State/Division Peace and Development Council. These Councils are headed by an Area Commander supported by the Head of Department of General Administration and Police. The Ministry of Agriculture and Irrigation (MOAI) is represented by divisional or state managers of the Myanmar Agricultural Service (MAS) under the Settlement and Land Records Department (SLRD).

The 64 districts, the next administrative units, are managed like divisions, with a Peace and Development Council, a District Commander and a Deputy Commissioner of General Administration and Police. The MOAI is represented through the same agricultural groups. Beneath the district is the township, a total of 324, with about five per district. Each Township is managed by a Peace and Development Council chaired by the Head of the Department of General Administration. Both the MAS and the SLRD have township managers. Each township is comprised of a number of village tracts/groups (wards in urban areas) depending upon the population density. Each village group has a Chairman and a Peace and Development Council. The smallest administrative unit is the village, usually three to seven per group. The ownership of rural land is vested in the State and the right of cultivation can only be provided by village level land committees as approved by higher level land committees. Our research was conducted with households, farm family groups at the village level.

A military footprint of Burma overlaps the geographic map of States and Divisions. Fifty years (1948-1998) of construction and expansion of Burma's military, *Tatmadaw*, is explored in detail by Maung Aung Myoe (1999). The military regime has created thirteen military commands, sub-commands and an extensive surveillance network of military intelligence, detention, interrogation centres, prisons and prison labour camps (see Table 1, Maps 2 & 3). At the national, regional and local levels the regime attempts to quell dissent and boasts of "military operations launched by the Tatmadaw at the cost of its lives, blood and sweat for turning the nation into a peaceful, modern and developed State as well as for ensuring its safety" with the function of the Southern Command to "annihilate the remnants of Karen National Union insurgents" (Ministry of Information, 2004: 16). Mary Callahan (2003: 221) argues that the relationship in Burma between the ruled and the rulers has long been one mediated by "profound distrust and the constant threat of violence" and coercion.

STATE SECURITY NETWORK IN BURMA	
<p>NATIONAL State Peace and Development Council (SPDC) Army Navy Air Force Office of Strategic Services (OSS) Directorate of Defence Intelligence Services (DDIS) National Intelligence Bureau (NIB)</p> <p>REGIONAL 13 Regional Commands Western Command (Arakan and Chin States) Central Command (Mandalay Division) Rangoon Command (Rangoon Division) Northern Command (Kachin State) Golden Triangle Command Coastal Command (Tenasserim Division) Southwestern Command (Irrawaddy Division) Southeastern Command (Mon, Karen States, Tenasserim Division) Eastern Command (Southern Shan State) Northeastern Command (Northern Shan State) Northwestern Command (Sagaing Division) Southern Command (Pegu and Magwe Division)</p> <p>LOCAL Light Infantry Battalions (LIB) Infantry Battalions (IB) 20 Primary Detention Centres (Insein Prison and its annex: Yankin Township Military Registration Camp; Sanchaung Police Station; Mingaladon DDSI Interrogation Centre; Kyeikkasan old race field; Hmawbi Ye Nyunt Training Camp (all in Rangoon Division); Bassein Township MIS Office (Irrawaddy Division); Special Branch 11 Office, Police Station No. 8 and Mandalay Prison (Mandalay Division); Tharawaddy and Pegu Township Prison (Pegu Division); Regiment 31 Headquarters (Thanbyuzayat Township); Moulmein MIS Office (Mon State); MI-5 Office (Pa-an Township, Karen State); Regiment 59 Headquarters (Maw Chee Township, Kayah state); Myitkyina Central Prison, No. 8, Northern Command Army Headquarters; Special Branch 11 Office (Kachin State). 35 Prisons Military Intelligence Service (MIS) Units 30 Military Intelligence Companies Military Interrogation Centres Paramilitary People's Forces</p>	<p>40 Sub Commands (Tactical Operations Commands) 360 Infantry Battalions (IB) (30 Battalions per Command) Light Infantry Divisions (LID) 77LID (est. 1966, Headquarters at Pegu) 88LID (est. 1967, Headquarters at Magwe) 99LID (est. 1968, Headquarters at Meiktila) 66LID (mid-1970s, Headquarters at Prome) 55LID (est. late-1970s, Headquarters at Aungban) 44LID (est. late-1970s, Headquarters at Thaton) 33LID (est. mid-1980s, Headquarters at Sagaing) 22LID (established 1987, Headquarters at Pa-an) 11LID (est. 1988, Headquarters at Hlegu) 101LID (est. 1991, Headquarters at Pakokku)</p>

Table 1: State Security Network in Burma

Sources:

Assistance Association for Political Prisoners Burma (AAPPB), December 2005, *The Darkness we See: Torture in Burma's Interrogation Centres and Prisons*, Mae Sot: AAPPB.

Ball, D., 1998, 'The Burmese high command and the intelligence and security establishment', Chapter 5 In D. Ball, *Burma's Military Secrets: Signals Intelligence (SIGINT) from 1941 to Cyber Warfare*, Bangkok: White Lotus.

Bo Kyi, June, 2000, 'The ICRC in Burma', *Irrawaddy*, p. 7.

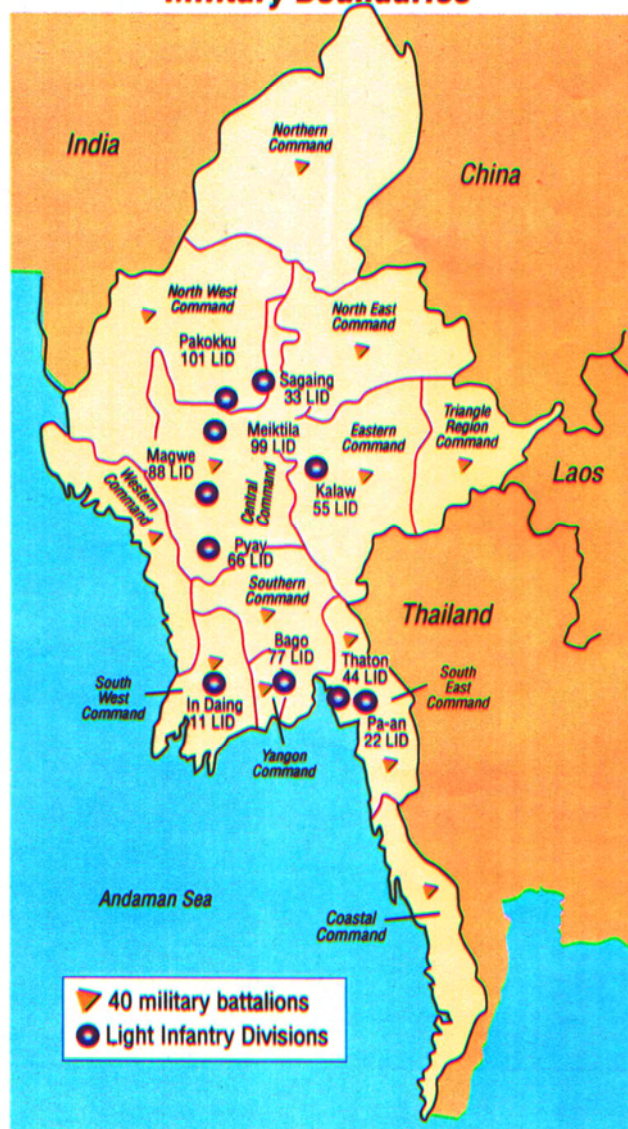
Hudson-Rodd, N., 2004, based on displays, Defense Services, *Museum*, Rangoon.

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**Regional Command Borders and Location
of Light Infantry Divisions (LID):
Military Boundaries**



Map 3: Regional Command Borders and Location of Light Infantry Divisions (LID):
Military Boundaries

Sources: Various sources see Table 1

SPDC Regime Restrictions on International Organizations

The regime distanced itself from many international organizations in 2004 adopting more restrictive policies (International Crisis Group, 2006). The Burmese Ministry of National Planning and Economic Development formalised these restrictions in February 2006, by publishing *Guidelines for UN Agencies, International Organizations, NGO / INGOs on Cooperation Programs in Myanmar*, to govern activities of international organisations. The guidelines intended by the regime to prevent international organizations from becoming involved in “political matters” require organizations to (U.S. GAO, 2007: 12):

- Agree that international staff can only travel within Burma with permission from the subject area ministry and with a regime representative;
- Avoid conducting or distributing any surveys not mentioned or approved in the original project documentation;
- Agree that their programs will “enhance and safeguard the national interest”, “prevent infringement of the sovereignty of the State”, “and be on the right track to contribute to the socio-economic development of the Nation”;
- Coordinate their work with local and state coordinating committees that include representatives of the Union Solidarity Development Association and similar groups;
- Select their Burmese national staff from government-prepared lists of individuals.

The increased restrictions have had greatest impact on efforts focused on prison conditions, forced labour, and ethnic conflict. The International Labour Organization (ILO) is mandated to define international labour standards including an internationally recognized ban on the use of forced labour through the Forced Labour Convention adopted 30 June 1930. Burma ratified this convention in 1955. An ILO Committee of Experts on the Application of Conventions and Recommendations on the Observance of the Forced Labour Convention (1930, No. 29 by Myanmar) noted that it has been commenting on the extremely serious case of forced labour in Burma for over 30 years (ILO 2006). The grave situation in Burma has been the subject of overwhelming criticism and condemnation in the ILO Conference Committee on ten occasions between 1992 and 2006, and in the Governing Body, by both governments and social partners. In 1997, the Commission of Inquiry concluded that the Convention was “violated in national law and in practice in a widespread and systematic manner” (ILO, 2007 Part 111/11). Despite yearly international condemnation the “continuing flagrant breaches of the Convention by the government and the failure to comply with the recommendations...led to the unprecedented exercise of article 33 of the Constitution by the Governing Body at its 277th Session in March 2000” (ILO 2007, Part 111/11). Forced labour practices continued and unions are illegal. The regime stated it would prosecute any person making ‘false complaints of forced labour’. The International Labour Organisation (ILO) has documented cases of forced labour in Burma for years. Yet it is very dangerous to report on forced labour from inside Burma as the following example shows. Nai Min Kyi and Aye Myint were sentenced to death (2004)

when a copy of the *Report of the Commission of Enquiry of the ILO on Forced Labour in Burma* (Burmese copy) was found in Aye Myint's house along with the name card of Richard Horsey, the ILO Liaison in Rangoon. Shwe Mann was arrested for being a member of the Federation of Trade Union of Burma (FTUB), having Richard Horsey's ILO professional card and a report of the ILO Commission. Shwe Mann, Nai Min Kyi, and Aye Myint, for many years have been documenting and sending information on forced labour, violations on workers rights, and the many abuses on rice farmers by the State authorities in Pegu Division, to the FTUB in Thailand. In the last court sentence, Shwe Mann was sentenced to life imprisonment. Nai Minn Kyi and Aye Myint were sentenced to three years of hard labour. This reduction in the severity of the sentence was due to pressure and intervention of the ILO and the International Confederation Free Trade Unions (ICFTU). The ILO stopped pursuing forced labour cases, negotiated the release of the three people (20 September 2006), and discontinued all project activities, due to the regime's policies. The ILO finally reached an agreement with the regime 26 February 2007 to establish a complaints mechanism for victims of forced labour (ILO 2007 Part 111/3).

The International Committee of the Red Cross (ICRC) has been blocked from prison visits. The ICRC international mandate is to visit prisoners during contexts of internal violence. After 13 years of negotiations with the regime, the ICRC was finally permitted to visit prisons from 1999 to 2005. The regime also greatly restricted the work of the ICRC to assist populations living in areas of ethnic conflict. Humanitarian work was paralysed. The International Committee of the Red Cross were denied free access to civilians living under difficult conflict conditions in border areas. The regime closed five ICRC field offices. The regime actions have reduced 90% of the ICRC humanitarian activities. The International Committee of the Red Cross (2007) took the unusual step of denouncing the military regime for serious and repeated abuses of civilians and political prisoners:

Low-intensity armed conflict between government forces and various armed groups continued to affect the population in large areas of Shan and Kayin states and eastern Bago division. Other violence of varying intensity also persisted, mainly in Kayah and Mon states, as well as Sagaing and Thanintharyi divisions. Following a rise in tension in northern Kayin state, the armed forces launched a military campaign in April against the Karen Liberation Army. An estimated 2,000 people fled across the border to Thailand and many more were displaced within Myanmar.

To a lesser degree the regime also impeded the United Nations food, development, and health programmes by restricting their ability to: "move food and international staff freely within the country and; conduct research needed to determine the nature and scope of some of Burma's problems" (GAO, 2007: 5).

Our research was conducted within Burma at a time of increased surveillance and restrictions on movements and activities of international organizations. Burmese citizens live within an insecure environment with limited means of contesting regime actions, no real legal recourse, and restricted access

to independent observers. Layers of surveillance exist from the military intelligence on top, the Police Special Branch, and community wardens watching all individual families in their districts. Individuals who collect details of regime abuse inside Burma and give to outside colleagues are especially at risk of detention.

Civilians' personal freedom to move is restricted. They suffer from severe, widespread use of forced labour, crop destructions, forced village relocations, and arbitrary arrest and persecution for simply voicing ideas against the regime.

4 RESEARCH FRAMEWORK

Our research is guided by a human rights approach to development and a vision of global justice. Amartya Sen (1999a: 11) writes of “human development as the freedom to be able to live as we would like”. Freedoms are not only the primary ends of development but they are the principal means of development. Political freedoms (free speech and elections) help to promote economic security. Social opportunities in the form of universal education and health services facilitate economic participation. Economic freedoms in the form of opportunities for participation in trade and production help to generate personal abundance as well as public resources for the common good. The realization of economic rights and social rights are closely linked to the condition of civil and political rights. In Burma, the military junta prevents people from pursuing their lives in peace. Individuals are denied their political and civil liberties. Restrictions are imposed on individual and group freedoms denying citizens opportunities of participation in the social, economic, and political life of their country. According to Amartya Sen (1999a) development consists of the removing of a variety of ‘un-freedoms’ that leave people with restricted options to explore and create their lives. Economic and political freedoms act to reinforce each other. Rather than waiting for economic growth before ensuring human rights, there is a synergistic effect wherein one stimulates the other. Sen identifies the following five distinct types of freedoms: political freedoms; economic facilities; social opportunities; transparency guarantees and; protective security. He argues that each of these rights help to promote the individual’s overall capability. Each of these rights, important in their own way, when inter-connected, become stronger.

We are guided by formulation of the concept of “global pluralism” and the need to develop a new vision of global governance, economy, and law as formulated by Errol Mendes and Ozay Mehmet (2003: 208-214). These authors suggest that individual human rights have not evolved as anticipated after the Second World War and the international framework and instruments designed to prevent future atrocities and human suffering. The dominance of territorial integrity has been maintained over the past decades at the expense of human integrity resulting in unbearable suffering for people who wait for justice. Amartya Sen (1999b: 120) broadens the concept of global justice with recognition that all global players, including individuals have multiple identities or “plural affiliations” opening the “exercise of fairness to be applied to different groups (including-but not uniquely-nations)”.

With a foundation of plural affiliations, Mendes and Mehmet (2003: 209), suggest that at the “core of their conception of global justice is a universal concept of human dignity that requires equal concern and respect from our multiple global identities as citizens of the planet and as citizens of national societies”. Not only individuals but corporations and institutions have responsibilities to multiple stakeholders within the context of global pluralism. For example, international corporations investing in gas and oil in Burma would be responsible to all of the people involved by this development rather than

their shareholders and the regime. Three oil companies (Total, Premier, Unocal) entered into partnerships with Burma's military regime to construct Yadana and Yetagun pipelines. The regime created a highly militarized corridor for the pipeline to be developed. The people living in the area were brutally controlled by the regime which used violent suppression of dissent, environmental destruction, forced labour and portering, forced relocations, rape, and summary executions. These human rights abuses which occurred with the knowledge of corporate investors became the focus of a worldwide movement for divestment from Burma (Earthrights International, 2000).

Within a framework of global pluralism, the five permanent members of the UN Security Council would need to accept "fundamental duties to all actual and potential victims of human rights and humanitarian disasters, not just to the interests of their own governments and citizens" (Mendes & Mehmet, 2003: 210). Ruled for decades by military regimes, there are no rights for the people of Burma. The ruling regime holds power by force ignoring pleas to stop human rights violation. In respect of the territorial integrity of the state of Burma, the regime is recognized as the national government in international fora such as the United Nations, while the people suffer. Burma's troubles go beyond national human rights violations to serious impacts for the region and the international community. International opinion on how to deal with such an unresponsive regime is divided. Should a people be denied external assistance because they are ruled by an oppressive regime? Or should it be recognized that by revealing the serious restrictions on freedom and abuses in the country as well as helping the people of Burma within the current situation are necessary? What is the role and responsibility of the international organizations? Vaclav Havel, former president of the Czech Republic and Desmond Tutu, Nobel Peace Laureate and Archbishop of South Africa commissioned a report (2005), *Threat to the Peace: A Call for the UN Security Council to Act in Burma* and launched a joint appeal to the international community to place Burma on the agenda of the United Nations Security Council. A draft resolution was submitted by the United States and Britain to the UN Security Council concerning Burma. But China joined with Russia in January 2007 to veto the resolution, the first time in 35 years that these two major powers worked together to use their veto power in the Council. Inge Brees (2007: 26-28) argues this was never going to be an easy discussion as several permanent members of the Security Council, such as China and Russia have strong geo-strategic interests in Burma. Rather, less politically sensitive instruments than the "threat to peace" resolution could be used with more success through the concept of collective "responsibility to protect" for which the UN Security Council recently confirmed (UN Security Council, Resolution 1674, 28 April 2006).

The Copenhagen Declaration on Social Development and Programme of Social Action seeks to make human rights the framework for achieving the goals of the World Summit for Social Development (Copenhagen, 1995). This strategy assumes that the norms and process of implementing human rights

will inform decisions on development policies. It assumes that the norms and processes of human rights will empower social and economic groups, hitherto excluded from or disadvantaged in entitlements and development. Specifically it assumes that human rights norms that require and support democracy will provide the basis for political and social stability and that social and economic rights will eliminate the worst consequences of poverty (Ghai, 2001).

Little is known about the lives of farmers and their families in Burma. One aim of our research is to increase awareness of the plight of farmers through wide dissemination of the research back into Burma. The language of human rights has been used to develop a critical consciousness in the person and to encourage social action to overcome oppressive social structures (Magendzo, 2002). This awareness of universal rights as human individuals is a powerful tool for denying the power of the military regime and empowering individuals in their struggles against state rule. Popular consciousness of rights is often dulled by the “burden of traditional values and authority” (Ghai, 2001). The livelihoods of farmers in all townships, states/ divisions, and ecological areas are severely threatened by the arbitrary confiscation of their land by the military regime. Knowledge of the extent, degree and constancy of this confiscation can raise awareness of farmers in Burma giving greater force to their demands for justice. The regime’s practices deny livelihoods of the majority of Burma’s population and are not restricted to border areas or to areas of ethnic minorities.

Research was also informed by recent evolution of rights to housing and property restitution for refugees, internally displaced persons, and others forced to vacate their homes and lands because of circumstances beyond their control. Previously, when a person, family, or community was forced to leave their places of regular residence due to armed conflict, human rights violations, or illegal expropriation, there was little recourse for them to regain their land or property. New international legal frameworks provide clear ways of restoring housing, land, and property to those individuals affected. The International Law Commission’s *Articles on State Responsibility* (UN Doc. A/55/10, 2000) offers broad international legal rules and principles of definite preference for restitution as a remedy for violations of international law, specifically violations involving the illegal confiscation of housing, land, or property (Leckie, 2003: 5- 6; (FAO, iDMC, OCHA, OHCHR, Un-Habitat, UNHCR, 2007).

In Burma, the regime has arbitrarily confiscated land, forced farmers to grow certain crops, and displaced farmers from their land, to benefit regime businesses or for infrastructure development such as construction of drainage system. How do persons or groups re-claim ownership of their land and farms in future democratic rule?

Research Methodologies

Analysis of land laws and land use in Burma from independence to present placed the current context of land confiscation within an historical framework. A broader literature review of land tenure with special reference to reconciling customary and formal land rights in developing countries and in establishing land ownership in countries post-conflict was conducted to inform policy for future democratic Burma. A range of official SPDC regime reports, Village Peace and Development Council letters, scholarly papers, unpublished and published research findings, reports and news articles of Burmese and non-Burmese sources were analysed.

A set of interview questions was formulated after discussion among elected members of parliament in exile (National Coalition Government of the Union of Burma) and Burmese and non-Burmese scholars (see Appendix 1, English-Language Questionnaire). We sought to document the current situation of arbitrary confiscation of land, labour and livelihoods of farmers inside Burma, not in border areas. All farmers and their families have been displaced from their farmland confiscated by the military regime. None of the farmers are refugees.

Questions were designed to give details of confiscation including who confiscated (SPDC authorities, private companies, local government officials), for what stated reason (entrepreneurs, re-distribution, infrastructure development), what was confiscated (crops, labour, land), the value of these, when did confiscation occur, was there any compensation, and was there contestation of the confiscation. Open-ended questions were designed to elicit responses concerning social, economic, health, and general impacts of having farmland confiscated. We also asked what farmers and their family members would like the NLD and the NCGUB to know about the current situation of farmers in Burma.

Research was informed by previous findings, reports, international studies, and statements of people forced into exile. Our study is based on information gathered inside Burma over the period November 2006 to September 2007. All of the respondents have been displaced from their farms and most now work as labourers in nearby villages or on their former farms, or in city factories. A significant contribution of this research is that it was conducted inside Burma with considerable risk for the individuals involved. Because of these security risks involved in data collection, there are inconsistent data sets for the townships. Information not anticipated, data of different kinds was collected, and some questions were not answered. A large network of people working inside Burma and along the Thailand/Burma border made this research possible. We cannot give their names to protect them from arrest by the regime.

Khun Mak Ko Ban, elected member of parliament for Phekon and Kayah representative for the Democratic Organization for Kayan National Unity (DOKNU) and U Kyaw Htet, of Yoma News Group and the Democratic Development Committee of the National Coalition Government of the Union of

Burma (NCGUB) organised research teams inside Burma. The focus and reason for the research was explained to messengers, individuals who support the NLD, have collected information concerning forced labour and other issues, and can and dare cross the border into Thailand from Burma and back again. Fourteen individuals, two in Karenni State and 12 in the other States and Divisions, clandestinely collected information and conducted interviews where possible. The results of their research including hand drawn maps, photographs, official letters, interview notes, and other documentation, was couriered across the borders into Thailand by messengers. All original documents were then translated into English.

Interviews were conducted with 467 respondents, male and female household heads, or family members living in villages of fourteen townships of Pegu, Rangoon, and Irrawaddy Divisions, and Arakan, Karenni, and Shan States, from January to September 2007. Informers of the State Peace and Development Council (SPDC) including village authorities, members of the Union Solidarity Development Association (USDA) and *Swanahshin* (paramilitary enforcers) watch over all unauthorised activities in villages making open discussion impossible. Interviews were conducted where it was considered safe to talk, sometimes in homes, in fields, and under cover of darkness at night. We found that many Burmese farmers are not formally educated, and for good reason are very frightened of speaking openly about confiscation of their land and crops. But their children wanted to inform the researchers of the severe losses their families suffered due to farms being confiscated by the SPDC regime and the loss of their livelihood and future. Some farmers' children led the researchers by bicycle and by foot sometimes at night to show what land had been taken, where it was and spoke of their sadness. These family members wanted the world communities, international organisations to understand what was happening in Burma. Questions concerning details of confiscation were difficult to answer. The majority of farmers do not have detailed accounts of their household expenditures so could not give specific responses but offered values in a range of ways.

Inside researchers knew about groups of farmers from Kawa and Okpo Townships of Pegu Division, Kyaunggon Township, Irrawaddy Division and farmers in Arakan State who had made complaints to the SPDC concerning their land confiscation. The farm leaders and lawyers representing these farmers were approached directly by our inside team. A variety of methodologies were used depending upon the security of the researchers and the respondents. We were concerned with discovering as much as possible about the current situation of farmers in Burma. Aware of the high levels of regime surveillance, we did not want to put any person in danger of detention. All participants in this research were aware of the dangers to their personal security. The brave people who agreed to speak wanted the broader 'world' to know about their lives and increasing poverty with no land to farm. Some farmers have contested the uncompensated arbitrary confiscation of their land through the legal framework, but they reported that as there is no rule of law or independent judiciary in Burma, they do not expect a just

response. With no local means of restoring their rights to farm they therefore spoke out as a means of calling attention for outside help from international organisations such as the International Labour Organisation and farmers' unions.

Our research study was significant as it was conducted with farmers still trying to farm inside Burma and often contesting their land confiscation. The majority of those interviewed were of Burman (Bamar) ethnicity and Buddhist faith with the exception of farmers from Karenni and Shan minority ethnicity in Karenni (Kayah) and Shan States.

Research Findings

Findings of interviews with household heads will be discussed for each of the villages in the townships covered within the three States and the three Divisions. Villages are the smallest administrative unit. We sought to describe the household profile including all members of the household, their education, health, work and a household profile of confiscation. How had confiscation changed their lives? What had they lost? What was their work before and after confiscation? Findings vary due to the difficulties involved in collecting information and the inability to freely discuss any issues in Burma. Interviews were conducted quietly at great risk to individuals involved. The farmers who spoke would like their plight to be recognised by international observers.

The daily survival of farmers and their families is totally dependent upon their rights to farm their land, plant crops of their choice, and sell crop produce freely. This survival is threatened as families have been forced off their land. All farmers stated that the one thing that could improve their condition was to have their land returned. They stressed that as long as the military regime was in control, ruling by force with no rule by law, and allowing no voice to the farmers, there could be no positive change in farmers' lives and no improvement in their livelihoods.



Map 4: Pegu (Bago) Division

Source: Ministry of Information, 2007, *Chronicle of National Development*, Yangon: SPDC, p. 189

5 PEGU (BAGO) DIVISION

Pegu Division in the southern portion of the central plains of Burma is bordered on the north by Magwe and Mandalay Divisions, to the east by Karen and Mon States, Rangoon Division in the south, and Arakan State and Irrawaddy Division to the west. The region has an area of 39,404 square kilometres. Agriculture, livestock breeding, and fisheries are the major economic activities (Hla Tun Aung, 2003: 621). The average household size in Pegu (East) is 5.5 with 36.1% of the rural households and 44.8% of the total households being landless. About one quarter of households farm less than five acres of land, another 18% have between five to ten acres, while 8.44% of households have between 10-20 acres. The average household size of Pegu (West) is 5.3 with 27.9% of households farming less than five acres, another 14.8% with between five to ten acres. Over half of the total households (53.3%) and 42.9% of the

rural households are landless in Pegu Division compared with 40% landless total households and 30.3% rural landless households nationally (FAO & World Bank, 2004).

Special recognition has been granted in Burmese law to cover moveable lands called 'impermanent' lands. These lands become inundated and submerged during Monsoon season of May to September by river water and emerge when river water recedes in October and November. 'Moveable' lands are geo-physically and agriculturally viewed as impermanent lands varying in size and site. When appearing these 'moveable' lands belong to agricultural lands. Disputes concerning these lands cannot be tried in the courts but by the People's Councils via section 66 (d) of the Law of the Rights and Rules of 1963 utilizing special powers given via the letter Number 1/ Balaka (9) Gagyì 70 (292) by the then Central Land Committee (27 May 1970). But given the insecurity of land and property rights in Burma where the State is the owner of all land, abuses occur, such as the example discussed.

Southern Pegu / Bago Division

Three hundred sixty two households of Thabanseik, Aungkaungnyunt, and Mamauk Villages, Kawa Township, Southern Pegu Division, had their farmland and Sit Taung River sand flats confiscated by local or regional authorities in 2003. When the sand flats were submerged by increased flows of the Sit Taung River, a regular occurrence, the sand flats were seized and re-distributed to Village Peace and Development officials, government departments, and entrepreneurs. The families who had farmed the land for generations were given no compensation for their land, crops or property (cows, equipment, gold, and watches) and were reduced to eking out an existence as casual labourers, in some cases on their former land. The displaced seek to have their village status re-recognised. The farmers have contested the arbitrary confiscation of their land and rights to a livelihood. Included below are translated copies of letters sent on behalf of the 362 households, to Major General Ko Ko, Divisional Commander and Chairman, Divisional Peace and Development Council, Bago Division (16 March 2007), a letter confirming the existence of the households, and map of Thabanseik and Mamauk Villages.

To
Major General Ko Ko
Divisional Commander and Chairman
Divisional Peace and Development Council
Bago Division
Dated: 16 March 2007
Subject:
Ernest request as "an act of rescue" to help and assist for the 362 families
From: Thabanseik village, Kawa Township, Bago Division

Dear Divisional Commander,

We would like to plead with respect for your kind consideration:

1. The submissions for your kind consideration, the common/ ordinary people of Thabanseik village, Kawa Township, Bago Division, contain the actual problems the grass root people are experiencing.
2. The Chapter 7, Regulations Section of the vacant land, Non-cultivable land and Wasteland Central Management Committee stated that land cannot be sold or mortgaged, subdivided and transferred without the permission being granted from the Central Organisation.
3. At the Zeya Theri Hall, Yangon, on 24-10-2004, State Peace and Development Council Member, General Thura Shwe Man has explained again the instructions given by "the country's head of state".

4. The true facts are that the "river flats" land that had submerged at Thabanseik village has been redistributed to government departments, organisations and moneyed people, whereas the villagers have received absolutely nothing. There are real evidences that some of the landholders have no intention of cultivating their land but are holding them only as "speculative product". Therefore, the 362 families/ households living in the village, from generations to generations, have been relegated to dispossessed casual labourers (coolies), from which there is no escape even till now. This situation has actually placed us outside the boundary of the protection of the State.
5. We, therefore humbly request to help and rescue us, for the sake of the Thabanseik village

Respectfully and with hope,

Sd/-
U Aye Myint
Lan-pya-kyei-myar
No. (1356), 6th Street
Ah-lin-yaung (1) Suburb
Bago

Village Peace and Development Council
Mamuak Village, Kawa Township
Dated 28 February, 2007

To whom it may concern

Subject: To certify that it is correct and true

This is to certify that regarding the above issue, Thabanseik village had well and truly existed within Mamauk, (12) village tract as Thabanseik village.

Sd/-
Village Peace and Development Council
Mamuak Village Tract Office, Kawa Township

To
Major General Ko Ko
Divisional Commander and Chairman
Divisional Peace and Development Council
Bago Division

Dated: 16 March 2007

Subject:
Appeal to re-recognize as a legal village of 362 households of our Thabanseik village and to relocate the land for our earning.

Dear Divisional Commander,

1. Our Thabanseik village located a long time ago Mamauk village tract, Kawa Township, Bago Division which disappeared due to the Sit Taung river bank erosion in 1970 (see map). Since then all the villagers have been living in neighbouring villages as landless labourers.
2. Five thousand acres of land including old Thabanseik village re-emerged in 2000. Therefore, we old Thabanseik villagers have been living in the original place.
3. The Chairmen of the Township Peace and Development Council, Township Land Record Officers and other respective Township Departments and fake farmers have been continuously confiscating our land, but we, 362 households did not receive anything for our survival. Some township organizations and departments sold the land giving the reason of the public service fund and some are still taking in the form of land rent fees.
4. Given these circumstances, our village was automatically excluded from the care of the nation and we have been informing of visitors and our generation will be as permanent landless labourers in the future. (Our current real situation is like slaves of the pagodas).
5. Thus, to rescue our livelihood, we earnestly appeal:
 - (a) to recognize our Thabanseik village as a legal village;
 - (b) to distribute the land legally (list of village households attached)

With respects,

Agents on behalf of villagers:

No.	Name	Parent's Name	Registration No.	Photo	Address	Fingerprint	Signature
1	U Win Bo	U Ba Tin	KaNaWa (Naing) 009929		Thabanseik		
2	U Soe	U Kyin Maung	11/KaHtaNa (Naing) 010026		Thabanseik		
3	U Thein Win	U Tin Maung	Nil		Thabanseik		
4	U Chit Tin	U Khway	2/ThaNaPa (Naing) 042782		Thabanseik		
5	U Than Htwe	U Maung Lwin	7/KaWaNa (Naing) 009843		Thabanseik		

Copy to:

1. Sr. General Than Shwe, Chairman, SPDC
2. Lt. Sr. General Maung Aye, Deputy Chairman, SPDC
3. General Thura Shwe Mann, member, SPDC
4. General Soe Win, Prime Minister
5. Lt. General Thein Sein, Secretary (1) SPDC
6. Chairman, District Peace and Development Council, Bago District
- 7.

ရွာသူ/သားများ၏ ကိုယ်စားပြုအကျိုးဆောင်များ

စဉ်	အမည်	အဘအမည်	မှတ်ပုံ တင်အမှတ်	ဓာတ်ပုံ	ဇနီး လိပ်စာ	လက်ဓမ္မ	လက်မှတ်
၁	ဦးဝင်းမိုလ်	ဦးဘတင်	ကနဝ(နိုင်) ၀၀၉၉၂၉		သန္တာရ		
၂	ဦးစိုး	ဦးကျင်မောင်	၁၀/ကထာ(နိုင်) ၀၁၀၀၂၆		သန္တာရ		
၃	ဦးသိန်းဝင်း	ဦးတင်မောင်	မရှိ		သန္တာရ		
၄	ဦးချစ်တင်	ဦးဆွေ	၂/သနပ(နိုင်) ၀၄၂၇၈၂		သန္တာရ		
၅	ဦးသန်းထွေး	ဦးမောင်လွင်	၇/ကဝန(နိုင်) ၀၀၉၈၄၃		သန္တာရ		

မိတ္တူကိုင်



Figure 5: Thabanseik and Mamauk Villages, Pegu Division.

Source: U Aye Myint, 16 March 2007, Pegu. (Khin Myo Myint, 20 August 2007, Map Translation)

Three Household Profiles
Thabanseik Village, Mamauk Village Tract
Kawa Township
Bago / Pegu Division

House Hold	Land	Value Kyat	Crop	Output	Value/Kyat	Other	Value Kyat	Name/Date Confiscation	Reason	Compensation	Current Work	Forced Work
1 Daw Nyunt Khin	35 acre farm & river sand bank	3,500,000 & 5,000,000 Est annual income	Paddy	1400 Basket	5,000,000	4 cows Farm equipment Gold 1 tical ²	600,000 200,000 400,000	General Administrator Kawa Township 2003	Private ownership	None	Son Sesame reaping 10 miles from home	Inform of visitors to village

Name	Status	Age	Sex	Education	Illness	Treatment	Cost Kyat	Work	Work after confiscation	Avg/Month Income/Kyat Before/After
Daw Nyunt Khin	Head Widow	67	F	Monastery School	Fever	Mamauk Clinic	1500	Farm	Sea Fish	50,000/ 50,000
U Myint Kyaw	Son Married	40	M	4 th Grade	Fever	Mamauk Clinic	2000	Farm	Sesame cultivation	50,000/ 60,000
Ma Aye	D-in-L Married	37	F	Monastery School	Fever	Mamauk Clinic	2000	Farm	Carrier	
Ko Phyo	Grand Child	15	M	Bago SHS 9th						
Ma Nwe	Grand Child	11	F	Bago SHS 6th						

Table 2: Household Profile 1, Thabanseik Village, Mamauk Village Tract, Kawa Township, Pegu Division

House Hold	Land	Value Kyat	Crop	Output	Value Kyat	Other	Value Kyat	Name/Date Confiscation	Reason	Compensation	Current Work	Forced Work
2 U Tin Soe	45 acre farm & river flats sand bank	4,500,000 & 10,800,000 Est annual income	Paddy Beans	1800 Basket ³ 225 Basket	6,300,000 4,500,000	12 Buffaloes Farm equipment Gold/Silver Food (rice oil, pig, poultry)	1,800,000 200,000 400,000 300,000	Kawa Township Police Dept early monsoon 2003 & Leased land	Make Police Dept Land	None	Work at Village 1 mile away	Inform of visitors to village

Name	Status	Age	Sex	Education	Illness	Treatment	Cost Kyat	Work	Work after confiscation	Avg/Month Income/Kyat Before/After
U Tin Soe	Head	55	M	Monastery School	Fever	Mamauk village clinic	2000	Farm	Sell/ Buy Trader	900,000/ 100,000
Daw Khin Thein	Wife	48	F	Monastery School	Fever	Mamauk village clinic	2000			
Ko Kyaw Thu-ya	Son	25	M	4 th Std				Farm	Sell/ Buy Trader	50,000
Ko Win Thu-ya	Son	23	M	6 th Std				Farm	Sell/ Buy Trader	50,000
Ko Aung Thu-ya	Son	21	M	7 th Std				Farm	Sell/ Buy Trader	50,000
Ko Thein Zaw	Son	19	M	1 st year				Farm	Sell/ Buy Trader	50,000

Table 3: Household Profile 2, Thabanseik Village, Mamauk Village Tract, Kawa Township, Pegu Division

² One tical, equivalent to 0.56 ounces/ 15 grams of 24 carat gold, was worth US\$310 or 450,000 Kyat March 2006.

³ One basket of rice is equivalent to 25 kilograms or 55 pounds.

Arbitrary Confiscation of Farmers' Land by the State Peace and Development Council (SPDC) Military Regime in Burma

House Hold	Land	Value Kyat	Crop	Output	Value Kyat	Other	Value Kyat	Name/Date Confiscation	Reason	Compensation	Current Work	Forced Work
3 U Than Lwin	90 Acre Farm & river flats sand bank	9,000,000 & Est annual income 16,000,000	Paddy	4000 Baskets	16,000,000	6 Cows Vehicle Gold 1 Tical	900,000 300,000 2,000,000	Dadaroo Village PDC U Hla Aye 2003	Re-sell 400,000 To 700,000	None	Work village 1 mile away	Inform as visitors to village

Name	Status	Age	Sex	Education	Illness	Treatment	Cost Kyat	Work	Work after confiscation	Avg/Month Income/Kyat Before/After
U Than Lwin	Head	65	M	Monastery School	Gassy	Burmese traditional medicine		Farm	Chilli Carrier Casual	1,300,000/100,000 For all family members
Daw Tin Htwe	Wife	50	F	Monastery School	Fever	Mamauk village clinic	2000	Farm	Chilli Carrier Casual	
Ma Hsan Oo	Daughter married	34	F	Monastery School						
Ko Htay Win	Son	32	M	Monastery School						
Ma Thay Thay	Daughter	30	F	Monastery School						
Ko Bay Dah	Son	23	M	Monastery School				Farm	Chilli Carrier Casual	

Table 4: Household Profile 3, Thabanseik Village, Mamauk Village Tract, Kawa Township, Pegu Division

**Three Household Profiles
Mamauk Village
Mamauk Village Tract
Kawa Township
Bago / Pegu Division**

House Hold	Land	Value Kyat	Crop	Output	Value Kyat	Other	Value Kyat	Name/Date Confiscation	Reason	Compensation	Current Work	Forced Work
1 U Tin Shwe	45 acre farm & river sand banks	4,500,000 & 21,800,000 Est annual income	Paddy 45 acres Beans 25 acres	1800 Baskets Basket	6,200,000 15,600,000	12 Animals Vehicle/ equipment Silver/ Gold 1 Tical Food (rice, oil, pig, poultry)	1,800,000 300,000 400,000 300,000	General Admin Directorate U Sai Lu Maung 2003	Re-sale 400,000 To 700,000	None	Work village 1 mile away	Inform of visitors to village Fire watch/ Cleaning village 500-1000K to YaYaKa Village Council

Name	Status	Age	Sex	Education	Illness	Treatment	Cost Kyat	Work	Work after confiscation	Avg/Month Income/Kyat Before/After
U Tin Shwe	Head	69	M	Monastery School	Eye	Rangoon Clinic	2000	Farm	Depends on children	1,800,000/ Nil
Daw Khin Yi	Wife	49	F	Monastery School	Fever	Rangoon Clinic	2000	Farm	Depends on children	

Table 5: Household Profile 4, Mamauk Village, Mamauk Village Tract, Kawa Township, Pegu Division

Arbitrary Confiscation of Farmers' Land by the State Peace and Development Council (SPDC) Military Regime in Burma

House Hold	Land	Value Kyat	Crop	Output	Value Kyat	Other	Value Kyat	Name/Date Confiscation	Reason	Compensation	Current Work	Forced Work
2 U Maung Lwin	20 acre farm & river sand banks	2,000,000 & 2,800,000 Est annual income	Paddy 20 acres Beans 10 acres	800 Baskets Basket	1,900,000 900,000	5 Cows 25 Buffaloes Vehicle/ equipment Silver/ Gold 2 Ticals Food (rice, oil, pig, poultry)	370,000 4,000,000 300,000 800,000 300,000	Dadaroo Village PDC U Hla Aye 2003	Re-sale 400,000 To 700,000	None	Moved to village 1 mile away	Inform of visitors to village Fire watch/ Cleaning village 500-1000K to YaYaKa Village Council

Name	Status	Age	Sex	Education	Illness	Treatment	Cost Kyat	Work	Work after confiscation	Avg/Month Income/Kyat Before/After
U Maung Lwin	Head	79	M	Monastery School	Eye	Bago clinic Traditional Burmese	10,000	Farm	Farmhand	900,000/ 50,000
Daw Tin Gyi	Wife	78	F	Monastery School	Fever	Bago clinic & Village medicine	2,000		Bago Industrial Zone	25,000
U Than Htwe	Son	42	M	4 th Grade				Farm	Casual Labour	
Daw Aye Shwe	D-in-L	39	F	4 th Grade				Farm		
Ma Maw Lwin	Grand child	21	F	5 th Grade				Farm	Factory	28,000
Ma Maw Gyi	Grand child	19	F	5 th Grade					Factory	28,000
Ma Su Kyi	Grand child	17	F	5 th Grade				Farm	Factory	28,000
Ma May Zin Phy	Grand child	3	F							

Table 6: Household Profile 5, Mamauk Village, Mamauk Village Tract, Kawa Township, Pegu Division

House Hold	Land	Value Kyat	Crop	Output	Value Kyat	Other	Value Kyat	Name/Date Confiscation	Reason	Compensation	Current Work	Forced Work
3 U Aung	20 acre farm & river sand banks	2,000,000 & 118,000,000 Est annual income	Paddy 20 acres Beans 10 acres	800 Baskets 250 Basket/ton	2,800,000 9,000,000	5 Cows 25 Buffaloes Vehicle/ equipment Silver/Gold 2 Ticals Food (rice, oil, pig, poultry)	370,000 4,000,000 300,000 800,000 300,000	Dadaroo Village PDC U Hla Aye 2003	Re-sale 400,000 To 700,000	None	Family moved to village 10 miles away	Inform as visitors to village Fire watch/ Cleaning village 500-1000K to YaYaKa Village Council

Name	Status	Age	Sex	Education	Illness	Treatment	Cost Kyat	Work	Work after confiscation	Avg/Month Income/Kyat Before/After
U Aung	Head	62	M	Monastery School	Fever	Clinic Nearby	1500	Farm	Farm Labourer	1,000,000/ For all family members 50,000
Daw Thauk Kyin	Wife	58	F	Monastery School	Fever	Clinic Nearby	1500		Farm labourer	50,000
Mg Tin Tun	Son	40	M	Monastery School				Farm		
Mg Thauk Hlaing	Son	37	M	Monastery School				Farm		
Ahmar Sein	Daughter	34	F	Monastery School				Farm		
Mg Min Khaing	Son Married	31	M	Monastery School				Farm		Income not included
Mg Min Naing	Son	25	M					Farm		
Ma San Khaing	Daughter	22	F							

Table 7: Household Profile 6, Mamauk Village, Mamauk Village Tract, Kawa Township, Pegu Division

Two Household Profiles
Aungkaungnyunt Village, Mamauk Village Tract
Kawa Township, Bago/ Pegu Division

House Hold	Land	Value Kyat	Crop	Output	Value Kyat	Other	Value Kyat	Name/Date Confiscation	Reason	Compensation	Current Work	Forced Work
1 U Hmat	15 acre farm & river flats sand bank	1,500,000 & Est annual income 11,300,000	Paddy 15 acres Beans 15 acres	600 Baskets 450 Baskets	2,100,000 11,200,000	4 Buffaloes Gold 1 Tical Vehicle/ equipment Food (rice, oil, pig, poultry)	600,000 400,000 100,000 300,000	Dadaroo Village PDC U Hla Aye 2003	Re-Sell For 400,000 To 700,000	None	Work village 1 mile away	Inform visitors to village Fire watch/ Cleaning village 500-1000K to YaYaKa Village Council

Name	Status	Age	Sex	Education	Illness	Treatment	Cost Kyat	Work	Work after confiscation	Avg/Month Income/Kyat Before/After
U Hmat	Head	61	M	Monastery School	Fever	Welpatan Clinic	2000	Farm	Farm Labourer	1,100,000/ 40,000 For all Family members
Daw Myint	Wife	60	F	Monastery School	Deceased					
Maung San Win	Son	36	M	4 th Grade				Farm	None	
Ma Maw	Daughter	32	F	4 th Grade				Farm	None	
Maung Htwe Nyunt	Son	30	M	4 th Grade				Farm	Farm labourer	
Ma Aye Khaing	Daughter Married	24	F	4 th Grade				Farm	None	

Table 8: Household Profile 7, Aungkaungnyunt Village, Mamauk Village Tract, Kawa Township, Pegu Division

House Hold	Land	Value Kyat	Crop	Output	Value Kyat	Other	Value Kyat	Name/Date Confiscation	Reason	Compensation	Current Work	Forced Work
2 U San Chain	45 acre farm & river flats sand bank	4,500,000 & Est annual income 6,300,000	Paddy 14 acres	1800 Baskets	6,300,000	8 Cow/ Buffaloes Vehicle/ equipment Food	1,200,000 300,000 300,000	Police Battalion 2003	Police Dept owned	None	Labour moved to Rangoon Industrial Zone	

Name	Status	Age	Sex	Education	Illness	Treatment	Cost Kyat	Work	Work after confiscation	Avg/Month Income/Kyat Before/After
U San Chain	Head	51	M	Monastery School				Farm	Factory Labour Rangoon	500,000/ 30,000
U Kyaw Lwin	Father	77	M	Monastery School	Fever	Burmese medicine	1500	Farm	Food seller	-/50,000
Daw Khin Thein	Wife	50	F	Monastery School				Farm	Factory Labour Rangoon	-/30,000
Khin San Maw	Daughter	27	F	8 th Grade				Farm	Factory Labour Rangoon	-/30,000
Ma Aye Khaing	Daughter	25	F	10 th Grade				Farm	Factory Labour Rangoon	-/30,000
Ko Thet Aung	Son	23	M	2 nd Year				Farm	Factory Labour Rangoon	-/30,000
Ma Than Soe	Daughter	21	F	9 th Grade						
Ma Zin Mar Soe	Daughter	15	F	7 th Grade						

Table 9: Household Profile 8 Aungkaungnyunt Village, Mamauk Village Tract, Kawa Township, Pegu Division

Results of interviews conducted with eight household heads, all Buddhist and of Burmese/ Myanmar ethnicity, in three villages of Mamauk Village Tract, give details of what was confiscated, who ordered the confiscation, and when confiscation took place (Tables 1-8). Household heads stated that five acres farmland had been sufficient to support a family. But village authorities abused their powers, acted as the land council, took the land from farmers forcing them to move. The implications of uncompensated confiscation on family households show dramatic loss of income, change of work, and loss of 'rights' as village status. Every person interviewed stated that their quality of life, their health and economic situation would only be improved when farmland was given back to them.

Work

Households show a variety of survival tactics. Families who moved with their children to cities found work in factories, or as casual labourers, earned low wages. Others continued work on their former land as hired farm labourers. Some used their savings to work as traders or start new businesses, but were inexperienced in commercial ventures. Those with no savings and not able to work as farm labourers, reported a variety of activities, such as herding cows/ buffaloes seven miles from their village, gathering vegetables from paddy fields, doing casual work, becoming fishers, and eating fish and frogs. All reported great reductions in income in whatever activities.

Health

People rely on indigenous Burmese medicine and 'illegal' medicine men as there are no other health clinics available in Kawa Township. All reported seeking medicine for unspecified 'fevers'. Several stated that they continued to work in spite of illness as they had no access to help. Diet and nutritional levels have been reduced as families can no longer depend upon their own crops but are forced into buying food and searching for wild roots, frogs, plants.

Social

Since confiscation of their land, people are not recognised as constituting a village, so must report as visitors regularly to the Village Peace and Development Council (VPDC), donate time as fire watchers, village cleaners, and contribute cash on demand to the VPDC authorities. Children are denied their right to attend village schools. Families are resorting to educating their own children but with less time to dedicate to teaching children. Children are denied an education. Families have been separated as members seek work and income from a variety of activities including walking long distances each day.

Ways of Improving Living Standards

Unanimously, people stated that their lives would improve when their household village registration status was re-issued, farmland was re-turned to owners, schools were re-constructed, children granted an education, and health clinics constructed. Several farmers suggested better transportation

services and access to clean water through construction of tube wells. Some farmers would accept alternate farmland in lieu of losing their own.

Confiscation Bago / Pegu Northern Division

Seventeen farmers, in northern Pegu, had cultivated 72 acres of paddy land in Mekkadan Village Tract since 1992. The Okpo Township Land Records and Settlement Department and successive chairmen of the Mekkadan Village Land Council confiscated (2004) these farmers' lands which remained unused. The farmers with no means of livelihood contested this 'unlawful' confiscation demanding that their cultivation rights to the land be restored (see Letter May 2007). Farmers in Burma have only cultivation rights to the land they occupy. There is no legal ability to sell, lease, or otherwise dispose of their land rights to other persons, and consolidation of holdings does not therefore occur. The basic colonial era system of land records and taxation remains in operation, with detailed surveys of land use to coincide with major cultivation seasons. Land tax rates (no more than 22 Kyat per acre) date however from pre-independence era (FAO & World Bank 2004: 15).

To
The Chairman
Division Peace and Development Council
Pegu Division (Northern Sub-Division)

Date 9-5-2007

Subject:

- (a) To investigate and prosecute those persons involved in unjustly confiscating paddy land from cultivators that have use-occupancy and holding rights of land.
- (b) Submission of complaint and to allow occupancy and cultivate paddy land that has been confiscated.

- (1) I am U Myint Aung (father-U Han Shein) National Registration Number (NRC) 7/ah' pha' na' (Naing) 999950, residing at Ywarthit village, Balar Village Group/Tract, Okpo Township, Pegu Division (Northern), and as representative for all 17 land holders submitting this complaint.
- (2) All of us since 1992/93 has worked on the 72 acres of paddy land, kwin (plot) number 855, Mekkadan Village Tract, having been issued occupancy-land use rights permits. The above land has been in our possession and cultivated for our livelihood (1992-93 Land Revenue Payment receipts are attached)
- (3) In 2004/2005 the Okpo Township Land Records and Settlement Department and successive chairmen of the Mekkadan Village Land Council confiscated our 72 acres of land. Till now the confiscated land has not been put under cultivation.
- (4) For the above reasons, in 2004, we requested permission that we be allowed to cultivate rain season paddy and winter cash crops. Till now we have not received back our confiscated land.
- (5) Therefore we request (a) to investigate and prosecute the Okpo Township Land Settlement and Records Department and the Chairman of the Village Land Council, the responsible officers for unlawfully confiscating our land that we have been paying land revenue for working on it; and (b) allow us again, to occupy and work on the above paddy land before the oncoming rainy paddy growing season.

We forward our complaint and submission.

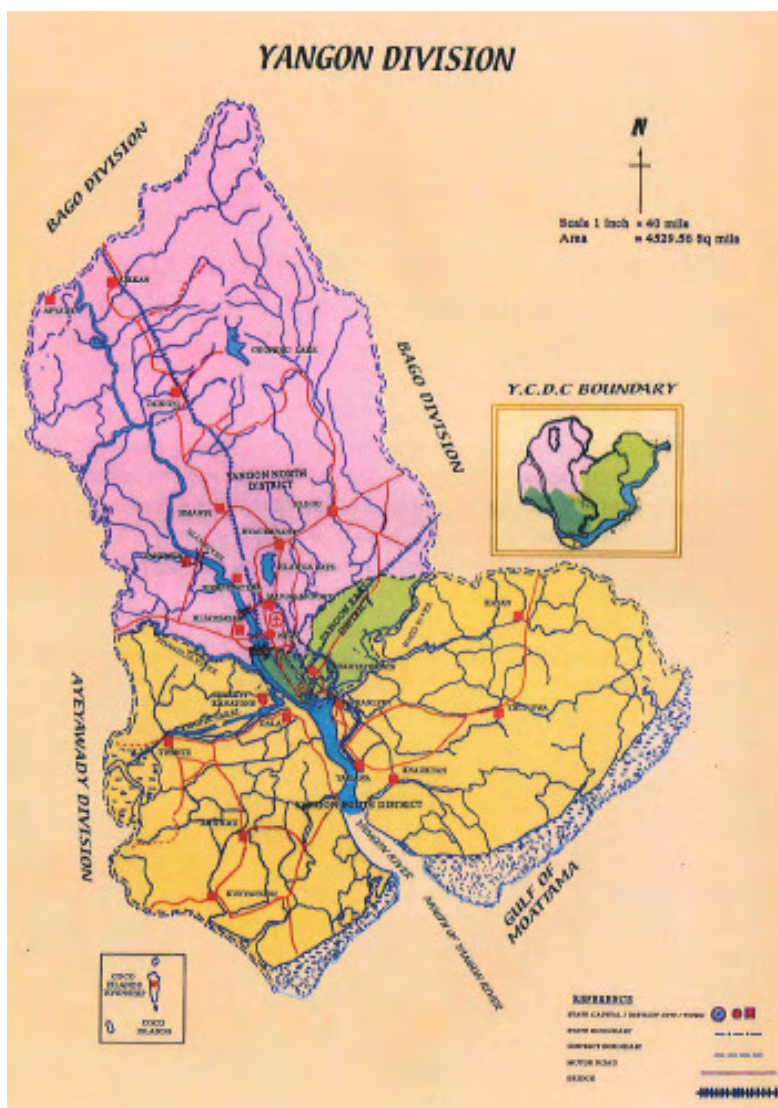
- (1) The names and signature of the disadvantaged (17) cultivators/farmers
- (2) The endorsement by the Chairman, Village Land Council, Balar village group/tract
- (3) Land revenue payment receipts for 1992-93 to 2003-4
(Thumb-print)

9-5-07
Respectfully
U Myint Aung
(Father- U Han Shein)

List of disadvantaged cultivators/farmers			
	Name	Registration Number	Signature
1	U Han Shinn	-	sd/-
2	U Myint Maung	-	sd/-
3	U Ni Tut	-	sd/-
4	Ma Yin Nu	Ya/AhHpaNa (naing) 009892	sd/-
5	U Hla Han	Ya/AhHpa(naing) 008793	sd/-
6	U Aye Thaung	Ya/AhHpa (naing) 009590	sd/-
7	U Htay Kyi (deceased) Wife Daw Kyin Shwe	Ya/AhHpaNa (naing) 019201	sd/-
8	U Than Hla Gyi	-	sd/-
9	U Tun Ngwe	Ya/AhHpa (naing) 009585	sd/-
10	U Tun Kyi	-	sd/-
11	U Khin Maung Win	-	sd/-
12	U Kalar	****Ya/3498	sd/-
13	U Aye Thaung	-	sd/-
14	U Myint Aung	AhHpa (naing) 009959	sd/-
15	U Aye Kyaw	-	sd/-
16	U Soe Tint	AhHpa (naing) 009709	sd/-
17	U Ye Lwin	-	sd/-

**** Illegible

The above persons were not able to submit land revenue receipts due to the loss of receipts during the fire that swept over the village. The Village Peace and Development Council Chairman knew that those who could not show their receipts had lost them because of the fire in the village and will endorse the occurrence of the village fire.



Map 6: Rangoon / Yangon Division

Source: Ministry of Information, 2007, *Chronicle of National Development*, Yangon: SPDC, p. 261.

6 RANGOON / YANGON DIVISION

Yangon Division smallest of the States and Divisions with an area of 10,171 square kilometres, flanked by Bago Division on the north and east, by the Gulf of Mottama on the south, and by Ayeyarwaddy Division on the west (Hla Tun Aung, 2003: 705) has the largest population of 6,459,668 (Ministry of Information, 2007: 264) with the smallest national household size of 4.7 (FAO & World Bank, 2004). Just over one quarter (26.8%) of rural households are landless. Six per cent of the households farm under five acres of land and five per cent farm between five and ten acres of land. Tables (10-14) show details of five households in four townships.

House Hold	Land	Value Kyat	Crop	Output	Value Kyat	Other	Value Kyat	Name/Date Confiscation	Reason	Compensation	Current Work	Forced Work
1 U San Maung	6 acre farm	1,200,000 & 1,000,000 Est annual income	Paddy 6 acres Beans 6 acres	260 Baskets 30 Baskets	1,000,000 600,000	7Cows Vehicle/ equipment Gold 1 Tical Other	1,200,000 200,000 400,000 300,000	Government 2004	Construct canal for water From Phaunggyi Summer Paddy Planting/ soil for embankments	None	Working on 0.8 acre remaining land	Inform of visitors to village

Name	Status	Age	Sex	Education	Illness	Treatment	Cost Kyat	Work	Work after confiscation	Avg/Month Income/kyat Before/After
U San Maung	Head	56	M	4 th Grade	Malaria	Hlegu Hospital	50,000	Farm	Casual Labourer	100,000/ 40,000 for all family members
Daw Myint	Wife	56	F	4 th Grade	Sores	Self-Medication	50,000	Farm	Casual labourer	
Ma Ni Ni Win	Daughter	32	F	5 th Grade				Farm	None	
Ma Phyu Phyu Win	Daughter	31	F	4 th Grade				Farm	None	
Ma Aye Moe	Daughter	29	F	4 th Grade	Stomach Pain		400,000	Farm	None	
Ma Thuzar Win	Daughter	17	F	4 th Grade					Plum Jam Business	
Ko Myo Min Zaw	Son	15	M	8 th Grade Hlegu SHS						

Table 10: Household Profile 9, Sinkulay Village, Motesonyuangbin Village Tract, Hlegu Township, Rangoon Division

Source: Inside Burma researchers June 2007

U San Maung's land was confiscated in order to have water drainage implement summer paddy growing. However, after confiscation, his farmland was not being plowed for summer paddy. U San Maung questioned U Soe Myint, Motesonyungbin Village Chairman as to why confiscated farmlands were not being plowed according to the planned pattern of summer paddy (March 2004). There was no reason given, but U San Maung was asked to sign a document which stated that he agreed with the process. "I was scared so I signed".

House Hold	Land	Value Kyat	Crop	Output	Value Kyat	Other	Value Kyat	Name/Date Confiscation	Reason	Compensation	Current Work	Forced Work
2 U Sein Win	3 acre farm	600,000 & Est annual income 1,000,000	Paddy 3 acres Beans 3 acres	150 Baskets 15 Baskets	700,000 300,000	Other	300,000	Government 2005	Hmawbi water cleansing/ distribution Factory for Rangoon Water supply	None	Casual & Work on 0.8 Acre farm land left	Inform of visitors to village

Name	Status	Age	Sex	Education	Illness	Treatment	Cost Kyat	Work	Work After Confiscation	Avg/ month Income/Kyat Before/After
U Sein Win	Head	40	M	10 th Grade	Fever	Clinic	2000	Farm	Casual	100,000/ 50,000 for all family member
Daw Aye	Wife	38	F	5 th Grade	Fever	Self-medicate	2000	Farm	Casual	
Ma Hnin Ei Hlaing	Daughter	14	F	4 th Grade	Fever	Self-	2000		Casual work in	

				cannot afford School		medicate			whatever Jobs available	
Ko Ye Khant Zaw	Son	12	M	3 rd Grade Hlegu SHS						
Maung Htwe Nyunt	Son	10	M	1 st Grade Hlegu SHS						
Ma Zin Hpu Ngon	Daughter	6	F							

Table 11: Household Profile 10, Sinkulay Village, Motesonyuangbin Village Tract, Hlegu Township, Rangoon Division

Source: Inside Burma researchers June 2007.

House Hold	Land	Value Kyat	Crop	Output	Value Kyat	Other	Value Kyat	Name/ Date Confiscation	Reason	Compen-sation	Current Work	Forced Work
3 U Thaung Shwe	26 acre farm	7,800,000 & 6,500,000 Est annual income	Paddy 26 acres	2,300 Baskets	6,500,000	Assorted Items	400,000	Government early 1996	No. 9 Police Station & Re-sale to Olympic Co.	40 x 60 Foot Residential block value 1,000,000	4 acres were taken outright & allowed to work on other land before taken	

Name	Status	Age	Sex	Education	Illness	Treatment	Cost Kyat	Work	Work after confiscation	Avg/Month Income/Kyat Before/After
U Thaung Shwe	Head	52	M	Monastery School	Common Fever	Clinic	Over 2000	Farm	Farmhand on other farms	Cannot estimate/ +300,000 For family
Daw Ohn Thein	Wife	49	F	No School	Common Fever	Clinic	Over 2000	Farm	Factory	
Ma Tin Shwe	Daughter Married	32	F	2 nd Grade	Common Fever	Clinic	Over 2000			
Ma Nyunt Nyunt Thi	Daughter	30	F	3 rd Grade	Common Fever	Clinic	Over 2000			
Gaung Thay Lay	Son	28	M	3 rd Grade				Farm	Factory	
Ko Gaung Gyi	Son	25	M	4 th Grade				Farm	Factory	
Ma Boke Sone	Daughter	18	F	8 th Grade				Farm	Factory	
Aung Aung	Son	10	M	3 rd Grade Kyungalay SPS						
Mya Mya Thu	Daughter	8	F	3 rd Grade Kyungalay SPS						

Table 12: Household Profile 11, Kannartali Village, Kyungalay Village Tract, Hlaingthaya Township, Rangoon Division

Source: Inside Burma researchers June 2007

Arbitrary Confiscation of Farmers' Land by the State Peace and Development Council (SPDC) Military Regime in Burma

House Hold	Land	Value Kyat	Crop	Output	Value Kyat	Other	Value Kyat	Name/Date Confiscation	Reason	Compensation	Current Work	Forced Work
4 U Sein	18 acre farm	5,900,000 & 2,400,000 Est annual income	Paddy 18 acres	800 Baskets	2,400,000	Bull/Cow Farm Vehicles Others	800,000 200,000 200,000	Government early monsoon 2005	Build Electricity Station	40 x 60 Foot Residential block value 1,000,000K	Nil	Inform of visitors

Name	Status	Age	Sex	Education	Illness	Treatment	Cost Kyat	Work	Work after confiscation	Avg/Month Income/Kyat Before/After
U Sein	Head	78	M	Monastery School	Gas/Stomach	Clinic	Over 3000	Farm	Nil	Family Over 300,000/Nil
Daw Than Nyunt	Wife	74	F	Monastery School	Sore Knee	Clinic	Over 3000	Farm	Nil	
Ma Lone Tone	Daughter	52	F	Monastery School				Farm		
Ma Khin Htay	Daughter	49	F	Monastery School				Farm		
Ko Kyay Nyunt	Son	46	M	4 th Grade				Farm		
Ma Aye New	Daughter	42	F	4 th Grade				Farm		
Ma Nyein Mar	Daughter	36	F	4 th Grade						
Ko Kyaw Moe	Son	32	M	8 th Grade				Farm	Factory	
Than Than Win	Daughter	28	F	8 th Grade						

Table 13: Household Profile 12, Konetali Village, Tuchaung Village Tract, Htantabin Township, Rangoon Division

Source: Inside Burma researchers June 2007

U Sein stated that he did report his farmland confiscation to government authorities of Maubin District, but did not expect any action. "One never gets back what has been taken by the State".

House Hold	Land	Value Kyat	Crop	Output	Value Kyat	Other	Value Kyat	Name/Date Confiscation	Reason	Compensation	Current Work	Forced Work
5 U Htein Lin	40 acre farm	8,000,000 & 4,800,000 Est annual income	Paddy 40 acres	1600 Baskets	4,800,000	8 Buffaloes Vehicle/equipment Silver/ Gold Food (rice, oil, pig, poultry) Others	2,400,000 200,000 1,200,000 300,000 400,000	KN U Tin Win Myanmar Pyay Tha Hayt Company Aug 2002	To Construct fish breeding ponds	Yes 40,000/ acre by Myanmar Pyay Tha Hayt Company	Work village 1 mile away	Inform as visitors to village Fire watch/ Cleaning village 500-1000K to YaYaKa Village Council

Name	Status	Age	Sex	Education	Illness	Treatment	Cost Kyat	Work	Work after confiscation	Avg/Month Income/Kyat Before/After
U Htein Lin	Head	34	M	7 th Grade	Fever	Hmawbi Clinic	2000	Farm	Farmhand	400,000/ 100,000
Daw Nyo Nyo Than	Wife	30	F	6 th Grade	Fever	Hmawbi Clinic	2000	Farm	Farmhand	
Ma Thet Mon Oo	Daughter	8	F	2 nd Grade Ahhtayu SPS	Fever	Hmawbi Clinic	1500			

Table 14: Household Profile 13, Ahhtayu Village, Ahhtayu Village Tract, Hmawbi Township, Rangoon Division

Source: Inside Burma researchers

After informing General Khin Nyunt, then Secretary 1 of SPDC, of the farmland confiscation, U Htein Lin was compensated by the company for his 40 acres, 40,000 kyats per acre total value 1,600,000 kyats. However, no compensation was given for his crops, and other losses of animals, food, gold, silver and other goods. U Htein Lin now has only casual work as a farmhand on a farm over a mile from his home.



Map 7: Irrawaddy (Ayeyarwaddy) Division
Source: Ministry of Information, 2007,
Chronicle of National Development, Yangon: SPDC, p. 287.

7 IRRAWADDY / AYEYARWADDY DIVISION

Irrawaddy Division is bounded on the north by Bago Division, on the east by Bago and Rangoon Divisions, on the south by the Andaman Sea and on the west by the Bay of Bengal. It has an area of 35,139 square kilometres (Hla Tun Aung, 2003: 608-9) with a population of 7,594,913 mainly composed of Burman, Arakan, and Karen ethnic groups (Ministry of Information 2007: 290). Agriculture is the main occupation in this fertile delta region with the average household size of six people. Over one quarter of the rural households (27.7%) are landless and over a third (37.44%) of households farm less than five acres, with less than one in five (18.88%) households farming between five to ten acres of land (FAO & World Bank, 2004).

Evidence of confiscated farm land over a period of years is given in the following two tables (15 & 16) which include the name of the household head, his/ her father's name, their age, and the size of the farm household (ranging from the smallest of 2 to 10 members), national registration card number (NRC) of the household head, size of farm in acres, and address. These farmers were never compensated for their loss of user and cultivation rights to the land.

No	Name	Father's name	Age	NRC ⁴ No.	Acre	Farm land	Fly size	Address
1	Ko Tun Thein	U Mg Ohn	30	14/kakana (naing)	7	326 West Begwin	6	Chaungwa
2	Ko Myint Naing	U Aye mg	30	14/kakana (naing)	2	326 West Begwin	3	Magyigon
3	U Mya Thein	U Thein Mg	53	14/kakana (naing)	3	326 West Begwin	2	Magyigon
4	U Kan Shwe	U Mg Sein	69	14/kakana (naing)	2	326 West Begwin	10	Magyigon
5	U Sein Hlaing	U Pauk	77	14/kakana (naing)	2	326 West Begwin	7	Chaungwa
6	U Than Oo	U Shwe Tun	53	14/kakana (naing)	1/50	326 West Begwin	3	Magyigon
7	U Khant Sein	U Ba Chit	75	14/kakana (naing)	5	326 West Begwin	3	Magyigon
8	Daw Nan	U Kywe	56	lost	1/50	326 West Begwin	3	Magyigon
9	Ma Hsan Yin	U Tin Oo	38	14/kakana (naing)	5	326 West Begwin	9	Chaungwa
10	Min Min	U Mg Ohn	28	nil	2	326 West Begwin	6	Chaungwa
11	U Shwe Tun	U Bo Kay	60	14/kamana (naing)	8	326 West Begwin	5	Magyigon

⁴ Citizens, 12 years and older, of Burma are required to carry National Registration Cards (NRC) at all times. These cards include the name, father's name, age, sex, height, date and place of birth, ethnicity, religion, occupation, eye colour, address, and any significant features. In the Burmese alphabet Kakana and naing mean naing-ngan-tha translated into English as citizen. The cards are in effect Citizenship Scrutiny Cards.

12	U Hla Thein	U Sein Hlaing	45	14/kakana (naing)	2	326 West Begwin	5	Chaungwa
13	Ko San Htin	U Chit Ban	44	14/kakana (naing)	5	326 West Begwin	5	Magyigon
14	Yay Chan	U Shwe Tun	28	nil	2	326 West Begwin	4	Magyigon
15	Ko Myint Naing	U Zaw Hmu	46	14/kakana (naing)	5	326 West Begwin	4	Magyigon
16	Daw Tin Hsan	U Ka Lar	44	14/kakana (naing)	3	326 West Begwin	4	Magyigon

Table 15: Confiscation of Farmland of 16 Village Households of West Begwin (Chaungwa & Magyigon villages) Irrawaddy Division

Source: Inside Burma researchers, September 2007

No	Name	Father's name	Age	NRC No.	Acre	Farm land	Fly size	Address/ Village	Started year of Occupation
1	U Hla Myo Htaike	U Kyin Hla	25	14/kakana (naing)	1	5/326 West A Tetseik	4	Chaungwa	1985
2	Myint Kyaing	U Kyaw Tin	48		15	5/326 West A Tetseik	7	Nyaung Ei	1995
3	Tin Kyi	Maung May	66		8	5/326 West A Tetseik	8	Kanthaya	1985
4	Mya Win	Tin Kyi	41		5	5/326 West A Tetseik	3	Kanthaya	1989
5	Ko Win	Sein Mg	53	14/kakana (naing)	7	5/326 West A Tetseik	6	Kanthaya	1990
6	Kyaw Win	Wa Gyi	35		5	5/326 West A Tetseik	4	Kanthaya	1997
7	Kyi Than	Kyaw Tin	40	14/kakana (naing)	6	5/326 West A Tetseik	5	Kanthaya	1995
8	Mar Din	U Tin Mg	55	KGN	8	5/326 West A Tetseik	8	Chaungwa	1976
9	Kyaw Win	Kyaw Wai	42		2	5/326 West A Tetseik	9	Chaungwa	1980
10	Myint Khaing	Aye Mg	30	14/kakana (naing)	1	5/326 West A Tetseik	3	Magyigon	1995
11	Mg Ohn	Mya Khae	75	14/kakana (naing)	1	5/326 West A Tetseik	6	Chaungwa	1995
12	Sein Hlaing	Tin Sann	46	14/kakana (naing)	10	5/326 West A Tetseik	5	Chaungwa	1995
13	Mya Khaing	Mar Din	28		5	5/326 West A Tetseik	4	Chaungwa	1995
14	Than Htaike	Sein Shwe	44	7/kana (naing)	5	5/326 West A Tetseik	5	Tetseik	1989
15	U Mya Win	U San Shwe	44	14/kakana (naing)	4	5/326 West A Tetseik	5	Tetseik	1988
16	U Hla Win	U San Shwe	47	14/kakana (naing)	3	5/326 West A Tetseik	5	Tetseik	1988
17	U Tin Htun Naing	U Mg Ohn	33	14/kakana (naing)	6	5/326 West A Tetseik	3	Tetseik	1988
18	Kyan Cho	U Tin Thein		14/kakana (naing)	2	5/326 West A Tetseik	6	Tetseik	1988
19	Tin Sann	U Thaung Tin	40	14/kaka	3	5/326 West A Tetseik	3	Tetseik	1995
20	Soe Myint	U Thaung Tin	43	14/kakana (naing)	5	5/326 West A Tetseik	5	Tetseik	1995
21	Daw Than Myint	U Mg Hla	60	N/A	3	5/326 West A Tetseik	6	Tetseik	1996

22	U Tin Htway	U Pho Hmaung	43	14/kakana (naing)	2	5/326 West A Tetseik	5	Tetseik	1995
23	U Mya Soe	U Myint Thein	36	KGN	8	5/326 West A Tetseik	7	Tetseik	1989

Table 16: Confiscation of Grazing Land of 23 Farmers, Kyaunggon Township, Maubin District, Irrawaddy Division

Source: Inside Burma researchers, September 2007

The 23 farmers listed in the above table (15) head households ranging in size from three to nine members with the average household composed of about five people. Over a number of years these farmers have had their long recognised user rights to grazing land confiscated by the local Kyaunggon Township Land Council. No compensation was given to these farmers. These farmers have written formal letters of complaint seeking their rights be reinstated to use the land for grazing animals and that they be compensated for the loss of land access for this purpose. The letters were directed to the Chairman of the Village Peace and Development Council and the Chairman of the Township Peace and Development Council. As of December 2007, no response had been received by the farmers who experience great difficulties in maintaining their families given the loss of animals and grazing land.



Map 8: Karenni (Kayah) State

Source: Ministry of Information, 2007, *Chronicle of National Development*, Yangon: SPDC, p. 39.

8 KARENNI / KAYAH STATE

Karenni State lies in the eastern part of Burma bordering Shan and Karen States and an international boundary with Thailand. With an area of 11,733 square kilometres, Karenni is the smallest of the seven States and the second smallest among the 14 States and Divisions. There are two Districts (Loikaw and Bawlahe) with seven smaller townships (Hla Tun Aung, 2003: 636). According to the Regime's Ministry of Information (2007: 40), Kayah State with a "population of 318,700 is a microcosm of the Union, represented by all the "national races" including Kayah, Kayan, Mono, Kayaw, Yintale, Gekho, Geba, Kachin, Kayin, Chin, Pa-O, Bamar, Mon, Rakhine, Shan, and Intha". Karenni State's occupied land (net sown area plus fallow land) consists of nearly 50,000 acres each of *Le* land and *Ya* land, about 400 acres of Garden land and over 14,000 acres of *Taungya* land⁵ (Hla Tun Aung 2003: 639).

⁵ *Le* land refers to paddy land. *Ya* land refers to non-paddy land where pulses, beans, sesame and other short term cash crops are grown. Garden land is where flowers, fruits, vegetables and seasonal cash crops are grown. *Taungya* land is hill sloped land where shifting agriculture is done.

The average household size is 7.8, with over half (57.57%) of the people living on less than five acres, and ten % of the rural households are landless (FAO & World Bank, 2004). According to the Central Statistical Organisation (CSO), *Report of 1997 Household Income and Expenditure Survey* (Yangon 1999) households in Karenni State have the lowest average monthly incomes in the nation adequate to meet only 41% of their daily expenditures for example on food, housing, education, travel, fuel, light, and other basic necessities.

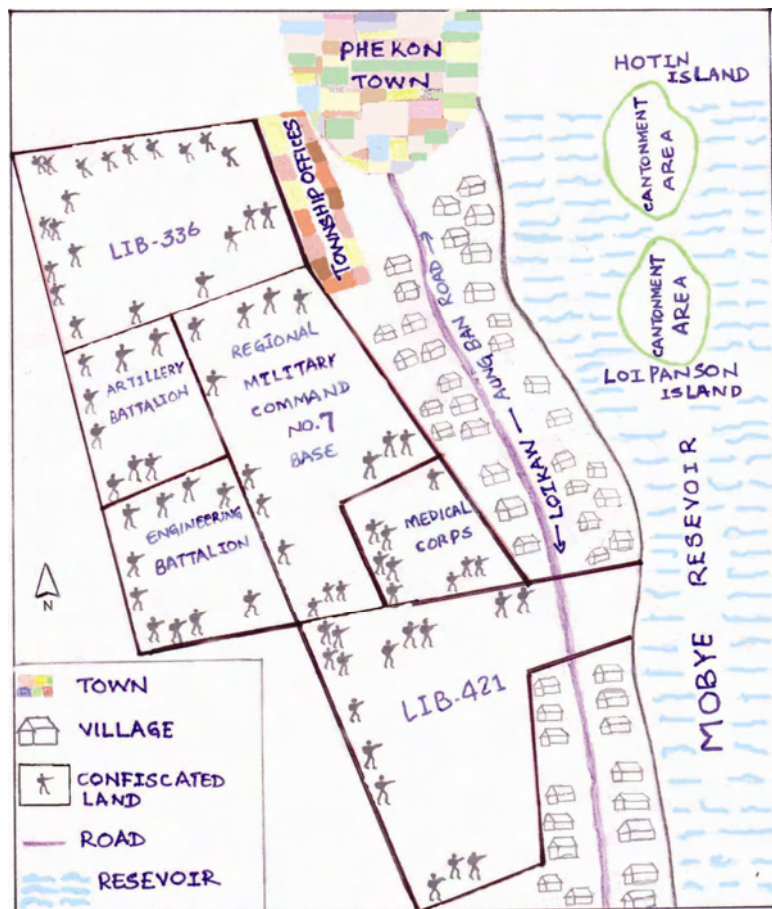
Karenni State is highly militarised (Bamforth, Lanjouw, Mortimer, 2000). Twenty-eight SPDC regime army battalions, operating in Karenni State have displaced over 70,000 people, forcing them into new villages, rebuilt villages, relocation sites, or into hiding sites. Burma army units occupy and patrol areas of infrastructure development in southwest Karenni State, for re-building the road from Mawchi (Karenni State) to Taungoo (Karen State) and the Mawchi mines. Karenni resistance groups are attempting to stop the road construction as the road would facilitate army units travelling freely within Kayah State. The Burma army also uses two other armed groups, the Karenni National Peoples Liberation Front and the Karenni National Solidarity Organisation to control and attack the civilian population (Free Burma Rangers 2007).

Khun Mak Ko Ban, elected member of parliament (MP) for Phekon and Kayah representative for Democratic Organization for Kayan National Unity (DOKNU), now living in exile, submitted the following information concerning confiscation of residences and farm land in the Phekon and Moby areas. The details of the military regime uncompensated confiscation of farmland, residences, and crops, was gathered by people inside Burma at considerable personal risk (May 2007). The following two maps illustrate the location of confiscation, due to military establishment of a base in the two towns. Despite an estimated 50% of the national budget allotted to building up the armed forces, there is not enough to support the field units. In 1998, the SPDC in Rangoon, informed its field units that rations would be reduced and that they needed to “fend for themselves” by producing their own food or getting it from villagers (Human Rights Documentation Unit, 2000: 299). Since that order was delivered, villagers' land has been confiscated for army crops, food is taken with no compensation and villagers are forced to labour in their former fields, planting and harvesting crops for the army.

Findings in our research reveal the confiscated residential and farm lands of the residents of Phekon and Moby Towns was given to retiring army personnel and to their relatives who were invited to move into the Township. The original ‘ethnic Karenni residents reported feeling strongly that the army personnel, all of Bamar ethnicity, were acting as if they were a “master class”. The residents are worried that these sentiments may erupt into ‘racial’ clashes in the future. The residents of both towns stated that they were being “ethnically cleansed” and over 200 youth joined the Ka La La Ta, Kayah New Land, Ya La La Hpa Group, and the armed Karenni National Progressive Party (KNPP) at the time of ‘peace’

negotiations. The Ministry of SPDC Information (2003: 15) states that the Kayah State Special Region-1 was a national armed group which “returned to the legal fold” in 27 February 1992 in Mobye and Phekon Towns. There is no peace in the towns as army battalions, and retired army personnel live on confiscated Karenni lands.

PHEKON TOWN



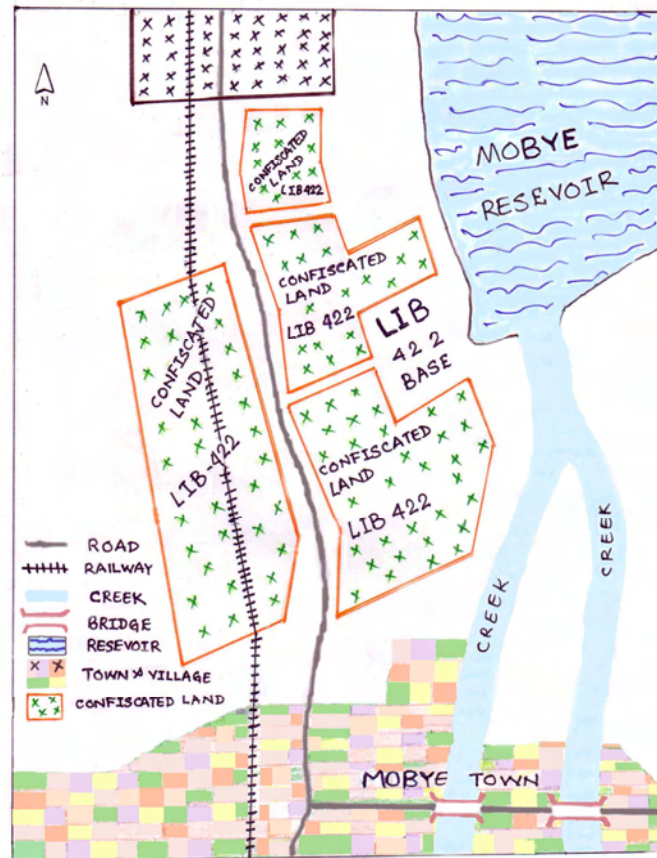
Map 9: Phekon Town and Villages, Kayah State.

Source: Inside Researcher, 29 May 2007, Phekon.

Mobye Dam was built to the east of Phekon. All lands to the west of the dam were confiscated by the army. The people whose land was confiscated no longer had residences and there was no land remaining for them to build new houses. Phekon is about three miles long and about four phalon wide. The land confiscated by the army is five times bigger than the town area. The land was confiscated by the following army division: Light Infantry Battalion (LIB) 336, Artillery Battalion, Engineering Battalion, Regional Military Command Base, Medical Corps, and Light Infantry Battalion 421 (Map 10). Forty one residential houses and land they occupied were confiscated. At the time of confiscation the value of these residences were 1,460 Lakhs or 146,000,000 Kyats. No compensation was given. Farmland of two hundred and eighteen owners, which included 1,346 household members, was confiscated. A total of

2,040 acres of farmland was taken. The land value at the time of confiscation was 448,500,000 Kyats. Crops worth 213,400,000 Kyats were lost with a total 2,121,900,000 Kyat loss of land and crops to the families. The value of the farm land has increased between 10 to 100 times since confiscation.

A complete overview of farmers' land confiscation for Phekon Township, Karenni State is given in the final summary (Table 19).



Map 10: Moby Town, Kayah State.
Source: Inside Researcher, Phekon, 29 May 2007.

MOBYE TOWN

Due to construction of Moby Dam, over 80 houses from Loi Pan Son Island and over 50 houses from Ho Tin Island were confiscated (Map 11). These people depended upon fishing for their survival and when their two villages were confiscated to become army land, there was great hardship for the residents. Around Moby, because the army had taken the land there was no more space to expand the residential area. The army land is now three times bigger than the civilian town area as the Light Infantry Battalion 422 expands. One hundred and eight owners with 1,136 family members had their farmland confiscated. One thousand five hundred and seven (1,507) acres of land valued at the time of confiscation of 253,000,000 Kyat were confiscated. The value of the crops lost was 228,000,000 Kyat making a total loss to farming families of 480,000,000 Kyat.



Map 11: Arakan (Rakhine) State.
Source: Ministry of Information, 2007,
Chronicle of National Development, Yangon: SPDC, page 109.

9 ARAKAN / RAKHINE STATE

Facing the Bay of Bengal, Arakan State in the western part of Burma is bounded on the north by Chin State, on the east by Magwe, Pegu, and Irrawaddy Divisions, and on the northeast by Bangladesh. The Naaf River forms the international boundary between Bangladesh and Burma (Hla Tun Aung, 2003: 670). The State has an area of 36,778 square kilometres with a population of 3,077,712 (Ministry of Information, 2007: 110). Large refugee flows out to Bangladesh have occurred since 1978 direct outcomes of regime discrimination policies against the Rohingya Muslim minority group (estimated 800,000) population. Rendered stateless by the 1982 Citizenship Law, deprived of legal status because the Rohingya were not featured among the 135 'national races' settled in Burma prior to 1823, the year of British colonization of Arakan State (Ahmed, 2004: 169-194).

Land types of occupied areas in this State consist of about one million acres of *Le* land, about 25,000 acres of *Ya* land, 16,000 acres of *Alluvial* land⁶, over 30,000 acres of Garden land, about 17,000 acres of *Dhani* land⁷, and over 16,000 acres of *Taungya* land (Hla Tun Aung, 2003: 675). The average household size is just over six. Over thirty percent (32.2%) of the rural population are landless, almost half (47.96%) farm under five acres of land, with only about ten % (10.77%) farming between five to ten acres of land (FAO & World Bank, 2004).

Our research conducted in Thandwe Township revealed the following findings concerning two groups of farmers who have sought compensation for their land being confiscated by the regime. Twenty-two farmers in Hmo-Inbyin village have cultivated paddy since 1958 when irrigation of the land was possible after the State construction of Mindalin Dam (1958). Each year up to 2000, farmers paid annual duties/taxes on their crop as part of the Paddy Procurement Program. On 15 February 2000, the Thandwe District Fishery Department confiscated all of the farmers' land for the purpose of developing a shrimp/prawn breeding enterprise. No compensation was given to the farmers. U Thar Maung, wrote on behalf of the 22 farmers, to Senior General Than Shwe explaining the situation and seeking compensation. No response has yet to be received.

The second case example, concerns farmer U Maung Shwe, of Dwaryarwady New Town Quarter, Thandwe Township, whose 26 acres (21 acres in Khayanhmaw Village Tract and 5 acres in Kyettachaung Village Tract) of cultivated land were confiscated for a rubber plantation under the direction of General Than Shwe, who toured the area in 1994. Three years later (11 October 1997) the Thandwe District Union Solidarity Development Association (USDA)⁸ confiscated 22 acres, plantation valued at 800,000 Kyat. U Maung Shwe was compensated only 30,000 Kyat. Another five acres was taken by the Thandwe District Police Department for the Arakan (Rakhine) police commissioner. No compensation was offered at this time. U Maung Shwe wrote letters of complaint through the Minister of the Interior and Chairman of the State Peace and Development Council, General Than Shwe (5 December 2006) with no response.

These case examples demonstrate the arbitrariness of confiscation, the variety of local, regional, and national regime members who benefit from their positions of power in the regime. These examples show the lack of any opportunity to contest the unfair and arbitrary land confiscation by the military regime within a context of no independent rule of law. Despite these difficulties, individuals and groups of farmers are making their claims known and seeking just compensation.

⁶ Alluvial refers to the land rich in nutrients deposited on the river banks, the deltas of rivers, and as islands each monsoon, rainy season.

⁷ *Dhani* land refers to water logged land where rushes, grasses, and other rough fibrous plants are used for thatching to form the roof of houses.

⁸ The USDA, a quasi political group, was established by the SPDC regime in 1993 to promote their work.

RESEARCH FINDINGS: CONCLUSION

The following two tables (17 & 18) give an overview summary of research findings into regime confiscation of land and household profiles of farmers and their family members.

Confiscation of Land, Crops and other losses

No	Township	State/Division	Total farmers	Confiscated				Compensation Lakh/K	Yearly lost of income Lakh/K
				Land		Crops & other losses Lakh/K	Total value Lakh/K		
				Acre	Value Lakh/K				
1	Kawa	Pegu	20	795	795	612	1407	none	1573
2	Okpo	Pegu	17	72	n/a	n/a	n/a	none	n/a
3	Pantanaw	Irrawaddy	4	18.5	10.3	5.3	15.6	one plot (40-60 ft)	46.5
4	Nyaungdon	Irrawaddy	1	12	18	n/a	18	none	24
5	Maubin	Irrawaddy	1	20	20	n/a	20	6	7.5
6	Kyaunggon	Irrawaddy	39	171	n/a	n/a	n/a	none	n/a
7	Hlaingthaya	Rangoon	1	26	78	n/a	68	10 (one plot)	65
8	Htantabin	Rangoon	1	18	59	12	61	10 (one plot)	24
9	Hmawbi	Rangoon	1	40	80	41	121	16	48
10	Hlegu	Rangoon	3	14	28	22	50	none	34
11	Thandwe	Arakan	23	344.3	n/a	n/a	n/a	0.3	n/a
12	Shwenyaung	Shan	1	6.12	10	n/a	10	none	20
13	Phekon	Karenni	218	2040	1908.5	213.4	2121.9	none	n/a
14	Moby	Karenni	137	1,507	253	228	480	none	n/a
	Total		467	5,083.92	3,259.8	1,133.7	4,372.5	42.3	1,842

Table 17: Summary of Confiscation of Land, Crops, Other Assets in Fourteen Townships of Six States/Divisions, Burma

Note: One lakh is equal to 100,000 kyats.

Source: Collected data inside Burma December 2006 to September 2007

No	Farmer (House Head)		Fam ily size	Village/ Township/ State/ Division	Confiscated land, crop & other losses (lakh/K)								Sequence of events described	
	Name	Sex			Land		Crop		Other losses	Total Losses			Confiscating body & Date	Reason
					Acre	K	Type	K	K	Com pens ation	K	Year ly loss/ K		
1	U San Chain	M	11	Aungkaungnyunt, Kawa, Pegu	45	45	paddy	-	18	none	63	63	Police station, Kawa Township, May-June 2003	Rent for cultivate
2	U Kyin	M	5	Aungkaungnyunt, Kawa, Pegu	15	15	paddy	-	13	none	28	21	U Mg Htwe, Chairman, Sarphysu village PDC, Kawa Township, 2003	Rent for cultivate
3	U Pu-1	M	12	Aungkaungnyunt, Kawa, Pegu	42	42	Paddy	-	36	none	78	60	Land Record Dept., Kawa Township, May-June 2003	Owned by Dept. & rent for cultivate
4	U Hmat	M	8	Aungkaungnyunt, Kawa, Pegu	15	15	Paddy, beans	-	14	none	29	113	U Hla Aye, Chairman, Tadaroo	Rent for cultivate

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													village PDC, Kawa Township, 2003	
5	Daw Hla Pyaw	F	2	Thabanseik, Kawa, Pegu	15	15	paddy	-	13	none	28	14	U Mg Htwe, Chairman, Sarphyusu village PDC, Kawa Township, 2003	Rent for cultivate
6	Daw Mya Khin	F	6	Thabanseik, Kawa, Pegu	40	40	paddy	-	25	none	65	60	IB 105, Kawa base, May June 2003	Rent for cultivating
7	U Pu-2	M	10	Thabanseik, Kawa, Pegu	50	50	paddy, beans	-	75	none	125	70	IB 105, Kawa base, May June 2003	Rent for cultivate
8	U Ba Tin	M	4	Thabanseik, Kawa, Pegu	40	40	paddy, beans	-	51	none	91	100	USDA, Kawa Township, May June 2003	Rent for cultivate
9	U Min Zaw	M	4	Thabanseik, Kawa, Pegu	28	28	paddy	-	29	none	57	38	USDA, Kawa Township, May June 2003	Owned by Dept.
10	Daw Nyunt Khin	F	5	Thabanseik, Kawa, Pegu	35	35	paddy	-	16	none	51	50	General Administration Dept., Kawa Township, 2003 May-June	Owned by Dept.
11	U Than Lwin	M	6	Thabanseik, Kawa, Pegu	90	90	paddy	-	35	none	125	160	Land Record Dept., Kawa Township, May-June 2003	Owned by Dept.
12	U Tin Soe	M	6	Thabanseik, Kawa, Pegu	45	45	paddy, beans	-	27	none	72	108	Township police Dept, Kawa	Owned by Dept. & rent for cultivate
13	U Aung Yin	M	9	Thabanseik, Kawa, Pegu	60	60	paddy	-	40	none	100	70	Land Record Dept., Kawa Township, May-June 2003	Owned by Dept. & rent for cultivate
14	U Mg Thaw	M	5	Thabanseik, Kawa, Pegu	45	45	paddy	-	19	none	64	70	U Mg Htwe, Chairman, Sarphyusu village PDC, Kawa Township, 2003	Rent for cultivate
15	U Soe	M	8	Thabanseik, Kawa, Pegu	55	55	paddy, beans	-	28	none	83	70	General Administration Dept., Kawa Township, 2003 May-June	Owned by Dept. & rent for cultivate
16	U Win	M	5	Thabanseik, Kawa, Pegu	60	60	paddy	-	48	none	108	100	U Mg Htwe, Chairman, Sarphyusu village PDC, Kawa Township, 2003	Rent for cultivate
17	U Aung	M	9	Thabanseik, Kawa, Pegu	20	20	paddy	-	18	none	38	118	U Mg Htwe, Chairman, Sarphyusu village PDC, Kawa Township, 2003	Rent for cultivate
18	U Tin Shwe	M	2	Mamauk, Kawa, Pegu	45	45	Paddy, beans	-	28	none	73	218	U Sai Lu Mg, General Administration Dept., Kawa Township, 2003	Owned by Dept. & re-sale
19	U Mg Lwin	M	8	Mamauk, Kawa, Pegu	20	20	paddy, beans	-	51	none	71	28	U Hla Aye, Chairman, Tadaroo Village PDC, Kawa Township, 2003	Rent for cultivate
20	U Chit Tin	M	9	Thabanseik, Kawa, Pegu	30	30	paddy	-	28	none	58	42	U Hla Aye, Chairman, Tadaroo village PDC, Kawa Township, 2003	Rent for cultivate
21	Daw Mya Win	F	3	Ywarthit, Pantanaw, Irrawaddy	5	3	Paddy, beans, sugarcane, banana	0.5	-	One plot	3.5	25	U Myo Han, Chairman, Pantanaw Township PDC, Feb 2002	Satellite town
22	Daw Tin Chaw	F	5	Ywarthit, Pantanaw, Irrawaddy	5	3	Paddy, beans	0.5	-	none	3.5	14	U Myo Han, Chairman, Pantanaw Township PDC, Feb 2002	Satellite town
23	U Kar Tic	M	5	Ywarthit, Pantanaw, Irrawaddy	3.5	1.5	Chilli, maize, beans	0.3	-	none	1.8	1.5	U Myo Han, Chairman, Pantanaw Township PDC, Feb	Satellite town

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													2002	
24	U Than Ohn	M	7	Setsu, Pantanaw, Irrawaddy	5	2.8	Paddy, sugarcane, jute, mung beans	-	4	none	6.8	6	U Myo Han, Chairman, Pantanaw Township PDC, Feb 2002	Satellite town
25	Daw Aye Aye Maw	F	7	Patoat, Maubin, Irrawaddy	20	20	Paddy	-	-	6	20	7.5	U Thein Myint, Htane village PDC Chairman,	To construct lake
26	U San Thein	M	7	Lamine, Nyaungdon, Irrawaddy	12	18	Paddy	-		none	18	24	U Aung San Oo, Bawathit, Prison labor camp, 2002	No reason, by force
27	U Thaug Shwe	M	9	Kannartali, Hlaingthaya, Rangoon	26	78	Paddy	-	-	10 (plot)	68	65	No. 9 police battalion, 1996	Resell to the Olympic Company
28	U Sein	M	9	Konetali, Htantabin, Rangoon	18	59	Paddy	-	12	10 (plot)	61	24	Township PDC, Htantabin, May 2005	To construct electricity distribution station
29	U Htein Lin	M	3	Ahhtayu, Hmawbi, Rangoon	40	80	Paddy	-	41	16	105	48	KN U Tin Win, Myanmarpyaythahayt Company, Aug. 2002	To construct fish lake
30	U Sein Win	M	6	Sinkulay, Hlegu, Rangoon	3	6	Paddy, beans	1		none	7	10	Township PDC, end of 2004	To construct water distribution station
31	U San Mg	M	7	Sinkulay, Hlegu, Rangoon	6	12	Paddy beans	n/a	21	none	33	16	Township PDC, end of 2004	To construct drain
32	U Kyin Shwe	M	5	Kyungalay, Hlegu, Rangoon	5	10	Paddy	n/a	n/a	none	10	8	SPDC, Dec., 2002	To construct No. 4 Ayar main road
33	U Tin Shwe	M	2	Bonhlaingtha quarter, Shwenyaung, Shan	6.12	10	Paddy, maize, beans	n/a	n/a	none	10	20	U Zaw Zaw, Chairman, quarter PDC, Shwenyaung, 1996	Rent for cultivate
34	Hla Myo Htike	M	4	Chaungwa, Kyaunggon, Irrawaddy	1	n/a	Paddy	n/a	n/a	none	n/a	n/a	Township authorities	Not allow to be graze land
35	Myint Kyaing	M	7	Nyaungei, Kyaunggon, Irrawaddy	15	n/a	Paddy	n/a	n/a	none	n/a	n/a	Township authorities	Not allow to be graze land
36	Tin Gyi	M	8	Kanthaya, Kyaunggon, Irrawaddy	8	n/a	Paddy	n/a	n/a	none	n/a	n/a	Township authorities	Not allow to be graze land
37	Mya Win	M	3	Kanthaya, Kyaunggon, Irrawaddy	5	n/a	Paddy	n/a	n/a	none	n/a	n/a	Township authorities	Not allow to be graze land
38	Ko Win	M	6	Kanthaya, Kyaunggon, Irrawaddy	7	n/a	Paddy	n/a	n/a	none	n/a	n/a	Township authorities	Not allow to be graze land
39	Kyaw Win	M	4	Kanthaya, Kyaunggon, Irrawaddy	5	n/a	Paddy	n/a	n/a	none	n/a	n/a	Township authorities	Not allow to be graze land
40	Kyi Than	M	5	Kanthaya, Kyaunggon, Irrawaddy	6	n/a	Paddy	n/a	n/a	none	n/a	n/a	Township authorities	Not allow to be graze land
41	Mar Din	M	8	Chaungwa, Kyaunggon, Irrawaddy	8	n/a	Paddy	n/a	n/a	none	n/a	n/a	Township authorities	Not allow to be graze land
42	Kyaw Win	M	9	Chaungwa, Kyaunggon, Irrawaddy	2	n/a	Paddy	n/a	n/a	none	n/a	n/a	Township authorities	Not allow to be graze land
43	Myint Khaing	M	3	Magyigon, Kyaunggon, Irrawaddy	1	n/a	Paddy	n/a	n/a	none	n/a	n/a	Township authorities	Not allow to be graze land
44	Mg Ohn	M	6	Chaungwa, Kyaunggon, Irrawaddy	1	n/a	Paddy	n/a	n/a	none	n/a	n/a	Township authorities	Not allow to be graze land
45	Sein	M	5	Chaungwa,	10	n/a	Paddy	n/a	n/a	none	n/a	n/a	Township authorities	Not allow to

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	Hlaing			Kyaunggon, Irrawaddy										be graze land
46	Mya Khaing	M	4	Chaungwa, Kyaunggon, Irrawaddy	5	n/a	paddy	n/a	n/a	none	n/a	n/a	Township authorities	Not allow to be graze land
47	Than Htike	M	5	Tetseik, Kyaunggon, Irrawaddy	5	n/a	paddy	n/a	n/a	none	n/a	n/a	Township authorities	Not allow to be graze land
48	U Mya Win	M	5	Tetseik, Kyaunggon, Irrawaddy	4	n/a	paddy	n/a	n/a	none	n/a	n/a	Township authorities	Not allow to be graze land
49	U Hla Win	M	5	Tetseik, Kyaunggon, Irrawaddy	3	n/a	paddy	n/a	n/a	none	n/a	n/a	Township authorities	Not allow to be graze land
50	Tin Tun Naing	M	3	Tetseik, Kyaunggon, Irrawaddy	6	n/a	paddy	n/a	n/a	none	n/a	n/a	Township authorities	Not allow to be graze land
51	Kyan Cho	M	6	Tetseik, Kyaunggon, Irrawaddy	2	n/a	paddy	n/a	n/a	none	n/a	n/a	Township authorities	Not allow to be graze land
52	Tin San	M	3	Tetseik, Kyaunggon, Irrawaddy	3	n/a	paddy	n/a	n/a	none	n/a	n/a	Township authorities	Not allow to be graze land
53	Soe Myint	M	5	Tetseik, Kyaunggon, Irrawaddy	5	n/a	paddy	n/a	n/a	none	n/a	n/a	Township authorities	Not allow to be graze land
54	Daw Than Myint	F	6	Tetseik, Kyaunggon, Irrawaddy	3	n/a	paddy	n/a	n/a	none	n/a	n/a	Township authorities	Not allow to be graze land
55	Tin Htwe	M	5	Tetseik, Kyaunggon, Irrawaddy	2	n/a	paddy	n/a	n/a	none	n/a	n/a	Township authorities	Not allow to be graze land
56	Mya Soe	M	7	Tetseik, Kyaunggon, Irrawaddy	8	n/a	paddy	n/a	n/a	none	n/a	n/a	Township authorities	Not allow to be graze land
57	Tun Thein	M	6	Chaungwa, Kyaunggon, Irrawaddy	7	n/a	paddy	n/a	n/a	none	n/a	n/a	Township authorities	-
58	Myint Khaing	M	3	Magyigon, Kyaunggon, Irrawaddy	2	n/a	paddy	n/a	n/a	none	n/a	n/a	Township authorities	-
59	Mya Thein	M	2	Magyigon, Kyaunggon, Irrawaddy	3	n/a	paddy	n/a	n/a	none	n/a	n/a	Township authorities	-
60	Kan Shwe	M	1	Magyigon, Kyaunggon, Irrawaddy	2	n/a	paddy	n/a	n/a	none	n/a	n/a	Township authorities	-
61	Sein Hlaing	M	7	Chaungwa, Kyaunggon, Irrawaddy	2	n/a	paddy	n/a	n/a	none	n/a	n/a	Township authorities	-
62	Than Oo	M	3	Magyigon, Kyaunggon, Irrawaddy	1.5	n/a	paddy	n/a	n/a	none	n/a	n/a	Township authorities	-
63	Khant Sein	M	3	Magyigon, Kyaunggon, Irrawaddy	5	n/a	paddy	n/a	n/a	none	n/a	n/a	Township authorities	-
64	Daw Nan	F	3	Magyigon, Kyaunggon, Irrawaddy	1.5	n/a	paddy	n/a	n/a	none	n/a	n/a	Township authorities	-
65	Ma Hsan Yin	F	9	Chaungwa, Kyaunggon, Irrawaddy	5	n/a	paddy	n/a	n/a	none	n/a	n/a	Township authorities	-
66	Min Min	M	6	Chaungwa, Kyaunggon, Irrawaddy	2	n/a	paddy	n/a	n/a	none	n/a	n/a	Township authorities	-
67	Shwe Tun	M	5	Magyigon, Kyaunggon, Irrawaddy	8	n/a	paddy	n/a	n/a	none	n/a	n/a	Township authorities	-

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				Irrawaddy										
68	Hla Thein	M	5	Chaungwa, Kyaunggon, Irrawaddy	2	n/a	paddy	n/a	n/a	none	n/a	n/a	Township authorities	-
69	Ko San Htin	M	5	Magyigon, Kyaunggon, Irrawaddy	5	n/a	paddy	n/a	n/a	none	n/a	n/a	Township authorities	-
70	Yay Chan	M	4	Magyigon, Kyaunggon, Irrawaddy	2	n/a	paddy	n/a	n/a	none	n/a	n/a	Township authorities	-
71	Myint Naing	M	4	Magyigon, Kyaunggon, Irrawaddy	5	n/a	paddy	n/a	n/a	none	n/a	n/a	Township authorities	-
72	Daw Tin Hsan	F	4	Magyigon, Kyaunggon, Irrawaddy	3	n/a	paddy	n/a	n/a	none	n/a	n/a	Township authorities	-
73	U Mg Shwe	M	n/a	Dwarrawaddy new town, Thandwe, Arakan	26	n/a	rubber			0.3	n/a	n/a	USDA & police force, Thandwe District, 11 Oct. 1997	For USDA & State police commissioner
74	U Thar Mg & 21 farmers	n/a	n/a	Mintalinkwin, Thandwe, Arakan	318.3	n/a	paddy			none	-	-	Township Fishery Dept, Thandwe, 15 Feb 2000	For Ever light Company (to construct pawn lake)
75	U Myint Aung & 16 farmers	15M & 2F	n/a	Ywarthit, Okpo, Pegu	72	n/a	paddy			none			Village Chairmans & Township Land Record Dept, Okpo, 2004-05	By forced confiscated

Note: YaYaKa=Village Peace and Development Council; NaWaTa= State Peace and Development Council

The USDA (Union Solidarity Development Association) was first set up by the junta in 1993 as a welfare organisation. It is a quasi-political party and support bloc for the military regime.

Table: 18 Household Profile Summary of Land Confiscation of 75 Farmers in Pegu, Irrawaddy and Rangoon Divisions, and Shan and Arakan States

Source: Inside Burma Researchers

Phekon Township, Karenni State

No	Household Head		Family size	Confiscated land, crop & other losses (lakh/K)						Total value/K	Sequence of events described	
	Name	Sex		Res land (K)	Farm land		Crop		Compensation		Confiscating body	Date & place
					Acre	K	Type	K				
1	U	M	8		4	10	Corn	0.8	none	10.8	LIB 421	1995-Kun Lone
2	U	M	6	10	3	6	Corn	0.6	none	16.6	LIB 421	1995-Kun Lone
3	U	M	7	10	3	6	Corn	0.6	none	16.6	LIB 421	1995-Kun Lone
4	U	M	6		15	15	Bean, Corn	2	none	17	LIB 421	1995-Kun Lone
5	U	M	6	10	3	6	Corn	0.6	none	16.6	LIB 421	1995-Kun Lone
6	U	M	7	10	12	12	Corn	2	none	24	LIB 421	1995-Kun Lone
7	U	M	4	10	2	5	Corn	0.4	none	15.4	LIB 421	1995-Hla Lwuel
8	U	M	7	10	2	5	Corn	0.4	none	15.4	Dept. of Forestry	1999-Hla Lwuel
9	U	M	5	10	2	5	Corn	0.4	none	15.4	Dept. of forestry	1999-Hla Lwuel
10	U	M	7	10	15	2	Bean, Corn	2	none	14	LIB 421	1995-Hla Lwuel
11	U	M	6	10	12	2	Bean, Corn	2	none	14	LIB 421	1995-Hla Lwuel
12	Daw	F	6	10	3	6	Corn	0.6	none	16.6	Dept. of forestry	1999-Nyaunggon
13	U	M	6		10	0.5	Corn	1	none	1.5	LIB 421	1999-Hla Lwuel

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14	U	M	5		8	0.4	Paddy, Bean	0.8	none	1.2	LIB 421	1991-Hla Lwuel
15	U	M	6		1	2	Flower	1	none	3	LIB 421	1991-Hla Lwuel
16	U	M	7		2	5	Onion	1	none	6	LIB 421	1991-Nyaunggon
17	U	M	8		6	6			none	6	SaKaKaHka-7	1991-Hein Khama
18	Daw	F	6		8	8			none	8	SaKaKaHka-7	1991-Hein Khama
19	U	M	7		4	4			none	4	SaKaKaHka-7	1991-Hein Khama
20	U	M	6		6	6			none	6	SaKaKaHka-7	1991-Hein Khama
21	U	M	7	40	7	0.7	Corn	1	none	41.7	LIB 421	1995-Hein Khama
22	U	M	6	40					none	40	LIB 421	1995-Hein Khama
23	U	M	8	20	4	0.2	Paddy	0.6	none	20.8	LIB 421	1995-Hein Khama
24	U	M	6	20	4	0.2	Paddy	0.6	none	20.8	LIB 421	1995-Hein Khama
25	U	M	8	20	8	0.4	Paddy, Bean	1	none	21.4	LIB 421	1995-Hein Khama
26	U	M	8	20	10	0.5	Paddy, Bean	1	none	21.5	LIB 421	1995-Hein Khama
27	Daw	F	5	20	6	0.3	Paddy, Bean	0.8	none	21.1	LIB 421	1995-Hein Khama
28	U	M	8	20	12	0.5	Paddy, Bean	1	none	21.5	LIB 421	1995-Hein Khama
29	U	M	7	30					none	30	LIB 421	1995-Hein Khama
30	U	M	7	20	6	0.3	Bean, Corn	0.8	none	21.1	LIB 421	1995-Hein Khama
31	U	M	8	20	15	0.8	Bean, Corn	1.5	none	22.3	LIB 421	1995-Hein Khama
32	U	M	5	20	4	0.2	Bean, Corn	0.6	none	20.8	LIB 421	1995-Hein Khama
33	U	M	4	20					none	20	LIB 421	1995-Hein Khama
34	U	M	6	30	10	0.5	Corn	1	none	31.5	LIB 421	1995-Hein Khama
35	U	M	5	20	6	0.3	Corn	0.7	none	21	LIB 421	1995-Hein Khama
36	U	M	7	30	8	0.5	Corn	1	none	31.5	LIB 421	1991-Nyaunggon
37	U	M	6	20					none	20	LIB 421	1991-Nyaunggon
38	U	M	8	20	20	1	Bean, Corn	2	none	23	LIB 421/GE Battalion	1991-Nyaunggon
39	U	M	4		10	0.5	Bean, Corn	1	none	1.5	LIB 421/GE Battalion	1991-Hein Khama
40	U	M	2		10	0.5	Bean, Corn	1	none	1.5	LIB 421/GE Battalion	1991-Hein Khama
41	U	M	10		20	1	Paddy, Bean	2	none	3	LIB 421	1991-Hein Khama
42	U	M	7		8	0.5	Paddy, Corn	1	none	1.5	LIB 421	1991-Hein Khama
43	U	M	8		20	1	Paddy, Bean	2	none	3	LIB 421/GE Battalion	1991-Hein Khama
44	U	M	6		7	0.4	Paddy, Corn	0.8	none	1.2	LIB 421	1991-Hein Khama
45	U	M	9		12	0.7	Bean, Corn	1	none	1.7	LIB 421/GE Battalion	1991-Hein Khama
46	U	M	7		8	0.5	Paddy, Bean	1	none	1.5	LIB 421/GE Battalion	1991-Hein Khama
47	U	M	7		8	0.5	Paddy, Corn	1	none	1.5	LIB 421/GE Battalion	1991-Hein Khama
48	U	M	8		20	1	Paddy, Corn	2	none	3	LIB 421/GE Battalion	1991-Hein Khama
49	U	M	7		7	0.5	Paddy, Corn	0.8	none	1.3	LIB 421	1991-Hein Khama
50	U	M	6		4	0.2	Paddy, Corn	0.5	none	0.7	LIB 421	1991-Hein Khama
51	U	M	8		10	0.6	Bean, Corn	1	none	1.6	LIB 421/GE Battalion	1991-Hein Khama
52	U	M	7		7	0.5	Bean, Corn	0.7	none	1.2	LIB 421/GE Battalion	1991-Hein Khama
53	U	M	8		18	1	Bean, Corn	2	none	3	LIB 421/GE Battalion	1991-Hein Khama
54	U	M	7		20	1	Bean, Corn	2	none	3	LIB 421/GE	1991-Hein Khama

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											Battalion	
55	U	M	7		20	1	Bean, Corn	2	none	3	LIB 421/GE Battalion	1991-Hein Khama
56	U	M	5		4	0.2	Bean, Corn	0.6	none	0.8	LIB 421	1991-Hein Khama
57	U	M	4		6	0.3	Bean, Corn	0.7	none	1	LIB 421	1991-Hein Khama
58	U	M	2		10	0.6	Bean, Corn	1	none	1.6	LIB 421	1991-Hein Khama
59	U	M	5		5	0.2	Bean, Corn	0.7	none	0.9	GE Battalion	1991-Hein Khama
60	U	M	2		10	0.6	Bean, Corn	1	none	1.6	GE Battalion	1991-Hein Khama
61	U	M	5		5	1	Bean, Corn	2	none	3	SaKaKaHka-7	1995-Khaung Mine
62	U	M	6		4	1	Bean, Corn	1.8	none	2.8	SaKaKaHka-7	1995-Khaung Mine
63	U	M	5		5	1	Bean, Corn	2	none	3	SaKaKaHka-7	1995-Khaung Mine
64	U	M	5		4	1	Bean, Corn	1.7	none	2.7	SaKaKaHka-7	1995-Khaung Mine
65	U	M	6		5	1	Bean, Corn	2	none	3	SaKaKaHka-7	1995-Khaung Mine
66	U	M	5		10	0.5	Paddy, Bean	1.5	none	2	GE Battalion	1991-Hein Khama
67	U	M	8		10	0.5	Paddy, Bean	1.5	none	2	GE Battalion	1991-Hein Khama
68	U	M	7		15	0.7	Paddy, Bean	2.2	none	2.9	GE Battalion	1991-Hein Khama
69	U	M	5		10	0.5	Paddy, Bean	1.5	none	2	GE Battalion	1991-Hein Khama
70	U	M	6		12	0.5	Paddy, Bean	2	none	2.5	GE Battalion	1991-Hein Khama
71	U	M	4		8	0.5	Paddy, Bean	1.5	none	2	GE Battalion	1991-Hein Khama
72	U	M	6		10	0.5	Bean, Corn	1.5	none	2	GE Battalion	1991-Hein Khama
73	U	M	7		15	0.7	Bean, Corn	2.7	none	3.4	GE Battalion	1991-Hein Khama
74	U	M	6		15	0.7	Bean, Corn	2.7	none	3.4	GE Battalion	1991-Hein Khama
75	U	M	5		10	0.4	Paddy, Bean	1.4	none	1.8	GE Battalion	1991-Hein Khama
76	U	M	6		12	0.5	Paddy, Bean	2	none	2.5	GE Battalion	1991-Hein Khama
77	U	M	7		15	0.7	Paddy, Bean	2.7	none	3.4	GE Battalion	1991-Hein Khama
78	U	M	5		10	0.4	Paddy, Bean	1.4	none	1.8	GE Battalion	1991-Hein Khama
79	U	M	6		10	0.4	Paddy, Bean	1.4	none	1.8	GE Battalion	1991-Hein Khama
80	U	M	6		15	0.7	Paddy, Bean	2.7	none	3.4	GE Battalion	1991-Hein Khama
81	U	M	7		18	1			none	1	SaKaKaHka-7	1991-Hein Khama
82	U	M	4		10	0.5			none	0.5	SaKaKaHka-7	1991-Hein Khama
83	U	M	8		15	0.8			none	0.8	SaKaKaHka-7	1991-Hein Khama
84	U	M	6		12	0.7			none	0.7	SaKaKaHka-7	1991-Hein Khama
85	U	M	3		7	0.4			none	0.4	SaKaKaHka-7	1991-Hein Khama
86	U	M	4		12	0.6			none	0.6	SaKaKaHka-7	1991-Hein Khama
87	U	M	5		10	0.5			none	0.5	SaKaKaHka-7	1991-Hein Khama
88	U	M	7		8	0.4			none	0.4	SaKaKaHka-7	1991-Hein Khama
89	U	M	8		8	0.4			none	0.4	SaKaKaHka-7	1991-Hein Khama
90	U	M	6		6	0.3			none	0.3	SaKaKaHka-7	1991-Hein Khama
91	U	M	7		7	0.3			none	0.3	SaKaKaHka-7	1991-Hein Khama
92	U	M	6		8	0.3			none	0.3	SaKaKaHka-7	1991-Hein Khama
93	U	M	8		7	0.3			none	0.3	SaKaKaHka-7	1991-Hein Khama
94	U	M	5		12	0.5			none	0.5	SaKaKaHka-7	1991-Hein Khama
95	U	M	6		8	0.3			none	0.3	SaKaKaHka-7	1991-Hein Khama
96	U	M	9		15	0.7			none	0.7	SaKaKaHka-7	1991-Hein Khama
97	Daw	F	8		10	0.4			none	0.4	SaKaKaHka-7	1991-Hein Khama

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98	U	M	10		15	0.7			none	0.7	SaKaKaHka-7	1991-Hein Khama
99	U	M	6		8	0.3			none	0.3	SaKaKaHka-7	1991-Hein Khama
100	U	M	7		7	0.3			none	0.3	SaKaKaHka-7	1991-Hein Khama
101	U	M	5		12	0.4	Corn	1.5	none	1.9	LIB 421/GE Battalion	1991-Hein Khama
102	U	M	7		8	0.3	Bean, Corn	1	none	1.3	GE Battalion	1991-Hein Khama
103	U	M	5		10	0.4	Bean, Corn	1.5	none	1.9	GE Battalion	1991-Hein Khama
104	U	M	4		12	0.4	Bean, Corn	1.5	none	1.9	GE Battalion	1991-Hein Khama
105	U	M	2		6	0.2	Paddy, Bean	0.8	none	1	GE Battalion	1991-Nan Hu
106	U	M	8		15	0.5	Paddy, Bean	2	none	2.5	GE Battalion	1991-Nyaunggon
107	U	M	5		10	0.3	Paddy, Bean	1.5	none	1.8	GE Battalion	1991-Nyaunggon
108	U	M	7		10	0.3	Paddy, Bean	1.5	none	1.8	GE Battalion	1991-Nyaunggon
109	U	M	8		12	0.4	Paddy, Bean	1.5	none	1.9	LIB 336	1991-Nyaunggon
110	U	M	5		10	0.3	Paddy, Bean	1.5	none	1.8	LIB 336	1991-Nan Hu
111	U	M	6	200	20	2	Banana	4	none	206	TPDC (MaYaKa)	1991-Nyaunggon
112	U	M	9	100	8				none	100	TPDC (MaYaKa)	1991-Nyaunggon
113	U	M	6	160	13				none	160	TPDC (MaYaKa)	1991-Nyaunggon
114	U	M	8	150	12				none	150	TPDC (MaYaKa)	1991-Nyaunggon
115	U	M	13	150	12				none	150	TPDC (MaYaKa)	1991-Nyaunggon
116	U	M	7	100	12				none	100	TPDC (MaYaKa)	1991-Nyaunggon
117	U	M	7		30	30	Bean, Corn	6	none	36	LIB 336	1991-Nyaunggon
118	U	M	6		25	25	Bean, Corn	5	none	30	LIB 336	1991-Nyaunggon
119	U	M	6		10	10	Bean, Corn	1.5	none	11.5	LIB 336	1991-Nyaunggon
120	U	M	7		20	15	Bean, Corn	3	none	18	LIB 336	1991-Nyaunggon
121	U	M	6		10	8	Bean, Corn	1.5	none	9.5	LIB 336	1991-Nyaunggon
122	U	M	5		8	6	Bean, Corn	1	none	7	LIB 336	1991-Nyaunggon
123	U	M	3		8	6	Bean, Corn	1	none	7	LIB 336	1991-Nyaunggon
124	U	M	7		10	7	Bean, Corn	1.5	none	8.5	LIB 336	1991-Nyaunggon
125	U	M	9		15	10	Bean, Corn	2	none	12	LIB 336	1991-Nyaunggon
126	U	M	8		15	10	Bean, Corn	2	none	12	LIB 336	1991-Nyaunggon
127	U	M	7	10					none	10	LIB 336	1991-Nyaunggon
128	Daw	F	6	10					none	10	LIB 336	1991-Nyaunggon
129	U	M	8	10					none	10	LIB 336	1991-Nyaunggon
130	U	M	7	10					none	10	LIB 336	1991-Nyaunggon
131	U	M	6	10					none	10	LIB 336	1991-Nyaunggon
132	U	M	7	10					none	10	LIB 336	1991-Nyaunggon
133	U	M	7	10					none	10	LIB 336	1991-Nyaunggon
134	U	M	9		20	10	Bean, Corn	3	none	13	LIB 336	1991-Nyaunggon
135	U	M	8		8	4	Bean, Corn	1	none	5	LIB 336	1991-Nyaunggon
136	U	M	6		6	2	Bean, Corn	0.8	none	2.8	LIB 336	1991-Nyaunggon
137	U	M	5		6	2	Bean, Corn	0.8	none	2.8	LIB 336	1991-Nyaunggon
138	U	M	7		8	3	Bean, Corn	1	none	4	LIB 336	1991-Nyaunggon
139	U	M	6		6	2	Bean, Corn	0.7	none	2.7	LIB 336	1991-Nyaunggon

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140	U	M	4		6	2	Bean, Corn	0.7	none	2.7	LIB 336	1991-Nyaunggon
141	U	M	9		8	3	Corn	1	none	4	LIB 336	1991-Nyaunggon
142	U	M	7		6	2	Corn	0.8	none	2.8	LIB 336	1991-Nyaunggon
143	U	M	6		8	3	Corn	1	none	4	LIB 336	1991-Nyaunggon
144	U	M	8		6	2	Corn	0.7	none	2.7	LIB 336	1991-Nyaunggon
145	U	M	5		6	2	Corn	0.7	none	2.7	LIB 336	1991-Nyaunggon
146	U	M	5		15	3	Bean, Corn	2	none	5	LIB 336/GE Battalion	1991-Nyaunggon
147	U	M	7		20	1	Bean, Corn	3	none	4	LIB 336/ GE Battalion	1991-Nyaunggon
148	U	M	6		15	1	Bean, Corn	1.5	none	2.5	LIB 336/ GE Battalion	1991-Nyaunggon
149	U	M	7		6	2	Bean, Corn	0.7	none	2.7	LIB 336	1991-Nyaunggon
150	U	M	5		5	2	Bean, Corn	0.6	none	2.6	LIB 336	1991-Nyaunggon
151	U	M	7		6	1	Bean, Corn	0.8	none	1.8	Township/SPDC	1991-Nyaunggon
152	U	M	7		4	2	Bean, Corn	0.7	none	2.7	Township/SPDC	1991-Nyaunggon
153	U	M	6		25	30	Pine Apple	15	none	45	Township/SPDC	1995-Kone Son
154	U	M	7		7	10	Onion	5	none	15	Township/SPDC	1995-Kone Son
155	U	M	6		20	2	Onion	3	none	5	Township/SPDC	1995-Pu Chael
156	U	M	5		12	1		1.5	none	2.5	Township/SPDC	1995-Pu Chael
157	U	M	5		12	1		1.5	none	2.5	Township/SPDC	1995-Pu Chael
158	U	M	4		6	0.4		0.8	none	1.2	Township/SPDC	1995-Pu Chael
159	U	M	5		1	10		3	none	13	Township/SPDC	1995-Pu Chael
160	U	M	6		1	10		3	none	13	Township/SPDC	1995-Pu Chael
161	U	M	5		1	8	Onion	2	none	10	Township/SPDC	1995-Pu Chael
162	U	M	7		4	0.4			none	0.4	Township/SPDC	1995-Lwel Pu Thar
163	U	M	6		5	0.5			none	0.5	Township/SPDC	1995-Lwel Pu Thar
164	U	M	5		3	0.3			none	0.3	Township/SPDC	1995-Lwel Pu Thar
165	U	M	6		4	0.4			none	0.4	Township/SPDC	1995-Lwel Pu Thar
166	U	M	6		5	0.5			none	0.5	Township/SPDC	1995-Lwel Pu Thar
167	U	M	6		3	0.3			none	0.3	Township/SPDC	1995-Lwel Pu Thar
168	U	M	7		4	0.4			none	0.4	Township/SPDC	1995-Lwel Pu Thar
169	U	M	7		3	0.3			none	0.3	Township/SPDC	1995-Ka Thel
170	U	M	6		6	0.6			none	0.6	Township/SPDC	1995-Ka Thel
171	U	M	8		6	0.6	Corn	1	none	1.6	Township/SPDC	1995-Mine Phet
172	U	M	9		5	0.5	Corn	1	none	1.5	Township/SPDC	1995-Mine Phet
173	U	M			4	0.4	Corn	0.8	none	1.2	Township/SPDC	1995-Mine Phet
174	U	M	8		6	0.6	Corn	1	none	1.6	Township/SPDC	1995-Mine Phet
175	U	M	7		4	0.4	Corn	0.7	none	1.1	Township/SPDC	1995-Mine Phet
176	U	M	5		3	0.3			none	0.3	Township/SPDC	1995-Mine Phet
177	U	M	8		6	1	Corn	1	none	2	Township/SPDC	1995-Mine Phet
178	U	M	6		4	0.4			none	0.4	Township/SPDC	1995-Mine Phet
179	U	M	6		5	0.5	Corn	1	none	1.5	Township/SPDC	1995-Mine Phet
180	U	M	7		5	0.5			none	0.5	Township/SPDC	1995-Mine Phet
181	U	M	5		15	0.5			none	0.5	GE Battalion	1991-Hein Khama
182	U	M	4		15	0.5			none	0.5	GE Battalion	1991-Hein Khama

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183	U	M	8		15	0.5			none	0.5	GE Battalion	1991-Hein Khama
184	U	M	6		15	0.5			none	0.5	GE Battalion	1991-Hein Khama
185	U	M	8		15	0.5			none	0.5	GE Battalion	1991-Hein Khama
186	U	M	6		15	0.5			none	0.5	GE Battalion	1991-Hein Khama
187	U	M	7		15	0.5			none	0.5	GE Battalion	1991-Hein Khama
188	U	M	2		15	0.5			none	0.5	GE Battalion	1991-Hein Khama
189	U	M	4		15	0.5			none	0.5	GE Battalion	1991-Hein Khama
190	U	M	2		15	0.5			none	0.5	GE Battalion	1991-Hein Khama
191	U	M	6		15	0.5			none	0.5	GE Battalion	1991-Hein Khama
192	U	M	5		15	0.5			none	0.5	GE Battalion	1991-Hein Khama
193	U	M	6		15	0.5			none	0.5	GE Battalion	1991-Hein Khama
194	U	M	2		15	0.5			none	0.5	GE Battalion	1991-Hein Khama
195	U	M	7		15	0.5			none	0.5	GE Battalion	1991-Hein Khama
196	U	M	5		15	0.5			none	0.5	GE Battalion	1991-Hein Khama
197	U	M	5		10	0.5	Bean, Corn	1.5	none	2	GE Battalion	1991-Nyaunggon
198	U	M	4		8	0.5	Bean, Corn	1.5	none	2	Artillery Regiment	1991-Nyaunggon
199	U	M	6		12	0.7	Bean, Corn	2	none	2.7	Artillery Regiment	1991-Nyaunggon
200	U	M	5		16	0.1	Bean, Corn	3	none	3.1	Artillery Regiment	1991-Nyaunggon
201	U	M	6		12	0.6			none	0.6	Artillery Regiment	1991-Nyaunggon
202	U	M	5		10	0.5			none	0.5	Artillery Regiment	1991-Nyaunggon
203	U	M	7		15	0.7			none	0.7	Artillery Regiment	1991-Nyaunggon
204	U	M	7		15	0.6			none	0.6	Artillery Regiment	1991-Nyaunggon
205	U	M	4		10	0.4			none	0.4	Artillery Regiment	1991-Nyaunggon
206	U	M	6		8	0.3			none	0.3	Artillery Regiment	1991-Nyaunggon
207	U	M	5		12	0.5			none	0.5	Artillery Regiment	1991-Nyaunggon
208	U	M	7		15	0.5			none	0.5	Artillery Regiment	1991-Nyaunggon
209	U	M	4		10	0.5			none	0.5	Artillery Regiment	1991-Nyaunggon
210	U	M	5		10	0.5			none	0.5	LIB 336	1991-Nyaunggon
211	U	M	7		12	0.5			none	0.5	LIB 336	1991-Nyaunggon
212	U	M	6		12	0.5			none	0.5	LIB 336	1991-Nyaunggon
213	U	M	7		8	0.4			none	0.4	LIB 336	1991-Nyaunggon
214	U	M	7		15	0.5			none	0.5	LIB 336	1991-Nyaunggon
215	U	M	2		10	0.4			none	0.4	LIB 336	1991-Nyaunggon
216	U	M	4		6	3.5	Paddy, Bean	1.5	none	5	SaKaKaHka-7	1991-Nyaunggon
217	U	M	10		10	5.5	Paddy, Bean	2.5	none	8	SaKaKaHka-7	1991-Nyaunggon
218	U	M	7		8	5	Paddy, Bean	2	none	7	SaKaKaHka-7	1991-Nyaunggon
Total			1346	1460	2040	448.5		213.4		2121.9		

Table 19: Summary of Land Confiscation, Phekon Township, Karenni State,
Source: Inside Researchers, May 2007

Moby Township, Karenni State

No	Household Head		Family size	Confiscated land, crop & other losses (lakh/K)						Total value/K	Sequence of events described	
	Name	Sex		Res land (K)	Farm land		Crop		Compensation		Confiscating body	& place
					Acre	K	Type	K				
1	U	M	10		5	5	Bean, Corn	2	none	7	LIB 422	1996-Pwelgon
2	U	M	10		4	4	Bean, Corn	1.5	none	5.5	LIB 422	1996-Pwelgon
3	U	M	9		8	6	Bean, Corn	2.5	none	8.5	LIB 422	1996-Pwelgon
4	U	M	8		6	5	Bean, Corn	2	none	7	LIB 422	1996-Pwelgon
5	U	M	7		5	4	Bean, Corn	1.5	none	5.5	LIB 422	1996-Pwelgon
6	U	M	8		6	5	Bean, Corn	2	none	7	LIB 422	1996-Pwelgon
7	U	M	8		7	5	Bean, Corn	2	none	7	LIB 422	1996-Pwelgon
8	U	M	7		10	6	Bean, Corn	3	none	9	LIB 422	1996-Pwelgon
9	Daw	F	5		5	1	Paddy, Corn	1	none	2	LIB 422	1996-Pwelgon
10	U	M	8		6	1	Paddy, Corn	1.5	none	2.5	LIB 422	1996-Pwelgon
11	Daw	F	5		10	5	Bean, Corn	2.5	none	7.5	LIB 422	1996-Pwelgon
12	U	M	6		5	2	Bean, Corn	1	none	3	LIB 422	1996-Pwelgon
13	Daw	F	7		6	3	Bean, Corn	2	none	5	LIB 422	1996-Pwelgon
14	U	M	9		7	3	Bean, Corn	2	none	5	LIB 422	1996-Pwelgon
15	U	M	8		7	3	Bean, Corn	2	none	5	LIB 422	1996-Pwelgon
16	U	M	9		15	6	Bean, Corn	3	none	9	LIB 422	1996-Pwelgon
17	U	M	8		6	2	Bean, Corn	1	none	3	LIB 422	1996-Pwelgon
18	U	M	9		5	2	Bean, Corn	1	none	3	LIB 422	1996-Pwelgon
19	U	M	8		10	5	Bean, Corn	3	none	8	LIB 422	1996-Pwelgon
20	U	M	6		8	3	Bean, Corn	2	none	5	LIB 422	1996-Pwelgon
21	U	M	6		10	4	Corn	2.5	none	6.5	LIB 422	1996-Pwelgon
22	U	M	8		7	3	Corn	2	none	5	LIB 422	1996-Pwelgon
23	U	M	9		13	5			none	5	LIB 422	1996-Pwelgon
24	U	M	8		10	4	Bean, Corn	2	none	6	LIB 422	1996-Pwelgon
25	U	M	6		8	3	Bean, Corn	2	none	5	LIB 422	1996-Pwelgon
26	U	M	7		6	2	Bean, Corn	1.5	none	3.5	LIB 422	1996-Pwelgon
27	U	M	8		10	4	Bean, Corn	2.5	none	6.5	LIB 422	1996-Pwelgon
28	U	M	7		15	1			none	1	LIB 422	1996-Pwelgon
29	U	M	7		18	1			none	1	LIB 422	1996-Pwelgon
30	U	M	9		12	1	Bean, Corn	3	none	4	LIB 422	1996-Pwelgon

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31	U	M	4		10	1			none	1	LIB 422	1996-Pwelgon
32	U	M	7		8	1	Bean, Corn	2	none	3	LIB 422	1996-Pwelgon
33	U	M	8		8	1		2	none	3	LIB 422	1996-Pwelgon
34	Daw	F	6		6	1	Bean, Corn	1.5	none	2.5	LIB 422	1996-Pwelgon
35	U	M	8		8	1	Bean, Corn	2	none	3	LIB 422	1996-Pwelgon
36	U	M	9		10	2	Bean, Corn	3	none	5	LIB 422	1996-Pwelgon
37	U	M	8		8	2	Bean, Corn	2.5	none	4.5	LIB 422	1996-Pwelgon
38	U	M	9		15	3	Bean, Corn	4	none	7	LIB 422	1996-Pwelgon
39	U	M	7		7	1	Bean, Corn	2	none	3	LIB 422	1996-Pwelgon
40	U	M	8		8	2	Bean, Corn	3	none	5	LIB 422	1996-Pwelgon
41	U	M	9		7	0.5	Corn	1.5	none	2	LIB 422	1996-Pwelgon
42	U	M	8		10	1	Bean, Corn	3	none	4	LIB 422	1996-Pwelgon
43	U	M	7		8	1	Bean, Corn	2	none	3	LIB 422	1996-Pwelgon
44	U	M	6		6	0.5	Bean, Corn	1	none	1.5	LIB 422	1996-Pwelgon
45	U	M	7		8	1	Bean, Corn	1.5	none	2.5	LIB 422	1996-Pwelgon
46	U	M	8		9	1	Bean, Corn	2	none	3	LIB 422	1996-Pwelgon
47	U	M	9		7	0.5	Bean, Corn	1.5	none	2	LIB 422	1996-Pwelgon
48	U	M	8		10	1	Bean, Corn	3	none	4	LIB 422	1996-Pwelgon
49	U	M	6		8	1	Bean, Corn	2	none	3	LIB 422	1996-Pwelgon
50	U	M	9		9	1	Bean, Corn	2.5	none	3.5	LIB 422	1996-Pwelgon
51	U	M	6		8	1	Bean, Corn	2	none	3	LIB 422	1996-Segar Quarter
52	U	M	8		12	1	Bean, Corn	3	none	4	LIB 422	1996-Segar Quarter
53	U	M	11		15	1.5			none	1.5	LIB 422	1996-Segar Quarter
54	U	M	10		13	1.5			none	1.5	LIB 422	1996-Segar Quarter
55	U	M	12		15	1.5			none	1.5	LIB 422	1996-Segar Quarter
56	U	M	7		10	1			none	1	LIB 422	1996-Segar Quarter
57	U	M	9		10	1			none	1	LIB 422	1996-Segar Quarter
58	U	M	8		6	0.5	Corn	1.5	none	2	LIB 422	1996-Segar Quarter
59	U	M	11		12	1	Corn	3	none	4	LIB 422	1996-Segar Quarter
60	U	M	9		8	1	Corn	2	none	3	LIB 422	1996-Segar Quarter
61	U	M	9		10	1	Bean, Corn	3	none	4	LIB 422	1996-Segar Quarter
62	U	M	6		7	0.5	Bean, Corn	1	none	1.5	LIB 422	1996-Segar Quarter
63	U	M	10		12	1.5			none	1.5	LIB 422	1996-Segar Quarter
64	U	M	9		11	1.5			none	1.5	LIB 422	1996-Segar Quarter

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65	U	M	8		13	1.5			none	1.5	LIB 422	1996-Segar Quarter
66	U	M	11		18	2			none	2	LIB 422	1996-Segar Quarter
67	U	M	12		15	2			none	2	LIB 422	1996-Segar Quarter
68	U	M	10		18	2			none	2	LIB 422	1996-Segar Quarter
69	U	M	6		5	0.5	Bean, Corn	1	none	1.5	LIB 422	1996-Segar Quarter
70	U	M	7		8	0.5	Bean, Corn	1.5	none	2	LIB 422	1996-Segar Quarter
71	U	M	8		10	1	Bean, Corn	2.5	none	3.5	LIB 422	1996-Segar Quarter
72	U	M	5		7	0.5	Bean, Corn	1	none	1.5	LIB 422	1996-Segar Quarter
73	U	M	8		8	0.5	Bean, Corn	1.5	none	2	LIB 422	1996-Segar Quarter
74	U	M	8		10	1	Bean, Corn	2.5	none	3.5	LIB 422	1996-Segar Quarter
75	U	M	8		12	1.5	Bean, Corn	3	none	4.5	LIB 422	1996-Segar Quarter
76	Daw	F	6		8	0.5	Bean, Corn	1	none	1.5	LIB 422	1996-Segar Quarter
77	Daw	F	7		8	0.5	Bean, Corn	1	none	1.5	LIB 422	1996-Segar Quarter
78	U	M	9		10	1	Bean, Corn	2	none	3	LIB 422	1996-Segar Quarter
79	U	M	12		15	2	Bean, Corn	4	none	6	LIB 422	1996-Segar Quarter
80	U	M	10		15	2	Bean, Corn	4	none	6	LIB 422	1996-Thityagon
81	U	M	7		10	1	Bean, Corn	2	none	3	LIB 422	1996-Thityagon
82	U	M	9		13	1.5	Bean, Corn	3	none	4.5	LIB 422	1996-Thityagon
83	U	M	11		15	1.5	Bean, Corn	4	none	5.5	LIB 422	1996-Thityagon
84	U	M	9		12	1.5	Bean, Corn	3	none	4.5	LIB 422	1996-Thityagon
85	U	M	10		13	1.5	Corn	3	none	4.5	LIB 422	1996-Thityagon
86	U	M	11		12	1.5	Corn	2	none	3.5	LIB 422	1996-Thityagon
87	U	M	6		8	0.5	Corn	1	none	1.5	LIB 422	1996-Thityagon
88	U	M	7		6	0.5	Corn	1	none	1.5	LIB 422	1996-Thityagon
89	U	M	7		14	1.5	Corn	2	none	3.5	LIB 422	1996-Thityagon
90	U	M	12		16	2	Corn	3	none	5	LIB 422	1996-Thityagon
91	U	M	8		12	1.5			none	1.5	LIB 422	1996-Thityagon
92	U	M	7		12	1.5			none	1.5	LIB 422	1996-Thityagon
93	U	M	9		15	1.5			none	1.5	LIB 422	1996-Thityagon
94	U	M	8		10	1	Bean, Corn	2	none	3	LIB 422	1996-Thityagon
95	U	M	10		14	1.5			none	1.5	LIB 422	1996-Thityagon
96	U	M	10		15	1.5			none	1.5	LIB 422	1996-Thityagon
97	U	M	12		16	2			none	2	LIB 422	1996-Thityagon
98	U	M	10		18	2	Bean, Corn	4	none	6	LIB 422	1996-Thityagon
99	U	M	9		16	2	Bean, Corn	4	none	6	LIB 422	1996-Thityagon
100	U	M	12		20	2			none	2	LIB 422	1996-Thityagon
101	U	M	9		20	1.5	Bean,	4	none	5.5	LIB 422	1996-Thityagon

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							Corn					
102	U	M	8		18	1.5	Bean, Corn	3.5	none	5	LIB 422	1996-Thityagon
103	Daw	F	5		16	1.5	Corn	3.5	none	5	LIB 422	1996-Thityagon
104	Daw	F	7		12	1	Corn	3	none	4	LIB 422	1996-Thityagon
105	U	M	9		12	1	Corn	3	none	4	LIB 422	1996-Thityagon
106	U	M	11		10	1	Corn	2	none	3	LIB 422	1996-Thityagon
107	U	M	8		15	1.5			none	1.5	LIB 422	1996-Hael Lwee
108	U	M	10		18	2			none	2	LIB 422	1996-Done Du Htan
109	U	M	9		17	2			none	2	LIB 422	1996-Hael Lwee
110	U	M	10		20	3			none	3	LIB 422	1996-Hael Lwee
111	U	M	7		15	2			none	2	LIB 422	1996-Hael Lwee
112	U	M	10		18	3			none	3	LIB 422	1996-Hael Lwee
113	U	M	8		14	2			none	2	LIB 422	1996-Hael Lwee
114	U	M	12		16	2	Bean, Corn	4	none	6	LIB 422	1996-Hael Lwee
115	U	M	5		15	2			none	2	LIB 422	1996-Hlawel Rin
116	U	M	7		12	1.5			none	1.5	LIB 422	1996-Hlawel Rin
117	U	M	10		10	1	Bean, Corn	2.5	none	3.5	LIB 422	1996-Hlawel Rin
118	U	M	11		12	1.5	Bean, Corn	3	none	4.5	LIB 422	1996-Hlawel Rin
119	U	M	8		15	2			none	2	LIB 422	1996-Hlawel Rin
120	U	M	9		7	1	Paddy, Bean	3	none	3	LIB 422	1996-Hlawel Rin
121	U	M	9		12	1			none	1	LIB 422	1996-Lwel Yin
122	U	M	8		7	0.5			none	0.5	LIB 422	1996-Lwel Yin
123	U	M	6		10	1			none	1	LIB 422	1996-Lwel Yin
124	U	M	8		15	1.5	Bean, Corn	3	none	4.5	LIB 422	1996-Lwel Yin
125	U	M	7		8	0.5			none	0.5	LIB 422	1996-Lwel Yin
126	U	M	10		15	1.5	Bean, Corn	3	none	4.5	LIB 422	1996-Lwel Yin
127	U	M	10		10	1	Bean, Corn	2	none	3	LIB 422	1996-Lwel Yin
128	U	M	8		12	1			none	1	LIB 422	1996-Lwel Yin
129	U	M	12		10	1	Bean, Corn	2	none	3	LIB 422	1996- Lwel Kywel
130	U	M	9		11	1			none	1	LIB 422	1996- Lwel Kywel
131	U	M	7		20	3.5	Bean, Corn	4	none	7.5	LIB 422	1996- Lwel Kywel
132	U	M	8		15	3	Bean, Corn	3	none	6	LIB 422	1996-Htinrugon
133	U	M	8		12	2.5	Bean, Corn	3	none	5.5	LIB 422	1996-Htinrugon
134	U	M	6		10	2			none	2	LIB 422	1996-Htinrugon
135	U	M	7		10	2	Bean, Corn	3	none	5	LIB 422	1996-Htinrugon
136	U	M	8		10	2	Bean, Corn	3	none	5	LIB 422	1996-Htinrugon
137	U	M	7		12	2.5			none	2.5	LIB 422	1996-Htinrugon
	Total		1136		1507	253		228		480		1996-Htinrugon

Table 20: Summary of Land Confiscation, Moby Township, Karenni State
Source: Inside Researchers May 2007

The above tables give some indication of the geographic extent of regime confiscation of farm land. It also reflects where information was able to be collected with great variety of sample sizes in each township. Out of our sample of 467 respondents (Table 17), from fourteen townships in six Divisions and States, only four farmers (0.85%) were given any compensation. Three were granted alternate plots of land and two were given small cash payments. The plots of land and the cash payments were far below the value of land and crops confiscated. Over 5,000 acres of land were confiscated worth more than three million Kyats. Loss of income varied depending on the type of crop planted.

In each case (Table 18) a variety of reasons were given for confiscation of land by different authorities. Of the twenty-one respondents (three female headed households) in Kawa Township, Pegu Division, all of whom had land confiscated between May to June 2003: eight had their land “re-distributed” to be owned by the Village Peace and Development Council Land Department & the USDA; twelve were told their land was leased to others to be rented and re-cultivated; and the land of one farmer was given to the Land Department and rented out for cultivation. Diverse individuals and organisations linked with the SPDC confiscated the land including the following: the Union Solidarity of Development Association (USDA), the Land Department, Military Battalion 105, Township Police, the Village Peace and Development Council and the State Peace and Development Council, and the *YaYaKa Sar Phyu Su* Village Tract. No compensation was given to any of these farmers. In Okpo Township, Pegu Division, 17 farmers were forcibly removed from their 72 acres of paddy land. All land was confiscated by the Chairman, Village Peace and Development Council and the Township Okpo Land Record Department. No farmer was compensated.

In Pantanaw Township, Irrawaddy Division, four respondents (two female headed households) had their farm land confiscated in February 2002, by U Myo Han, chairman of the Pantanaw Township, Peace and Development Council (*Ma Ya Ka*) in order to develop an urban block of land, to form a satellite town. One woman was given a small residential block of land as compensation. She was compensated a fraction of the value of her loss. This urban land was no substitute for the income from five acres formerly planted in rice, beans, sugarcane, and bananas. The other four farmers were not compensated for their losses. One female household of seven members head lost her 20 acres of paddy fields in Maubin Township, Irrawaddy Division, confiscated by the chairman U Thein Myint, Htanee Village Tract PDC, in order “to dig ground” for the construction of a lake. One male headed household of seven members had his 12 acres of paddy forcibly taken from him by U Aung San Oo, Bawathit, Prison Labour Camp. No reason was given for the confiscation. The farmer was given no compensation for his loss.

Township authorities confiscated 171 acres of paddy land of 39 farmers (three female headed) in Chaungwa, Tetseik and Magyigon villages, Kyaunggon Township, Irrawaddy Division. Not only was the

land taken and no compensation given to the farmers, but the Township authorities also denied access to common land normally used for grazing animals. This harsh and punitive action denied the livelihood of the 201 members of these farms.

In Rangoon Division, the *Na Wa Ta* (State Peace and Development Council) confiscated farm land of five of the six farmers in Rangoon Division (all male headed households). In two cases, the local Police and Htantabin Township Administration officials worked with the SPDC. The confiscated land was sold to a private company (Olympic) to profit the No. 9 Police Battalion and the SPDC; used to build a power plant, a water distribution factory, a canal, and a road. One farmer had his land confiscated directly by the Myanmar Pyi Thar Hyat Company to make a fish pond. U Htein Lin was compensated 16 lakh / Kyat after complaining to General Khin Nyunt, then Secretary 1 of the SPDC. No other farmer was compensated.

In Arakan State, one farmer had 26 acres of rubber plantation confiscated by the local Thandwe Township District Office Police Force and the USDA on 11 October 1997. The farmers land was given to the USDA and the State Police Commissioner. Three hundred and eighteen acres of paddy land was taken from 22 farmers on 15 February 2000 by the land taken by the Township Fishery Department. The farmers' land was given to the Everlight Company to construct a prawn/ shrimp pond. No compensation was given to the farmers.

In Shan State, U Zaw Zaw, Chairman, Quarter Peace and Development Council confiscated over U Tin Shwe's six acres of farm land on which paddy, maize, and beans were growing. No compensation was given to the farmer. His farm land was 'rented' out by the PDC chairman for cultivation purposes.

In Karenni State, 355 farmers' land was confiscated in 1991, 1995, and 1996. No compensation was given to any farmer. The greatest number of farmers grew corn and beans with some paddy land. Land was taken by Peace and Development township authorities, or military commands such as Light Infantry Battalion or Engineering Battalion. The military footprint is dominant as people are pushed off their land with no access to farm or support their families.

All farmers surveyed stated that they were ordered to act as night "watch" for the village. Each adult was obliged to "volunteer" time on a rotating basis. If unable to spend a night as watch, the Village Peace and Development Council would demand cash (between 500-1000Kyat). Local authorities also ordered residents to inform the authorities of visitors to the village. Each household is mandated to tell the VPDC of any visitors to the village. A visitor cannot spend the night in a friend's house without notifying the local authorities and gaining their permission. If the VPDC are not notified of these visitors, the household head can be detained, or be forced to pay an amount of cash to escape prison.

Research findings reveal a vast network of individuals, organisations, and authorities linked to the State Peace and Development Council regime at local, regional, and national levels involved in the

arbitrary confiscation of farmers' land and benefiting from this theft. Rent-seeking is well embedded and occurs in every transaction. Land is confiscated for a variety of reasons including development of infrastructure such as road construction, building a water distribution factory, for private shrimp pond enterprise, for the personal use of the Union Solidarity Development Union (USDA) members, police commissioner, and infantry battalion members. Many individuals and groups are benefiting from their SPDC links. Farmers and their families are finding it more and more difficult to survive with no real livelihood options when their land is taken from them. The high level of corruption, lack of any citizen freedom of association, expression, movement, or right to own property, no independent judiciary and no rule of law and a regime dedicated to stifling any questioning of their lawless actions contribute to a state of despair. Our research sample was small, but revealed the harsh conditions of all farmers in 14 townships of six States and Divisions. All farmers stated that they wanted their land returned to them, to be able to grow crops and support their families.

11 LAND LAWS / LAND USE IN BURMA

The current regime in Burma pursues limited market economic reform with no pretence of democratic political, social reforms. Control of land and property has been central to state authority in Burma since independence and many laws concerning property rights in land have been passed. There is lack of ownership rights, no right to transfer and lease, buy and sell, or right to use land for growing crops of one's preference. Thus opportunities to enlarge and consolidate land holdings to a more productive and efficient scale and operate a viable agro-economic enterprise do not exist. Without use and ownership rights, landholders or government-approved tenants are not willing to put in any improvements and investments in land. Farmers have only use or tilling rights in land, and land cannot be legally transferred to persons outside the family. The national average holding size was about 5.5 acres and has remained thus since the 1950s. Numerous acts, notifications, laws and principles upon which the Constitution of the Union of Burma was based were analysed in order to understand the property rights regime in Burma. Burmese laws have taken the following forms:

- Acts introduced during British annexation of Burma until 1962 when a military coup took over the colonial legislature;
- Laws issued or enacted between 1962 and the present have legal effects as acts and statutes in common law;
- Decrees and orders issued by the SLORC (State Law and Order Reconciliation Council) exercising its executive authority;
- Rules and procedures which are usually administrative such as those specifying the forms and procedures to apply under the 1989 Foreign Investment Law;
- Regulations made under powers given to a ministry or other authority by law;
- Notifications, usually issued by a ministry and relating to administrative matters of that ministry (EAAU, 1997: 104).

Independent Burma

During the year, 1947 leading to full independence from colonial Britain, the interim government of the Union of Burma with assistance and advice from British advisers, Burmese senior civil servants and recommended members of different political parties under the leadership of Bogyoke Aung San and the Anti-Fascist People's Freedom League formed a drafting committee. This committee produced a confidential interim *Reports and Meeting Notes of the Constitutional and Basic Law Drafting Committee* (1947) on a proposed constitution for the new Union of Burma and the *Two Year Plan of Economic Development for Burma* (U Mya, 1948). These documents uniquely drew upon Burmese history and culture and Western parliamentary experience and reveal recognition that corrective state measures were

needed to prevent a continuation of economic imperialism post-independence. The constitution was unanimously adopted in September 1947. Its sections on Economic Rights (Article 23), Relations of the State to Peasants and Workers (Articles 30 and 31), Directive Principles of States Policy (Articles 32-44), and its General Provisions (specifically Articles 218-220) describe the conceptual basis of a social welfare state economically and a liberal-democratic political approach (Traeger, 1958; Somit & Welsh, 1956).

The Constitution guaranteed “the right of private property and of private initiative in the economic sphere” (1947: 5). These rights of private property were limited, as the Constitution stated that: No individual was “permitted to use the right of private property to the detriment of the people as a whole”. “Private monopolist organizations” that might damage the “interests of the national economy” were forbidden. In the name of public interest, “private property may be limited or expropriated”. Single enterprises or “individual branches of the national economy may also be “nationalized or acquired by the State, if the “public interest requires” this action. The constitution forbade the development of large landholdings and the government retained the right to determine the maximum size of landholdings (1947:6).

The role of the State was outlined in *Principles of State Policy* (Section 41) concerning ownership of land, natural resources, and economic activity in these terms:

The economic life of the Union is determined and protected by the national economic plan with the aim of increasing the public wealth, of improving the material condition of the people and raising their cultural level, of consolidating the independence of the Union and strengthening its defensive capacity.

To prevent foreign domination the Union constitution determined that only Burmese citizens could control public utilities. Agricultural and mineral resources should be developed by the Union, and subject to specific exemptions made by parliament, no agricultural land was to be granted to aliens for any purpose (1947: 53). The new government began to provide the social and economic basis of a socialist state through a series of acts.

Independence and Democracy 1948-1962

Land reform was an integral part of the formation of a welfare State when Burma gained independence in 1948. The aim of the *Land Nationalisation Act* (1948 amended in 1953) was to confiscate land owned by the Chettyars, all aliens, indigenous large landowners and moneylenders. The major focus was on restraining the extent of land concentration and large landholders' agrarian power, land speculators and capitalist farming methods by re-distributing land to the Burmese cultivator and impoverished rural tillers and agriculturists.

Nationalised in 1948 under the *Land Nationalisation Act* was:

- All land owned by non-agriculturists;
- All land owned by agriculturists in excess of 50 acres;
- All land in excess of “one yoke” area (ranging from 5 to 8 acres and/or being able to be worked by one pair of bullocks).

The land nationalised was to be distributed to qualified cultivators. The government and cooperatives promised support in the form of extension services and agricultural credit. Mutual aid teams were to be established in rural areas where land reform was carried out. But implementation was slow because both political and landed interests in the country did not want their new won “power and control” over land and other resources such as access to credit and banking to be diminished by default (Mya Than, 1984).

Civil unrest and political instability in the rural areas and the lack of trained and honest staff contributed greatly to the non-implementation of the 1948 *Land Nationalisation Act*. Thus in 1952-53 the Act was amended. By 1958 out of a total of 3.3 million acres, 1.6 million acres (50%) was exempted and only 1.4 million acres was re-distributed to cultivators. By 1954 about 200,000 acres of land still remained to be distributed to cultivators. The majority of small farmer did not benefit from these measures and by 1962, 30% of paddy land was still under share tenancy. Small land- holders, operating less than 5 acres, had to submit 40-60% of their produce either as “land rent” and/or “interest” for seasonal agricultural loans (Traeger, 1966).

The ultimate aim in the *Land Nationalization Act*, of changing the socio-economic relations and the extant structural conditions that constrained the farm family household functioning as an ongoing social entity and a viable production unit, was not accomplished. The Act (1948) was never fully implemented and a second amended act was legislated in 1954. The latter modified act proceeded haltingly was ineffectively implemented, until being suspended in 1957 (Van Schendel, 1991). During the unsuccessful implementation phases of the Land Nationalisation Acts, governance and public administration scholars raised with the government the reasons why principles of equity and egalitarian justice distribution of land could not be accomplished. Effective administrative control at local levels and specific accountability by different government agencies entrusted to support and facilitate the task of implementing of the Act was lacking. Furthermore, political instability and internal insecurity resulting from the civil war and domestic conflagration that enveloped the rural areas and countryside between 1948- 58 led to embedding rural differentiation and increasing poverty of the population.

There was conflict between goals of economic efficiency and social equity. At the same time it must be realised that between the years 1948-1956 of land distribution, the equitable distribution of land was strictly emphasised and enforced by the local political authorities and implemented. Inequities and

social hardships emerged as a result of local land distribution programs. Incompetence of local government officials and endemic corruption prevailed, inhibiting the transfer of land ownership and use to the bona fide farmer-cultivator. Land nationalised was confiscated from foreign landowners and indigenous landholders that had traditional-customary use and or inheritable rights of claim on land not cultivated during Japanese occupation of Burma. This seized land was made available and re-distributed to all claimants, peasants farmers, landless labourers, and to any person capable of submitting proof of possession of records of their pre-war lands holders' rights.

Complementary objectives and orientations of land use and rights policy between 1948 and 1954 were meant to create opportunities for socio-economic advancement and improved family household livelihood in the rural areas of Burma. Supporting institutions and organisations would ensure environments of flexible-incentives encouraging innovative farmers to undertake some degree of land consolidation and farm enlargement. The latter opportunity did not arise, because other institutional supports such as access to credit, storage facilities, transport and markets and political-bureaucratic constraints/ interference were placed on the formal transfer and selling of land. Individual farmers had no rights to property.

Cultivators lost rights to own farmlands in spite of laws clearly conferring these rights and privileges. Notification 4/78 of the Trade Ministry prohibited cultivators from trading their produce freely adversely affecting individual human rights and the nation's economy. The laws and regulations enacted after independence are based on principles leading towards socialism in respect of land ownership and restricting free trade of agricultural products. In applying the *Land Nationalization Act* 1953 and by-laws of 1954 pertaining thereto, it was possible to achieve the grant of ownership and distribution of over 3,300,000 acres of land only. A cultivator was not permitted to pawn, sell, transfer, or partition his allotted parcel.

The *Agricultural Lands Act* 1953, section (9) and (10) dictated that, landowners can transfer or partition their land only on receiving permission from the authorities. Under section (11) and (12) of the same act, they are not permitted to cease agricultural work, let the land lie fallow, or lease the land to others. There are clear indications that cultivators do not really possess the land they own.

The Revolutionary Council (1962 - 1974)

The *Tenancy Act* 1963 promulgated by the Revolution Council and By Laws relating to the *Tenancy Act* 1963; *Protecting the Right of Cultivators Act* 1963; and the *Tenancy Amendment Act* 1965 further took control of land from the farmers into the hands of the State. According to section (3) of the *Tenancy Act* 1963 the government by notification order any land to be leased to tenants and thus the state usurps the right of landowners to lease their land. Section (6) also stipulated that the state had the authority to issue-to-issue regulations for the tenants working on the lands leased from the state. The

cultivators who under the *Land Nationalization Act* 1953 possessed the right to own land now became lessees under the laws.

The *Protection of the Right of Cultivation Act*, 1963, stated that the following were protected: (1) agricultural land; (2) cattle and ploughing implements; (3) tractors and machinery; (4) other implements whether animate or inanimate; (5) prohibition from confiscation for any reason of agricultural produce and arrest of cultivators. However, at the same time it was stipulated that such protection would not apply in the case of: (a) non-payment of dues owing to the state; (b) disputes arising from inheritance cases or actions taken by the state for security reasons.

The State gained further control over the livelihoods of farm households under the **Burma Socialist Programme Party (BSPP) Rule** (1974 - 1988). The most important landmark during this period was the introduction of the new constitution declaring Burma as the Socialist Republic of the Union of Burma. The Constitution of 1974 declares that the State is the ultimate owner of all natural resources and of land. The State shall develop, extract, exploit and utilize the natural resources. In 1974, the government implemented a new procurement system, actually a "compulsory delivery system". According to this system, a quota of paddy, to be sold at a fixed price to the government depot, was set for each farmer, according to the size of his holding for paddy, the yield per acre, his family size and the amount of paddy to be paid to hired labour. The remaining part of the harvest could be sold within the township. This was actually a form of progressive taxation favouring the small farmer with poor performance. In other words, this was a mis-directed attempt at equity rather than of improving productivity. Moreover, the State applied, during this period, an advance purchase system that is similar to the *pindaung* system, by which leaders extended credit to the farmers in cash for which farmers had to pay back in crops.

Under military rule SLORC / SPDC (1988 - Ongoing)

The State Law and Order Restoration Council (SLORC) adopted all the agrarian policies issued by the Burmese Socialist Programme Party of 1974-1988. Under SLORC, which seized power in 1988, all land within Burma, fields, forests, mountains, and reserved lands belonged to the State and were controlled by the State. There was no freedom for farmers to grow crops in a sustainable manner or to improve the economic and social well being of the households or communities. All land set aside for paddy fields must grow paddy only, and there was no programme to redistribute land to the poor. The cultivators not only lost their basic rights but also suffered under the additional burdens imposed by SLORC.

Notification No. 4/78 (18 September 1978) stated that any failure to sow the allotted land with the earmarked crop to obtain optimum results or failure to sell the full quota at the stipulated price during a determined period would result in confiscation of the land. Presently such drastic powers are entrusted to

village and township administration and the cultivators are compelled to follow their dictates without voicing any protest. On 31 December 1988, SLORC issued an order declaring that persons with permission to grow paddy have the duty to yield harvests to the full capacity of the field. Only after completion of the paddy season and the set quota sold to the government would other income-earning agricultural products or cash crops be permitted to be grown (SLORC Publications Sub-Committee, 1991). In 1990, SLORC issued further directives to gain total control over all land required for fruit orchards, brick production, rice mills, salt production, and other purposes. These orders had several implications for farming households and the land as farmers were forced to grow paddy as the dominant crop; severely restricted in growing other cash crops, fruits, or vegetables resulting in; reduction of variety of food available for household consumption; more vulnerable to malnutrition.

In 2003, village and township administrations misused the powers given under these regulations by arresting land workers, forcing them to stand under the scorching sun, cancelling their right to work the land, as well as prosecuting and jailing them (Sein Htay, 2003). Cultivators have no rights to farm the land. Village and township administrations have colluded with land record officials to change the designation of land from grazing to agricultural use. While existing laws do specify the traditional communal right of grazing grounds near villages as pastureland for cattle, officials either sell the cultivation rights or work the land themselves. As a result of this illegal activity, there is no communal pastureland available for local farmers' cattle. This has created great difficulties for cultivators. Every year about 3,000 to 5,000 acres of land form in river areas. There are rules and regulations how such land should be allocated. However, it is understood that the village and township administrators ignored the regulations and allocated such land to relatives, people who offered bribes, veterans, or among the members of the administrative bodies. Some obtain over 50 acres, which they then sell at high prices to others. The real farmers are unable to exert change, as they have no rights to expression, to union formation, or to question the authority of the State. Farmers have no freedom to grow crops in a sustainable manner or to improve their communities' economic and social well-being. All land belongs to the State. All land set aside for paddy fields must grow paddy only (Time Jayo Pyi Pyu, Nation Building Report, Vol. 1:252).

SLORC / SPDC has used the land as a means to earn foreign currency forcing some farmers to grow triple crops without any local community consultation. This has meant that farmers are forced to grow crops not suited to the local soil, water, and site conditions. SLORC/SPDC has followed the BSPP in constructing a feudal land system under the guise of the State. The State refers only to the military rulers and their cronies and not to the majority of the Burmese people.

The same land and agricultural policies of the SLORC were continued by the SPDC with the implementation of new approaches to ensuring more extensive agriculture is performed with land under

the effective control of “comrades” and supporters of the military, the national entrepreneurs.

Entrepreneurial Agriculture and Development

In 1999, SPDC announced the national entrepreneur scheme:

One of the State Peace and Development Council's significant efforts in developing the country's agriculture sector is inviting national entrepreneurs to take part in large-scale farming in the states and divisions endowed with vast areas of untamed waste and fallow land. Entrepreneurs are farming on thousands of acres in Ayeyarwaddy, Yangon, Magwe and Tanintharyi Divisions; some of the local companies are taming thousands of acres in Bago Division, Shan State and Kachin State to set up farms; and there are vast areas of vacant, virgin and fallow lands in Mon and Kayin States. Though there was danger of insurgency in the past, peace and stability has been maintained in the states (*New Light of Myanmar*, 4 June, 1999).

The following special privileges granted to entrepreneurs to undertake large- scale cultivation of 5000 acres or more in these newly acquired lands included:

- Thirty year leases
- Permission to export 50% of the crop and to sell the rest within Burma
- Exemption from taxes and duties for machinery, insecticides, fertilizers imported for the purpose of cultivation
- Provision of “no-cost” infrastructure (roads, bridges, telecommunication, wells) for entrepreneurs' businesses
- Guarantee of loans to entrepreneurs.

Hla Tun Aung, former rector and professor of geography, University of Mawlamyine (2003: 273-274) writes in support of opening up some of the 20 million acres of “cultivable waste land” for various reasons including agriculture. Leases or allocations of land were granted to organizations and private entrepreneurs to extend the cultivated area under the management of the Central Committee of Cultural Waste and Fallow Land. While the stated arrangements are desirable given the need for more productive agriculture, Hla Tun Aung does have reservations with this system. He questions whether these groups and entrepreneurs are responsibly bringing these areas under agricultural production and providing employment, rather than being “idle landlords”. Many questions concerning the SPDC approach to create an entrepreneurial class heavily subsidized by the state in terms of access to credit, to agricultural inputs and intermediate products (fertilizer, seed, pesticides), to support infrastructure (roads, bridges, water dams, tube wells) and communication links need to be asked. Who will benefit from this special support for an entrepreneurial class? What is evident is that the individual farmer and the land have been disadvantaged in this process (Hudson-Rodd & Myo Nyunt, 2001). These schemes claim scarce public

resources better utilized in improving the efficiency of existing farmland. The large landholding distorts farm tenure in Burma and increases income inequality. By increasing the exposure of financial institutions to such schemes, the government is building up contingent liabilities that may lead to financial sector problems similar to those experienced by ASEAN economies in the past. Most importantly, these schemes have severe environmental implications associated with clearing of forests, drainage of wetlands and, inappropriate cropping.

Over one million acres have been allocated to about 80 business groups. Most holdings are around 3,000 to 5,000 acres, though a few are much larger. One land reclamation scheme of the Myanmar Billion Group (MBG) involves draining a wetlands area, describes the social costs of the project exceed its social value, as local communities lose access to the wetlands being drained. Social and environmental consequences of these large, capital-intensive agricultural enterprises could prove more costly than the purely economic considerations. Land reclamation schemes are also being conducted in upland and coastal areas. Conditions are very different in each of these areas, not reflected in the reclamation policy. The local business groups given access to the land are required to "develop" land degradation. Social conflicts between local groups, denied access to these lands and the business groups established on large agricultural estates are considerable (Hudson-Rodd, Myo Nyunt, Saw Thamain Tun & Sein Htay, 2004).

New commercial opportunities for entrepreneurs include creation of tourist resorts on the beaches of western Burma and the establishment of the 'world's' largest tiger reserve in eastern Burma. The livelihoods of 16,000 people, in six villages, were destroyed, to make land available for the Ngwe Saung Beach Resort Project 2000. Long-time residents of five small villages were moved to farmland confiscated and uncompensated, from residents of Main Nga-Hsaw village. Villagers moved from the coast lost about 65% of their farmland, 80% of their palm gardens, were banned from onshore fishing, and cashew tree growing on hillsides. Few opportunities exist for new forms of employment in hotels run by the UMEHL, Ministry of Defence, due to lack of experience, education and foreign language expertise (Hlaing Tun & Sein Htay, 2004). In 2006, the Yuzana Company Kachin State, eastern Burma, was granted by the regime, over 200,000 acres of land in Hukaung Valley, situated around the world's largest tiger reserve. The farmers whose lands were confiscated lost their paddy fields, orchards, and the natural habitation. There is now a scarcity of wood and bamboo for house construction. Chemicals used by Yuzana in their farming practices have poisoned domestic and wild animals. In response to this massive land grab and the ecological damage resulting from Yuzana's practices, a letter of complaint was sent (26 June 2007) to Senior General Than Shwe, signed by over 800 farmers and 19 representatives of Hukaung Valley (Kachin News Group 2007).

These two examples demonstrate increasing pressures on farmers to maintain a viable livelihood. Farmers are responding to arbitrary land confiscation through whatever means available and demanding

their rights to farming. With no clear title to ownership of property and with no recourse to independent legal representation, farmers will continue to be disadvantaged. In the area of growing and selling rice, farmers have been severely restricted by regime policies. The availability of adequate rice supply for domestic consumption, a surplus of rice for export to earn foreign exchange and to have to be able to tax rice production and trade to generate revenue have been preoccupations of Burma's rulers.

Rice, Regime Policies and Farmers' Rights

The issue of rice is central to Burma's social, economic, and political life. To the people of Burma, food means rice. Rulers fear popular revolution if rice supply is diminished for local consumption, because in comparison with other countries, food in Burma dominates the average family's consumption expenditure. Nutritional status is a direct indicator of well-being and of poverty. Good nutritional status is essential for child development while chronic malnutrition impairs children's cognitive and motor development. Child malnutrition rates are high in Burma. The extent of hardship for families is evident in the high rates of moderate and severe malnutrition among pre-school age children. In 1997, one in 20 babies under six months old was moderately malnourished according to the official National Nutrition Centre (1998) figures. This rate jumps to more than 35 per cent by the time the child reaches age one. Moderate wasting (two standard deviations below international norms) affects more than four of every 10 children under age five, 16 per cent are severely underweight, and eight per cent are wasting, reflecting long term lack of food. "The implications of such widespread severe deprivation include urgent immediate need and also adverse long term repercussions for the health and intellectual development of affected children as well as damaging effects on long term human development" (Hudson-Rodd & Myo Nyunt, 2004: 128).

Consumer expenditure surveys conducted by the Central Statistical Organization (CSO) reveal that an average family in Burma spends 71 per cent of its household consumption expenditure on food in 1997 (CSO, 1999: 165). In rural villages of Burma the share of food and especially rice in total household consumption expenditure is higher than in urban centres like Rangoon. For example in Kayah State food accounted for 76 per cent of total household consumption expenditure with rice accounting for 31 per cent (CSO, 1999: 167). No other country in Asia and the Pacific region spends such a high percentage of their consumption expenditure on food. In other developing nations such as Bangladesh the share is 52 per cent, in Cambodia 57 per cent, in Laos 61 per cent, and in North Korea, 65 per cent (SS11, *Asian Agrifood Demand Trends to 2010*). "In Burma, more than any other Asian country, food is of the highest importance in the structure of household expenditure of the average family in Myanmar, and rice forms the largest component in it. The high share of food in total consumption expenditure, eating more cereals and fewer sources of protein with the passage of time, indicate a low and deteriorating standard of living in Burma" (personal communication with economist, Rangoon 2005).

The People's Tribunal Report presented to the Asian Human Rights Commission in Bangkok (1999) revealed that and scarcity of food and hunger in varying degrees was experienced by most people in Burma, whether employed or unemployed. Civil servants working in Rangoon, villagers living in relocation camps, farmers, fishermen, factory workers, indigenous peoples in mountainous regions, all the people interviewed believed that they were unable to access adequate food for themselves and their family members. The Report authors emphasised that food insecurity directly resulted from the military regime's policies. When the regime drastically raised fuel prices (500%) and food prices spiked, the United Nations World Food Program (WFP) warned that more people would go hungry and was the reason for street protests (ABC, October 2007). People already spend over 70 per cent of their income on food and now need to spend almost 50 per cent of their daily wages on transport, making it ever harder to survive. The regime's repressive land ownership laws, misguided policies including forced confiscation of land, farmers' lack of freedom to plant choice of crops, forced planting of certain crops such as physic nut for bio-fuels and a compulsory paddy quota delivery system are inevitably to blame for inadequate food supply.

A new rice policy announced in the regime's newspaper, *New Light of Myanmar* (23 April 2003, p. 1) by Secretary-2 of the SPDC regime proclaimed the government would no longer buy paddy directly from farmers at below market prices, and the ban on private rice exports would be lifted permitting private traders to export rice under certain conditions. Ending the 40 years Paddy Procurement Policy, this new rice policy was to be implemented by the newly established Myanmar Rice Trading Leading Committee (MRTLCL) with Secretary-2 as Chairman. However, farmers still report being forced to sell rice to the military at reduced costs despite regime claims not to interfere in the rice trade. For example, farmers in Pegu Division were ordered to sell between six and 15 baskets (150-375 kg) of rice per acre of cultivated land to the military for less than one third the market rate (*Irrawaddy*, 24 August 2006). The Western Regional Command based in Sittwe, Arakan State, issued orders to all the Village Peace and Development Councils, for each village to sell a minimum of 125 tonnes of rice to the army following the 2006 harvest (*Narinjara News*, 23 February 2006). A representative of the Shan Relief and Development Committee stated that: "The Burmese army continues collecting paddy from local farmers using force if met with any resistance" (*Irrawaddy* 17 January 2006).

Economic reforms are almost impossible in the unstable political and economic environment of Burma for the following reasons: domestic inflation exists at double digit rates; the official exchange rate (6 kyat per US\$) has no relation to the market or underground rate at which most exchange transactions are conducted (2007 market exchange rate was around 2000 kyat per US\$); systemic official corruption; lack of transparency, accountability, and consistency of rules and regulations of the SPDC regime, unavailability of reliable macroeconomic data, essential information, and difficulty of predicting regime

moves and decisions affecting business interests; large underground economy crucial for survival of the private sector and; no legal or institutional underpinnings in place (personal communication, unpublished paper by in-country professional, 19 September, 2003, Yangon).

Conclusion

In Burma, a military regime adopted its own version of market economy, with no substantial move to transform the other dimensions of a democratic polity. Still maintaining ownership of all land, the State has privileged the rights of ownership of land and resources for some private entrepreneurs, but denied similar rights for the peasants and small farmers. Given over forty years of military rule, the lack of transparency, systemic corruption, and no independent legal or institutional framework, farmers will continue to be disadvantaged finding it ever more difficult to make a living for their families. Transition in Burma to an open market system is not possible given the lack of an experienced, educated bureaucracy which is heavy with rules, regulations, decrees, procedures, attitudes, and resistance to change. By critically analysing the experience of other transitional countries in framing property rights regimes, we seek relevance for Burma's future socio-economic change and development, while recognising that historical differences within Burma make its transition unique. What lessons can be learned from current research that future democratic governments in Burma could consider when formulating and implementing a property rights policy? Through examination of concepts of land/property rights in relation to Burma we seek to offer suggestions for a just, equitable and ecologically sustainable future context for property rights. Property rights in land need to be considered with respect to rights of individual (agriculturist-cultivator) ownership and rights to use (control over land use and rights to grow agricultural crop of choice on land holding). How can formal and informal, customary land tenure regimes be reconciled?

12 RESEARCH ON LAND RIGHTS

Much has been written and discussed about property rights in their various manifestations, private, public, collective, and common in terms of “rights”. When property rights are widely and fairly distributed, they are inseparable from the rights of people to a means of living. Yet in the contemporary world, millions of people are denied access to the land, markets, technology, money and jobs essential to creation of livelihoods (Korten, 1998). An emerging international issue concerns reconciling formal and customary land tenure in developing countries. The incompatibility between informal customary land tenure and formal state property rights regimes in the developing world influences issues of conflict, resource degradation, and the role of property in the operationalisation of capital (Hussein & McKay, 2003; McAuslan, 2003; Meinzen-Dick, Knox, Place & Swallow, 2002).

Since 1989, transformations from planned/ command state economies to open market economic systems have been taking place, in former socialist countries of Eastern Europe, Russia, and in Communist China and Vietnam. At the core of these economic transformations is the need for a clear definition of property rights. Transitions are occurring at different rates and in diverse forms depending on the local historical contexts of the countries involved. Research into recent transformations in Eastern Europe countries reveals three distinct transitions. One is a change from a command economy to a market-based economy. The second change is from one party dictatorship to democracy and the third is a transition from a political context in which the rulers are unconstrained by laws to one of the rule of law and constitutionalism (Sunstein, 2000). Economic transition is predominantly the major focus of Western academic researchers and of international policy consultants representing the World Bank. We argue that in research on property rights, dimensions of the three transitions need to be critiqued simultaneously and not studied as separate entities.

Property Rights and Land Tenure: Definitions and Assumptions

It is clear that definitions of property rights and conceptual frameworks for studying property rights are based on conflicting visions of the world. Liberal property rights are claimed to be the main foundations of a market economy:

Written into law as an individual right to the exclusive use and disposals of parcels of the capital created by past work on them. When this is combined with the liberal system of market incentives and the right of free contract, it leads to and supports a concentration of and a system of power relations between individuals and classes, which negates the ethical goal of free and independent individual development (Macpherson, 1978).

Freedom of enterprise, unrestrained individual choice to maximise one’s utility, preference, and the sanctity of property rights, apart from basic freedoms, rights of speech, assembly, personal liberties with respect to a person’s volition and desire, may also lead to a denial of the equal possibility of individuals in achieving human fulfilment (good life and good society) by personal creativity and labour

power. According to Macpherson, a variety of ways exist in which civil structures implicate the reality of property rights in land.

In a generic sense property rights regime consists of property rights, bundles of entitlements defining rights and duties in the use of natural resources, and property rules, the rules under which those rights and duties are exercised (Bromley 1991). Land as property, a “bundle of rights”, has evolved, mediated by customs and traditions, population growth and migration, human progress and socio-technical change and last but not least by changes in law of the state. In the course of a country’s history, rights to use, conserve, and own land as property has always been contested and means were sought to adjudicate claims to land by different individuals, interest groups and stakeholders.

Three main ways determining the specific use of land can be identified as:

- Public rights, assigned to government, including rights to minerals, forests and water on the land;
- Common rights assigned to groups of people so that open access to use resources (grazing for animals/fishing) by individuals acknowledged by the community (Ostrom, 1992);
- Private rights are assigned to specific persons and individuals and entities prescribed by the laws of the land-country.

One fundamental principle assumes the community owns all natural resources in perpetuity. These resources can be made available to individuals, but ownership or the right to change ownership remains in the community. Foreign ownership of land poses a problem. How are separate, individual interests to be controlled and regulated by the state in the public interest? Granting of property rights could be a means of achieving a more equitable wealth distribution. In order to keep ultimate control over how resources are to be used, property rights in land could be leased rather than sold. Some areas in which these rights could function would be a system of transferable water rights in areas of irrigation, fishing quotas, mineral exploration leases, and timber royalties. Transferable rights could exist for a specific period of time and then revert back to State ownership or Common/Communal ownership. The right mix of private, public, state must delimit what is private, common, communal, cooperative, public, and or state property rights over land is to be considered in light of development, conservation, and wealth creation.

Customary Land Tenure / Formal Property Rights Regimes

Scholars and development workers recognise problems resulting from the separation of customary and formal state land tenure systems that have resulted in two different broad approaches, attempts to connect the two systems. One approach aims to give clear title as proof of land ownership (Carter, Wiebe & Blarel, 1994; Roth, Unruh & Barrows, 1994). But research and experience shows that granting title to small land holding farmers may not link the tenure systems (Lemel, 1988; Bromley &

Cerneia, 1989; Golan, 1994). The difficulties in titling led to another approach which gives formal recognition in national legal codes to diverse, local, existing in-place patterns of access to and control over resources (Swift, 1991; Delville, 2000; Quan, 2000). The incorporation of informal land rights and customary laws into formal national laws is important but in practice introduces other challenges. The changing nature and diversity of customary land tenure systems often based on past familial lineage or ethnicity makes it difficult to make one uniform land tenure code (Pipes, 1999; de Soto, 2000; McAuslan, 2003).

What are the links between land tenure/ property rights and human rights? It has been argued that land tenure/ property rights give security to the individual and in the process diffuse political power. Therefore, property rights should protect and create individual material wealth, necessary prerequisites for “social civility, social stability, and the maintenance of democratic governance” (Underkuffler, 2003: 138). The idea is that the possessors of property with proof of ownership can be granted protection from the rights of the collective. Having free, individual, legal claims to title of property gives people the security to act protected from the constraints of the repressive rule of state.

A fundamental requirement for a market economy is a clear definition of property rights. Property is a set of rights concerning a thing, but property also is the term for the thing itself. Property rights implying complex social institutions have been described as a bundle of rights. Characteristics of this bundle of rights over land include exclusivity, inheritability, transferability, and mechanisms of enforcement. A system of property rights defines exclusive uses of land and identifies those people entitled to these rights. Designed to address complexities of different life situations, property is described as a bundle of rights as it may have multiple rights, belonging, at the same time, to different groups or a variety of individual people. For example, an individual may have the rights to a crop harvested from a specific piece of land, while the community has a right to graze their herds on this same land post-harvest. There is also a temporal aspect to property rights over land defined by a short period, for example a year's rental or for a longer period involving inheritable and permanent rights of use. Property rights regimes, according to Daniel Bromley (1991), consists of property rights, bundles of entitlements defining rights and duties in the use of natural resources and property rules, the rules under which those rights and duties are exercised.

It has been assumed that secure individual or corporate property rights are essential to the establishment of a framework of economic incentives for investment in land-based activities. William Riker and David Weimer (1995: 94) suggest that the greater the “credibility of a right to property, the greater will be the investment in improving the economic productivity of the property”. Therefore any restrictions, which inhibit the full economic expression of property development, are to be discouraged. There are few incentives to investment in property in face of heavy restrictions. Diverse restrictions and

constraints, which influence the use and productivity of property (land), include customary conventions, ineffective systems of laws, market imperfections, and the timeframe of rights (Salazar & Feder, 1995). Spatial data is required to ensure land titles, ownership, and markets (Byamugisha & Zakout, 2000). Registration of land and cadastral surveying has been promoted as important to facilitate formal property rights and land titling (AusAID, 2000; Onchan, 1990).

Researchers into land tenure/ property rights have tended to focus upon rural property ignoring rights of urban dwellers. Brandao and Feder (1995) raise significant spatial aspects of the interactions between rural and urban sectors in land markets, while economists and policy makers have tended to focus upon the urban and rural as two distinct and total entities. Contemporary contexts of countries in the 'developing world' have introduced the critical need for re-considering the property rights of urban dwellers who do not benefit from any land registration system. Research conducted in urban contexts reveals that there is increasingly less ability to squat, as the commercial value of cities becomes scarcer therefore more valuable. Not only are these people usually absent from the registration system they have actually lost any of their informal rights to dwelling which they had enjoyed before the registration system was imposed (Fourie, 2001; Korten, 1998). The right to property and the right to adequate housing are human rights established in several international conventions, resolutions and declarations adopted by different bodies of the United Nations.

Women produce between 60 and 80 percent of the food in most developing countries, yet women are most often excluded from inheritance rights to land and property resulting from gender-biased laws, policies, customs and traditions. Bina Agarwal (2001) argues a resurgence of academic interest in land tenure and property rights emerging over concern for the development paths of transforming economies of central and eastern Europe, China, South Africa and the continued importance of agriculture to economies of Asia with a major rural base focus on women's lack of rights to tenure is crucial. Research into the daily lives of women demonstrates that in order to remediate these inadequacies in property rights, different policies may be required based on the different socio-economic realities of women (Benschop, 2001; Toulmin & Quan, 2000; Hirschon, 1984). Other researchers have pursued the links between property rights systems and sustainable resource management (Alcorn & Toledo, 1995).

Land Tenure / Property Rights: World Bank Lessons

Security of property tenure and land policy has been an area of great concern for the World Bank stimulating applied research into different geographic nations in order to create effective policy for development. In 1975 *The Land Reform Policy Paper* commissioned by the World Bank illustrated that access to land was essential to reduce poverty to ensure economic growth. Yet, it was not until the end of the 'Cold War' that the World Bank put substantial emphasis on land-related operations previously considered too complex or too 'political' in nature. In the mid 1990s context of major developments in the

post-Cold War era and with China pursuing a more capitalist approach, the World Bank changed its focus and reinstated agrarian reform in its international agenda. The new focus stressed the significance of property and land rights and promotion of an active sales market rather than a state-led land distribution concept of land reform. This new focus on market-assisted land reform has tended to support the interests of large landowners and created a layer of rich entrepreneurial farmers who can invest in large farms. Poor farmers unable to invest are displaced given no place in the competitive environment. The World Bank suggested the following ten lessons based on extensive analysis gained from contemporary land reform policies and programmes attempted internationally (Deininger, 2002: 15-17).

- Universal provision of secure land rights requires, not uniformity of legal arrangements, but transparent rights which can be enforced in a cost-effective manner within the situational geographic, legal, institutional context.
- Consensus reached on the importance of having legal recognition for customary forms of tenure and land rights for indigenous peoples needs to be transformed into concrete action through legislation in countries. The Bank will support governments who move beyond recognition of rights to property to implementation of national legislation and infrastructure to administer these rights thereby embedding these rights in society.
- Security of property rights is facilitated by ensuring transferability of use rights given to people on lands formally owned by the state. The Bank can contribute to improving land use and livelihood of households in situations where the state maintains control of large tracts of land and restricts individual use of land.
- Landed property restitution, restructuring of farms and land holdings and large-scale privatisation of land has occurred in Eastern Europe and former Soviet Union countries. Farms remaining under collective management need to be re-structured in order to protect investors and workers in this transition.
- Women's land and property rights are crucial for improving livelihoods of households in low-income countries of Africa and Asia, stimulating changes in legislation and policy.
- The Bank with extensive experience in legal and institutional reform needs to formulate action-oriented frameworks to ensure just, equitable outcomes on land and property issues.
- Land registrations systems, significant to the maintenance of land values, need to integrate both rural and urban areas.
- Sustainable management and evolution of customary tenure systems is important. Communities need to be able to choose between different types of tenure.
- Analysis of the legal framework for land administration is conducted but households and communities are not made aware of their rights. When land and property transformations occur,

making people aware of the new legislation is essential.

- Land taxes have an important function in sustaining infrastructure of land administration, by providing revenues to local governments and creating incentives for more efficient land use.

In the context of major developments in the post-Cold War era and with China embracing capitalistic ideas, the World Bank turned away from agrarian reform to market-assisted land reform as an alternative to actual state-led land distribution concept of land reform. The Asia-Pacific Research Network (2005) argues that this new World Bank focus involves breaking up communal lands while promoting active sales markets in the interests of big landowners and created a layer of rich entrepreneurial farmers who have access to capital-intensive farming. Poor farmers are therefore displaced from participating in this competitive environment.

Land Tenure / Land Rights: Countries of Transformation

Dramatic and swift political and economic changes in Eastern European countries and in the former Soviet Union presented academics with a multitude of questions, no answers, yet opportunities to study an institutional transitional framework based on past theoretical models. Within a very short period of time Communist parties in diverse countries relinquished their political positions in attempts to facilitate liberal political and social economic institutions. Property rights appeared to be crucial as the fundamental requirement of economic performance and prerequisite of a democratic political system (Riker & Weimer, 1995). Yet, rather than stimulating economic growth, the transition from state to market economies has been described as a 'transformation crisis', with severe slumps in emerging market economies (Schmieding, 2000:159). Rapid economic growth has not been easy to achieve and there are no guaranteed ways to successful transformation. Strict focus upon markets has ignored broader perspectives such as important structural contexts and local histories that impinge upon transitions. Post-socialist countries needed to create institutions which could support both democracy and market economies. Daniel Daianu (1998:62) suggests creating appropriate public policy in transforming economies along with liberalisation, privatisation, and stabilisation opens the "magic words of transformation". But the principles of this public policy for post-Communist countries is a great challenge because, as Daianu argues, there is an almost total lack of capacity to formulate and implement public policies due to the Communist legacy. How do you design policies which can promote and facilitate individual creative energies while also solve problems needing state intervention, without slipping back into authoritarian ways of thinking and practice?

Countries coming to terms with colonial invasions and denial of rights to property and land by indigenous peoples have been slow to recognize land and property rights, crucial to development (Butt & Eagleson, 1996). When Papua New Guinea gained independence, land and property rights were central to establishing the new national constitution based on the balance between individual and community

ownership of land (Mugambwa & Amankwah, 2002). Land, property rights and resolutions of ownership of land and tenure claims are most pertinent to people in Timor-Leste the newly formed (May 20, 2002) member of the United Nations (Meeuwissen, 2003). The 1999 conflict in East Timor resulted in almost total destruction of documents relating to land and property, making current use of land title and other documents as evidence of ownership and access impossible. While, most of the rural land held by communities, was never titled. Individual and corporate claims on the same piece of land in Timor-Leste have prevented both the much-needed economic development and the protection and security of individuals to private homeownership. The government of Timor-Leste is studying the current local urban and rural realities in concert with international and national issues related to land, in order to inform the creation of national property rights laws (USAID, 2003).

Jon Unruh (2006: 761-763) worked on issues of land tenure in 1990s Mozambique, post conflict, after 23 years of civil war. Post-war land tenure in Mozambique was especially problematic. Millions of people returned to the country to reoccupy land or seek new land. With few legal documents, large commercial groups often sought rights to the same piece of land as former small land holders based on a variety of different regimes, authorities, and statements of proof. The question of what was considered legitimate evidence by who became paramount. The nation had a weak court system and debilitated land institutions. Research was conducted into customary use of land in several villages in order to seek ways of determining clear ownership title. How did village members recognise land use and what types of knowledge was used most frequently? Social evidence in the form of statements from village elders, household heads, family testimonies, history of land occupation, and knowledge of community area, is oral and testimonial and can be confirmed or provided by members of the community. This type of evidence relates to historical occupation of the land and links together individuals, households, and land to local communities. Cultural-ecological evidence can be defined as the physical changes on the landscape such as fruit trees, current and old field boundaries, location of old crops, and old farm structures. This evidence shows occupation and use of the land and supports social evidence. Physical evidence is comprised of features of the terrain, easily observable to everyone such as rivers, soil types, location hills, boulders, mountains, local differences in the terrain. Knowledge of these features shows familiarity with an area. Making connections between 'fact' (observations) and argument (interpretations, inferences) focused upon combining the links between specific physical and social features, and the occupation of these as effective "occupation". The Mozambique government made this type of interpretation formally legal in the new law giving equal weight to that of title documents (Unruh, 2006: 763).

13 CONCLUSION

Much can be learned from international examples concerning land rights. There is also a need to be historically and geographically specific in consideration of land tenure/ property rights regimes. It is clear that understanding this critical area is crucial to the development and democratic transition in Burma. Land tenure/ property/ housing rights regimens evolve influenced by local, national, and international ideas of the roles of state, markets, environments, and individual rights and social justice. Any land policy for the 21st century will need to be cognizant of and based on the resolutions of the international conventions and summits on human rights, land and resource issues (Agenda 21, World Food Summit, Habitat 11, World Women Conference, International Law, Millennium Development Goals etc.). Our research was guided by a human rights framework. International obligations are framed by Article 17 of *The Universal Declaration of Human Rights*, broad international legal rules and principles of International Law Commission's *Articles on State Responsibility* (UN Doc. A/55/10, 2000) showing a definite preference for restitution as a remedy for violations of international law, specifically violations involving the illegal confiscation of housing, land, or property.

Most pertinent to our research was the concept of 'global pluralism' as expressed by Ozay Mehmet and Errol Mendes, based on their work in international human rights law, social justice, and economics. Global pluralism refers to a new order of human rights, a moral imperative based on tolerance and peaceful co-existence in a world of ethnic diversity and repugnant regimes. This essential idea is also expressed in the writings of the philosopher and economist A. K. Sen. The application of global pluralism in our research is well suited to the conditions in Burma given ethnic diversity and the imperative for a feasible exit from the increasingly oppressive State Peace and Development Council military regime currently in control.

Our research was conducted in order to understand and increase awareness of the plight of farmers inside Burma. Due to the strict military regime surveillance, it is difficult and dangerous to conduct research inside Burma. Many individuals made possible the field research and conducted interviews inside Burma at great risk of arrest. The majority of previous research has been conducted with people from minority ethnic groups who have sought refuge in the countries bordering Burma such as Thailand. Our research was significant as it reveals the struggle of farmers inside Burma doing everything within their means to continue farming. They have not been silenced by the regime and are contesting the illegal actions of the illegitimate regime in arbitrarily confiscating farm land. These farmers want to continue farming in their country. Depriving people of their economic and social livelihood is a serious denial of human rights. Through critical analysis of international research into land laws, land use, and land rights we sought examples to inform democratic transition in Burma, guided by a human rights approach to development.

In Burma, the State controls land use and owns all land. There is a plethora of land decrees, rules, regulations, and laws, no independent judiciary or rule of law, and a high degree of corruption at local, regional, and national levels. There is no freedom for farmers to own land or make decisions based on their knowledge of the land and of markets. Our research demonstrated the severe effects on households when their land was arbitrarily confiscated. Farmers were forced to seek other work becoming labourers on their former land, or seasonal help on other farms, or workers in factories, often walking great distances to work as seasonal labour. Land, crops, food, farm equipment, and household wealth (e.g. gold, silver, and watches) were confiscated along with the land, while the labour of farmers was taken by the regime in the form of contribution of time in village surveillance, construction of military buildings, and infrastructure. With drastically reduced household income, families could not afford health care and education for their children. Several groups of farmers took action against the uncompensated confiscations. Some sought legal support and requested from the regime compensation or their farmland returned. Nationally farm size is decreasing with more than three quarters of all farming households lacking enough land to make a living. There is increased pressure on natural resources as the regime expands land development to entrepreneurs both nationally and internationally with little regard for ecological or social implications and socially sustainable community considerations such as family continuity.

Land holds many meanings depending on the context. It embodies values such as homeland, place of birth, basis of survival, freedom from want, a legacy for family continuation. Social security emerges from a clearly defined land ownership in countries with no national social security systems. Land tenure systems cannot be separated from wider social, cultural, political contexts. In Burma, with a predominately agrarian base, income distribution is determined by the amount of land owned and as a result, the poor depend upon the regime with the means to exploit them. Farmers are forced off their land, forced to labour in non-farm activities, lack access to credit, or resources to improve the land, have no freedom to choose which crops to plant. Farmers are forced to grow second crops of rice, or plant crops such as physic nut as a source of bio-fuel to replace a food crop more suited to the soil. These decisions are made based on national ideology and contingency rather than scientifically based research or science. Crops are sold to the regime at below market rates with no consideration of farmers' costs of production. As a consequence more land is being cultivated which is unsuitable for the soil, climate, and rainfall and people are less able to support their nutritional needs. Ecological integrity is broken and so-called free natural resources such as water, soil, and forests are reduced. Land is an object which is sought by individuals, groups and governments. It is taxed as a source of local, regional, national economic wealth. Land is an instrument of power. Who owns and has control over the land maintains wealth. Those with no

access to land are made dependent upon those with land. Land and resources on / in the land can be the source of conflict and the site of conflict as people are dispossessed from their land.

A coherent land policy is needed in Burma which is transparent to the population. It must be based upon fundamental universal principles and guidelines which are clearly defined. Implications of translating theoretical models into policy and practice are great and involve reconciling three interrelated societal dimensions of social vitality, economic growth, and ecological integrity (Buttimer, 2001: 7-10). Making land policy is part of a broader political, economic, and social reform resulting from the transition from a centrally-planned, military regime to a market economy and democratisation. Only the lifting of 'un-freedoms' in Burma can create an environment conducive to development appropriate to the nation's diverse ecological and human context. Social vitality implies equality of opportunity, participation in decision-making and social justice.

There needs to be certainty of law, the rule of law, guarantees of human rights, and political participation of the population. In Burma, the law currently is what the generals declare day to day with resultant levels of rent-seeking at all administrative levels. In the future, creating certainty is a necessary condition. This means making clear, precise legislation for land ownership, land use, and land transfer, and for enforcement of legal claims to land in dispute. The government's actions should be predictable. The rule of law means respect for the constitution, human rights, and division of powers based on an independent parliamentary system, judiciary and courts bound by law with recognition of separate legal systems. Full public participation in this process of land issues is crucial. Only full participation can ensure that legal forms reflect the complexity of the social, cultural, economic landscape. Public awareness campaigns and discussion of legislation is central to knowledge of and acceptance of new land tenure systems. Without participation by everyone affected by changes in the system, local knowledge will not be integrated into the system. However, there are overlapping interests, rights, and legal systems creating complexities and sources of conflict in translating models into practice.

We recognise the complexities in creating a democratic process in Burma after decades of military rule. Resolution of just land title and land use is essential to this process. With no current legal title to land ownership, evidence for granting title, possibly contested by two or more parties, will be required in a democratic transitional Burma. Significant local meaning of land can be found through study of the characteristics of the landscape. The local recognition that land has been farmed over time by certain individuals and households can become a basis for evidence of ownership. Therefore, changes on the land, building of structures, planting perennial crops such as trees, established routes to and from fields can contribute to establishing land title. Recognition by other villagers as to the household land use and cropping can be used in dispute resolution, surveying, and in village processes of healing and restitution of land.

We included evidence of hand drawn maps showing original location of farms and of military occupation. Households listed crops grown, size and value of harvest. We explored the case of 362 farming households in Thabanseik Village, Bago Division, whose fertile farm land and alluvial sand banks were taken away, their livelihoods threatened, and their village status revoked. These farmers, now viewed as visitors, needed to report to the local authorities. Evidence and attestations to their status as farmers using the land was given in representation to the State Peace and Development Council. With no clear laws or right to clear legal process, claims to confiscation rest on the whim of an official. We posit the idea that these data concerning household profiles and land use could become usable evidence arising from customary life and human interaction with the landscape in the future participation of farmers in creating land policy, land laws, and in the formal recognition of their land title.

Our research illustrates the pressures on farmers to maintain their livelihoods given their lack of human rights. Households are finding it more difficult to feed, clothe, and educate their children in face of lack of land to farm. With no land as security, the next generation is disadvantaged. Children are not receiving education required and illness often goes untreated. Research findings highlight ways in which land is arbitrarily confiscated due to increasing regime presence. Several individuals and groups are benefiting through their links with the regime. They are granted leases on large tracts of land ostensibly to create entrepreneurial agricultural developments, but often the land formerly farmed by small households, remains vacant and unused. This discrepancy, inequality, and arbitrariness in administration of farm land, creates social tensions. It also contributes to the nutritional deficits in Burma as the crops grown and the market system are less able to provide sufficient food for local farmers.

The administrative system of governance represents a network of surveillance and corruption from village to national levels. Individual farmers and village groups are contesting their rights to land demanding compensation despite the risks of arrest and detention, but recognise there is no independent judiciary in Burma. Farmers have no rights and no trust in those who are the 'government' officials. These 'public' officials in positions of power as members of the Township Peace and Development Council, Village Peace and Development Council, Union Solidarity Development Association, Military Battalions, Departments of Land and Fisheries, do not represent the people of Burma, but abuse their authority for personal gain. The farmers have nothing more left to lose. Land is their life and represents the future life of their family. Without land, and the right to use it, informed by their knowledge and experience of it, there is no future.

Our research is significant for it demonstrates that in no way are the farmers reconciled to be mere victims. Their suffering is real and they have not given up expecting redress. They have not given up the struggle to hold the SPDC regime, the so-called 'government' of Burma, to account for its illegal acts of arbitrary land confiscation. The farmers and their lawyers are using all means possible to contest

the illegal actions of the SPDC regime. There is a large network of surveillance and military harshness in Burma. But, there is also a strong network of individuals who believe in the rule of law, justice, and respect for human rights. They are using all their means possible to achieve it and institute it. The men who interviewed the farmers and members of their families, those who collected statements, maps, and photographs, all those people who spoke out to describe life inside Burma, and all those who clandestinely carried the information across the border outside Burma, show the strong network of people inside and outside Burma working for democratic change. Speaking the truth in Burma imperils great risks to individuals of loss of land, livelihood, detention, torture. They believe profoundly in their struggle and the rightness of it. They put their lives on the line. This is their life. Without the research direction from elected members of parliament, the NLD, the NCGUB, and other democracy activists now in exile, this research would not be possible. In our research, we sought to expand the limited space for Burmese and international researchers to contribute to knowledge concerning farming and land rights. The farmers and their representatives inside Burma want the world to know they are doing their utmost to achieve rule of law and their rights. We need to support them in all ways possible.

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Appendix 1: Household Interview Questionnaire (English)

1. Losses Incurred From Forced Land Confiscation, 1988 to Current (village) Summary

Suburb/Village _____ Village Tract _____ Township _____
 Division/State _____ Date collected _____

No.	Name of Head of Household	Family size	Confiscated land, crop, etc. and value when taken							Total Value	When these happened	
			Value of House, land	Farm, garden, other lands		Crop		*Labor, cash and other assets			Confiscator/group	Date
				Acre	Value	Item	Value	Item	Value			

2. Losses Suffered by People because of Land Confiscation and Implications

(1988 to Current)

Household Questionnaire

* Serial No. _____ Date _____ Village _____
 * Village Tract _____ Township _____ Division/State _____
 * Name of Household Head _____

Household List

No.	Name	Relationship	Father's name	Age	M/F	Ethnicity Religion	Language	Marital Status	Educational Qualification	Comment

Household Occupation and Income (Aged 18 and over)

No.	Name	Occupation		Income (av/month)		If change of occupation, give reason	comment
		Before	After	Before	After		

Health Condition (Prevalence of Disease, Birth, Death)

No.	Name	Age	Type of Disease	Nature of Treatment	Cost	Remark

Educational Status (Children age 16 and under)

No	Name	Age	Standard	Name of School	If not attending School, Why	Remark

1: Confiscation of Land

A: Type of land confiscated (paddy/non-paddy/horticultural/grazing land/ house plot) _____
 * Area(acre/foot) _____ Current value _____
 * Confiscated by organisation/name of responsible person and date _____
 * Reasons for confiscation _____
 * Compensation for land: paid/not paid _____ (If paid) mount _____
 * If land was not confiscated and was worked on, average yearly income _____
 * After confiscation land leased/sold Yes/No _____
 * If Yes, To whom/price/value _____

B: Output of crops on land before it was confiscated (yearly average)

* Major crop.....sown acre.....output ton/basket.....vale/kyat.....
 * Minor crop.....sown acre.....output ton/basket.....vale/kyat.....
 * Minor crop.....sown acre.....output ton/basket.....vale/kyat.....
 * Land completely lost: yes/no If yes: when (year)
 * Presently still an agriculturist: yes/no
 * If still agriculturist: working on land in village (or) in another area
 name of area..... distance (miles)
 * If cannot work as agriculturist employed in another occupation/work: yes/no
 * If yes, Type of occupation/work
 (or) If staying in refugee camp/other area-location name of location

- * If conditions becomes better, will you be able to work on land in your own village/area again, yes/no
If no, for what reasons

2: **Forced collection of money in village/local area**

Amount collected	Collector/organisation	Value
* Porter/keeping watch on rail lines
* If porter or giving voluntary labour (the number of days)
* Reporting of visitors to home
* Fire watch/cleaning local neighbour hood
* Precious gems/gold/mineral mines
(gate-entry fees to town/residential permits fees)		
* Other fees/amount collected

(Recommendation letter, Deduction from the sale of crops, MaYaKa (TLORC) /Donation in cash/crop (payment to Military), Water rates for business, Paramilitary fees, Donations, Departmental funds)

TOTAL (1988 to current) _____

Loss of Possessions, Capital Investment

A. Loss of possession	Name of confiscator/group	Date	Total value
a Burn/destroy house	_____	_____	_____
b Buffalo/cow	_____	_____	_____
c. Machinery/vehicle	_____	_____	_____
d. Gold, cash, valuables	_____	_____	_____
e. Food (rice, oil, pig, chicken, etc.)	_____	_____	_____
f. Others	_____	_____	_____
Total Value			_____

B. Torture, Murder and Rape of Family Members by the Military

No.	Name	Type	Perpetrator/group	Location	dd/mm/year
1.	_____	_____	_____	_____	_____
2.	_____	_____	_____	_____	_____
3.	_____	_____	_____	_____	_____
4.	_____	_____	_____	_____	_____
5.	_____	_____	_____	_____	_____

C. Having to Give Bribery to Avoid Mistreatment

Collector/group	Reason	Date	Value
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total Value			_____

*** Report the Mistreatments to the Relevant Authority YES/No (If YES. Give details)

*** What would you like to inform NLD and NCGUB regarding the confiscation of your lands, forced labor, being picked up as porters, torture, etc. and the effect of these on your lives. What other problems are you facing.

*** I have asked about your land, property, social situations. What do you consider the most important issues that could improve your standard of living and the quality of life for your family?

* Anything else you want to mention/if there were suffering inflicted on the women (if so, when)

Signature

Signature

Head/Family Member's Name _____

Name of Enumerator _____

Appendix 2: Lawyer U Aye Myint and 5 farmers' complaint letter, Thabanseik village, Mamauk village tract, Kawa Township, Pegu Division

၁၃. ဗိုလ်ချုပ်ကိုကို
တိုင်းမှူးနှင့်ဥက္ကဋ္ဌ
တိုင်းအေးချမ်းသာယာရေးနှင့် ဖွံ့ဖြိုးရေးကောင်စီ
ပဲခူးတိုင်း

ရက်စွဲ၊ ၂၀၀၇ ခုနှစ်၊ မတ်လ (၁၉) ရက်

အကြောင်းအရာ။ ပဲခူးတိုင်း၊ ကဝဖြူနယ်မှ အိမ်ထောင်စု(၃၆၂)စုရှိသော သမ္မာနိဆိပ်ရွာအတွက် 'ကယ်
တင်သောအားဖြင့်' ကူညီဆောင်ရွက်ပေးပါရန် ပန်ကြားခြင်း

ရှိသောစွာတင်ပြအသိအမှတ်ပြုသည့် တိုင်းမှူးကြီးအထံသို့

၁။ ပဲခူးတိုင်း၊ ကဝဖြူနယ်၊ သမ္မာနိဆိပ်ရွာသားများ အသိအမှတ်ပြုချက်များသည် အောက်ပြေလူထု
တကာယ်ခံစားနေရသော မြစ်ရပ်များအမှန်ဖြစ်ပါသည်။

၂။ 'မြေလွတ်၊ မြေလတ်နှင့် မြေခိုင်းများ စီမံရေးနှင့်ဗဟိုအဖွဲ့၏ အခန်း(၇)၊ စည်းကမ်းများအခန်းတွင်
ဗဟိုအဖွဲ့၏ ခွင့်ပြုချက်မရပဲ ပေါင်နံရောင်ချခြင်း၊ ခွဲစိတ်လွှဲပြောင်းခြင်းမပြုရဟု စည်းကမ်းသတ်မှတ်ထား
ပါသည်။

(ဖိတ္တိမူတုံး-၁)

၃။ (၂၄ ၁၀ ၂၀၀၇)ခု၊ ရန်ကုန်မြို့၊ ဝေယျာသီရိစိမ့်မန့်မဉ် နိုင်ငံတော်အေးချမ်းသာယာရေးနှင့် ဖွံ့ဖြိုး
ရေးကောင်စီဝင် ဗိုလ်ချုပ်ကြီးသုရဋ္ဌမန်ကလည်း 'နိုင်ငံတော်အကြီးကော်' ၏ သတ်ပေးညွှန်ကြားချက်ကို
ထပ်မံရှင်းလင်းခဲ့ပြီးဖြစ်ပါသည်။

(ရှင်းလင်းချက်ဖိတ္တိမူတုံး-၂)

၄။ သို့ရာတွင် ယခုမြန်မာပြည်လုံးသော သမ္မာနိဆိပ်ရွာသောင့်မြေအား ဌာနဆိုင်ရာများ၊ အဖွဲ့အစည်းများနှင့်
ဧည့်ရှုများက ဝေယျာသီရိစိမ့်မန့်မဉ် နိုင်ငံတော်အကြီးကော်သတ်မှတ်ထားသည့် အမှန်ဖြစ်ပါသည်။
အချို့ကလည်း မြေလွတ်မြေခိုင်းများကို ခိုက်ယူချက်၊ အသုံးချရန်မဟုတ်ပဲ 'လှောင်ကုန်'အဖြစ် ရယူထားကြ
သည်မှာလည်း လက်တွေ့သဘာဝများ ရှိနေပါသည်။

ထို့ကြောင့် ၎င်းရွာရှိ အိမ်ထောင်စု(၃၆၂)စု၏ သားစဉ်မြေးဆက်အဆင့်ဆင့်သည့် အမြဲအခန်းနှင့်
ကွယ်များအမှန် ယနေ့အထိ မလွတ်မြောက်နိုင်ပဲ 'နိုင်ငံတော်၏ ကာကွယ်စောင့်ရှောက်မှုအောက်မှ
အလိုလိုကင်းလွတ်နေရသည်မှာ အမှန်ဖြစ်ပါသည်။

၅။ သို့ဖြစ်၍ သမ္မာနိဆိပ်ရွာအတွက် 'ကယ်တင်သောအားဖြင့်' ကူညီပေးပါရန် ကျွန်တော်တို့ပန်ကြားအပ်
ပါသည်။

လေးစားအားကိုးစွာဖြင့်

ဦးအေးမြင့် ၇

၁၆.၃.၀၇

လမ်းခြေကြမ်းများ
အမှတ်(၁၃၅၆) (၆)လမ်း၊
အလင်းရောင်(၁)ရပ်ကွက်၊
ပဲခူးမြို့

သို့။

ဗိုလ်ချုပ်ကိုင်ကို
တိုင်ပင်မှုနှင့်ညီညွတ်
တိုင်ပင်ဆောင်ရွက်သောယာဇာနည် ဖွံ့ဖြိုးရေးကောင်စီ
ပေးအပ်ခြင်း

ရက်စွဲ၊ ၂၀၀၃ ခုနှစ်၊ မတ်လ (၁၈) ရက်

အကြောင်းအရာ။ အိမ်ထောင်စု(၃၆၂)စုရှိသော ကျွန်တော်တို့ သမ္ဘာ့နံဆိပ်ရွာသား 'တရားဝင်' ရွာအဖြစ်
ပြန်လည်အသိအမှတ်ပြုပေးပါရန်နှင့် လုပ်ကိုင်စားသောက်ရန် မြေပျားတရားဝင်
ဈေးဝယ်ရန် အသုံးစားမဝင်မြေခြင်း

ရှိသောရွာတည်ပြင်အသုံးအဆောင်အပ်ပါသည် တိုင်ပင်မှုကြီးမင်းများ

၁။ ကျွန်တော်တို့အား သမ္ဘာ့နံဆိပ်ရွာသည် ပဲခူးတိုင်း ကာဗြီနယ်၊ မောင်ကော့ရွာအုပ်စုတွင် ရှေးပဝေသဏီ
ကပင်ရုံခြံပြီး ၁၅၇၁ ခုနှစ်တွင် စစ်တောင်းမြစ်ဝကျွန်းပတ်စားမကြောင့် ရွာပျက်စီးသွားခဲ့ရပါသည်။
(မြစ်ဝရေပူတိုက်စားမကြာ ရွာတည်ရှိခဲ့သောမြေပုံ-မူတိုင်)

ထို့ကြောင့် ကျွန်တော်တို့ တစ်ရွာလုံးသည် နှိပ်စက်ကျွေးမွေးမှုတွင် နှိပ်စက်ခံရနေထိုင်ကြရပြီး လယ်ယာပုံ
၍ လက်လုပ်လက်စား ကုလ်များအားဖြင့် အသက်မွေးခဲ့ကြရပါသည်။

၂။ ထိုသို့နေထိုင်လာရာ ၂၀၀၀ ပြည့်နှစ်နှင့်လွင် ကျွန်တော်တို့ သမ္ဘာ့နံဆိပ်ကျေးရွာကုန်းအပါအဝင်
မြေကွက်ပေါင်း (၅၀၀) ခန့်၊ မြန်လုံးလုံးထွန်းလာခဲ့ပါသည်။ ထို့ကြောင့် ယခင်ရွာဟောင်းနေရာတွင်
ရွာပြန်တည် ပြီး နေထိုင်လာခဲ့ကြပါသည်။

၃။ သို့ရာတွင် ဝေါ်ထွန်းလာသော သောင်မြေလွတ်မြေခြံစီးများ အားလုံးကို ခေတ်အဆက်ဆက်မှ
ဗြိတိသျှအာဏာရှင်သားယာဇာနည်ဖွံ့ဖြိုးရေးကောင်စီ ဥက္ကဋ္ဌများ ဗြိတိသျှမြေစာရင်းဦးစီးဌာနများနှင့် လုပ်ငန်းရပ်
အစွဲအစည်းများကလည်းကောင်း၊ မြေလက်ဝယ်ရှိပြီးသား တောင်သူများကလည်းကောင်း၊ ဌာနဆိုင်ရာများနှင့်
အစွဲအစည်းများကလည်းကောင်း ဝေယျာဉ်ကြွယ်ဝသောလည်း ကျွန်တော်တို့ရွာ အိမ်ထောင်စု(၃၆၂)စု
မှာ လုပ်ကိုင်စားသောက်ရေးမြေ လုံးဝမရရှိခဲ့ပါ။

(လက်ရှိရွာတည်နေရာနှင့် ဝေယျာဉ်ကြွယ်ဝသောမြေပုံ-မူတိုင်)

အစွဲအစည်းများသည် ခေတ်ဆန်းသင်္ကာရန်နှင့် ကျွန်တော်တို့အကြောင်းပြုကာ မြေပျားကို ရောင်းစား
ထားကြပြီး အစွဲအစည်းများကလည်းကောင်း ယခုအခါအိမ်ခြံမြေပါသည်။

၄။ ထိုအခြေအနေများကြောင့် ကျွန်တော်တို့ရွာသည် နိုင်ငံတော်၏ ကာကွယ်စောင့်ရှောက်မှုအောက်မှ
အလိုလိုကလွတ်နေကာ၊ လုပ်ငန်းရေးရာမြေပုံမှ ရသက်ပန်ဝတ်ရောင်းရောင်း နေထိုင်ခဲ့ရပါသည်။
လည်းကောင်း သားထိုင်မြေကလပ်လယ်ကွက်အား အသုံးပြုသော နေထိုင်ရာတွင်ပင်ဖြစ်နေပါသည်။
(ကျွန်တော်တို့အကြောင်း) တစ်ဦးကုန်သွယ်သော 'ဘုရားကျွန်း' များကုန်သွယ်အသုံး ရောက်နေသည်မှာ
အနီးဖြစ်ပါသည်။














၄။ သို့ပါ၍ ကျွန်တော်တို့ဘဝများအား ကယ်တင်သောအားဖြင့် ကျွန်တော်တို့

(က) သမ္မာနိဗ္ဗိတိန္ဒြာအား 'တရားစင်ပျာ'အဖြစ် ပြန်လည်အသိအမှတ်ပြုပေးပါရန်နှင့်

(ခ) လူ့ကိုင်စားသောကံရန်ငြေပျာအားသင်္ဘောသားပေါ်ရန် အသားခံတင်ပြအပ်ပါသည်။

ကျွန်တော်သမ္မာနိဗ္ဗိတိန္ဒြာအိမ်ထောင်စုစာရင်း-မူတွဲ ၇)

ဒီသမ္မာနိဗ္ဗိတိ

စဉ်	အမည်	လူသေ/သားများ၏ ကိုယ်စားပြုအကျိုးဆောင်များ	အရပ် လိပ်စာ	လက်ထွေ	လက်မှတ်
၁	ဦးဝင်းမိုင်	ဦးဘတင်	ကနု(နိုင်) ၀၀၉၉၂၉		၀၀၉၉၉၁၀၀  
၂	ဦးစိုး	ဦးကျော်မောင်	၁၁/ကထာ(နိုင်) ၀၀၀၀၂၆		၀၀၀၀၀၀၀၀  4.
၃	ဦးသိန်းဝင်း	ဦးဝင်းမောင်	မရှိ		၀၀၀၀၀၀၀၀  ၀၀၀၀၀၀၀၀
၄	ဦးချစ်တင်	ဦးခွေး	၂/သနု(နိုင်) ၀၄၂၈၉၂		၀၀၀၀၀၀၀၀  
၅	ဦးသန်းဆွေ	ဦးမောင်လွင်	၇/ကစု(နိုင်) ၀၀၉၈၄၃		၀၀၀၀၀၀၀၀  

မိမိတို့

၁။ မိုလ်ချုပ်ဖူးပြီးသန့်သေး၊ ဥက္ကဋ္ဌ၊ မိုလ်တော်အေးချုပ်သောယာချေနှင့် မုံပြီးချေကောင်စီ


၂။ ဒုတိယမိုလ်ချုပ်ကြီးမောင်အေး၊ ဒုတိယဥက္ကဋ္ဌ၊ မိုလ်တော်အေးချုပ်သောယာချေနှင့် မုံပြီးချေကောင်စီ

၃။ မိုလ်ချုပ်ကြီးချေရသန့်မိုလ်ကောင်စီဝင်၊ မိုလ်တော်အေးချုပ်သောယာချေနှင့် မုံပြီးချေကောင်စီ

၄။ မိုလ်ချုပ်ကြီးမောင်အေး၊ မိုလ်တော်အေးချုပ်သောယာချေနှင့် မုံပြီးချေကောင်စီ

၅။ ဒုတိယမိုလ်ချုပ်ကြီးမိုလ်ချုပ်အတွင်းချေရသန့် (မိုလ်တော်အေးချုပ်သောယာချေနှင့် မုံပြီးချေကောင်စီ)

၆။ ဥက္ကဋ္ဌ၊ မိုလ်တော်အေးချုပ်သောယာချေနှင့် မုံပြီးချေကောင်စီ၊ ပဲခူးမိုလ်


 உறுதி செய்து: 2004.01.25
 எ. காமாட்சி அம்மாச்சாரியார்
 இ. சீ.
 1000 பெருந்தேவன்

သက်တမ်း ၅၀

ကစားရင်း ကျွန်ုပ်တို့ နှစ်ဦးစလုံး ချစ်ခင်အားရစွာ ပါဝင်ခဲ့ကြသည်။

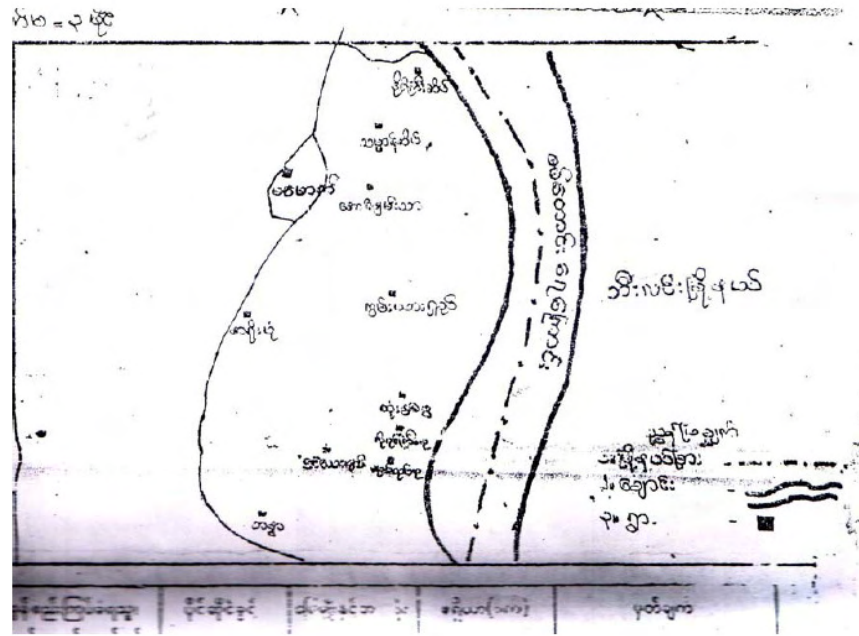
ကဆက်နကြောင်းပြပါရှိန္တနဲ့ပါတယ်

၅။ သမ္မာန် ဆီၤစျး ၇၇ ခပ် ၁၈၁၈ ကိုက်နပ်

(၁၃) ဤအမိန့်အရ အထွေထွေအကျဉ်းချုပ်ချုပ်ဆိုရန်

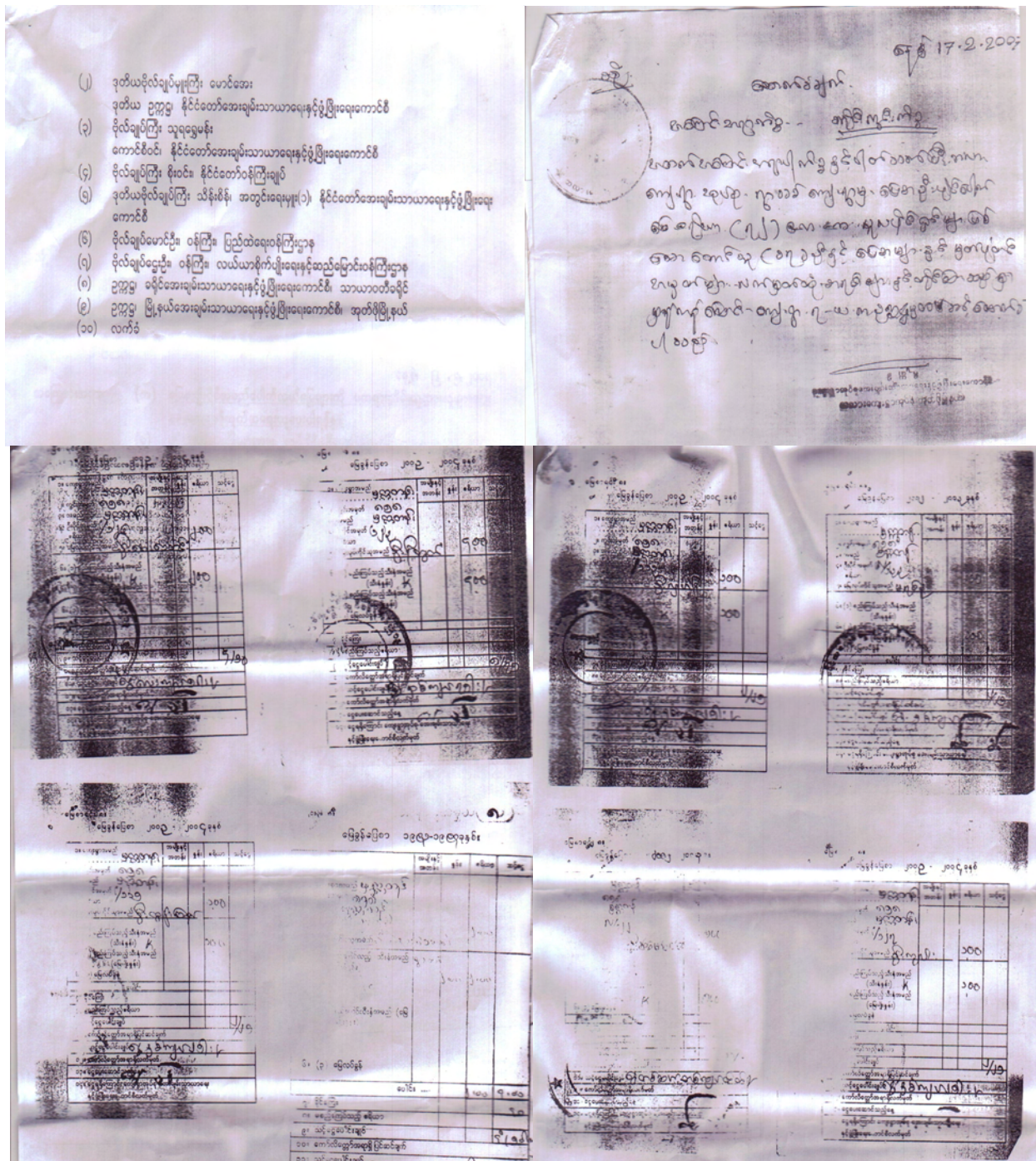
အောင်. ဖုန်နုန်အောင်. ထောင်ခံ မှီ သနပ်

10



Appendix 3: 17 farmers' complaint letter, Ywarthit village, Balar village tract, Okpo Township, Pegu Division

[illegible]



Appendix 4: 39 farmers' complaint letter (Kyaunggon Township, Irrawaddy Division)

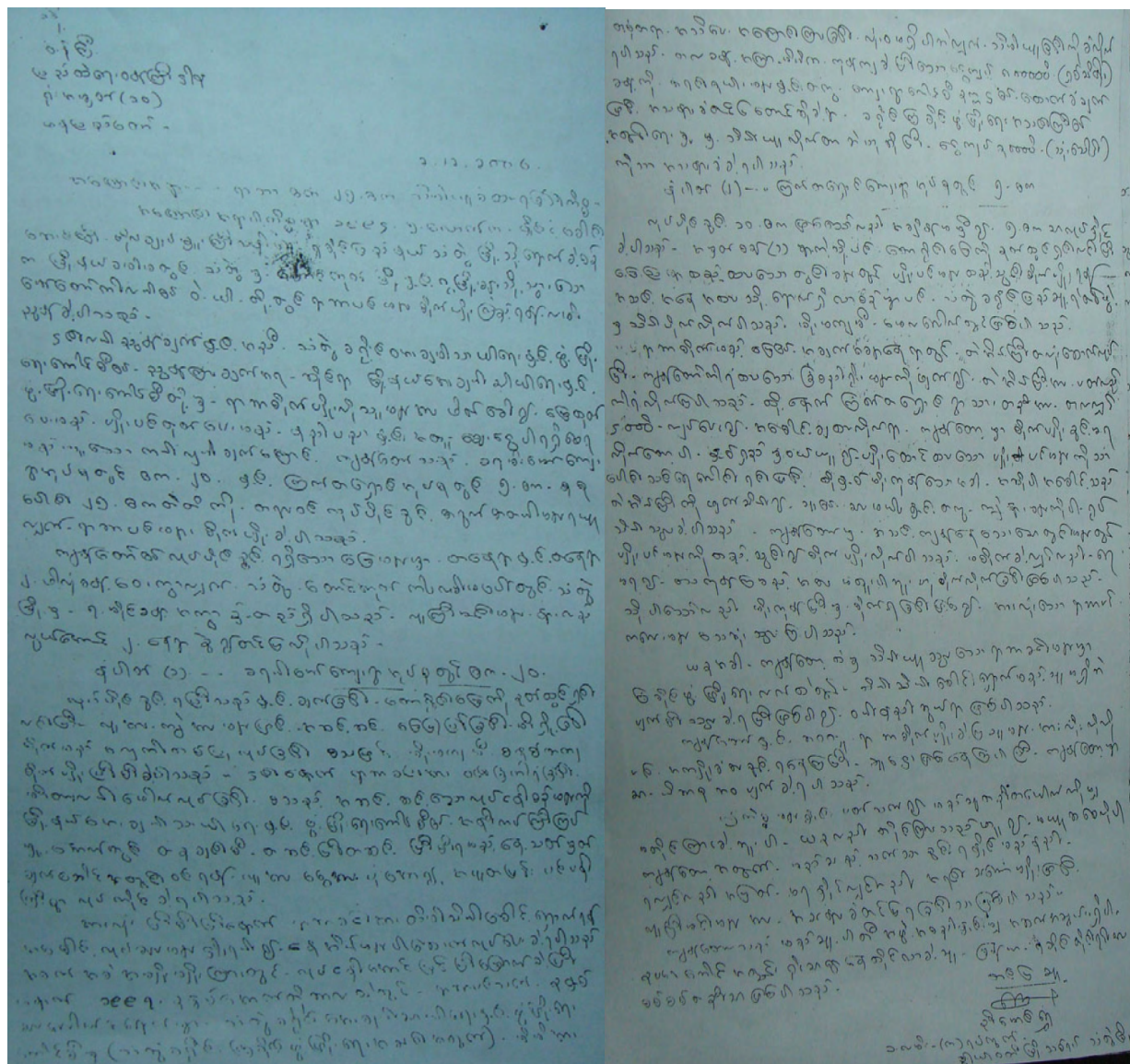
[illegible][illegible]

စာကျပ်ဝယ်ယူမှုကို ကန့်သတ်ထားသော သက်သေအားများ - စာက်ဆိပ်								
စာအုပ်	အမှတ်	အမည်	အမှတ်	အမှတ်	အမှတ်	အမှတ်	အမှတ်	အမှတ်
၁	၁	၁	၁	၁	၁	၁	၁	၁
၂	၂	၂	၂	၂	၂	၂	၂	၂
၃	၃	၃	၃	၃	၃	၃	၃	၃
၄	၄	၄	၄	၄	၄	၄	၄	၄
၅	၅	၅	၅	၅	၅	၅	၅	၅
၆	၆	၆	၆	၆	၆	၆	၆	၆
၇	၇	၇	၇	၇	၇	၇	၇	၇
၈	၈	၈	၈	၈	၈	၈	၈	၈
၉	၉	၉	၉	၉	၉	၉	၉	၉
၁၀	၁၀	၁၀	၁၀	၁၀	၁၀	၁၀	၁၀	၁၀
၁၁	၁၁	၁၁	၁၁	၁၁	၁၁	၁၁	၁၁	၁၁
၁၂	၁၂	၁၂	၁၂	၁၂	၁၂	၁၂	၁၂	၁၂
၁၃	၁၃	၁၃	၁၃	၁၃	၁၃	၁၃	၁၃	၁၃
၁၄	၁၄	၁၄	၁၄	၁၄	၁၄	၁၄	၁၄	၁၄

စာကျပ်ဝယ်ယူမှုကို ကန့်သတ်ထားသော သက်သေအားများ - စာက်ဆိပ်								
စာအုပ်	အမှတ်	အမည်	အမှတ်	အမှတ်	အမှတ်	အမှတ်	အမှတ်	အမှတ်
၁	၁	၁	၁	၁	၁	၁	၁	၁
၂	၂	၂	၂	၂	၂	၂	၂	၂
၃	၃	၃	၃	၃	၃	၃	၃	၃
၄	၄	၄	၄	၄	၄	၄	၄	၄
၅	၅	၅	၅	၅	၅	၅	၅	၅
၆	၆	၆	၆	၆	၆	၆	၆	၆
၇	၇	၇	၇	၇	၇	၇	၇	၇
၈	၈	၈	၈	၈	၈	၈	၈	၈
၉	၉	၉	၉	၉	၉	၉	၉	၉
၁၀	၁၀	၁၀	၁၀	၁၀	၁၀	၁၀	၁၀	၁၀
၁၁	၁၁	၁၁	၁၁	၁၁	၁၁	၁၁	၁၁	၁၁
၁၂	၁၂	၁၂	၁၂	၁၂	၁၂	၁၂	၁၂	၁၂
၁၃	၁၃	၁၃	၁၃	၁၃	၁၃	၁၃	၁၃	၁၃
၁၄	၁၄	၁၄	၁၄	၁၄	၁၄	၁၄	၁၄	၁၄

စာကျပ်ဝယ်ယူမှုကို ကန့်သတ်ထားသော သက်သေအားများ - စာက်ဆိပ်											
စာအုပ်	အမှတ်	အမည်	အမှတ်	အမှတ်	အမှတ်	အမှတ်	အမှတ်	အမှတ်	အမှတ်	အမှတ်	အမှတ်
၁	၁	၁	၁	၁	၁	၁	၁	၁	၁	၁	၁
၂	၂	၂	၂	၂	၂	၂	၂	၂	၂	၂	၂
၃	၃	၃	၃	၃	၃	၃	၃	၃	၃	၃	၃
၄	၄	၄	၄	၄	၄	၄	၄	၄	၄	၄	၄
၅	၅	၅	၅	၅	၅	၅	၅	၅	၅	၅	၅
၆	၆	၆	၆	၆	၆	၆	၆	၆	၆	၆	၆
၇	၇	၇	၇	၇	၇	၇	၇	၇	၇	၇	၇
၈	၈	၈	၈	၈	၈	၈	၈	၈	၈	၈	၈
၉	၉	၉	၉	၉	၉	၉	၉	၉	၉	၉	၉
၁၀	၁၀	၁၀	၁၀	၁၀	၁၀	၁၀	၁၀	၁၀	၁၀	၁၀	၁၀
၁၁	၁၁	၁၁	၁၁	၁၁	၁၁	၁၁	၁၁	၁၁	၁၁	၁၁	၁၁
၁၂	၁၂	၁၂	၁၂	၁၂	၁၂	၁၂	၁၂	၁၂	၁၂	၁၂	၁၂
၁၃	၁၃	၁၃	၁၃	၁၃	၁၃	၁၃	၁၃	၁၃	၁၃	၁၃	၁၃
၁၄	၁၄	၁၄	၁၄	၁၄	၁၄	၁၄	၁၄	၁၄	၁၄	၁၄	၁၄

Appendix 5: U Maung Shwe's complaint letter to the Minister for Home Affair



Appendix 6: Complaint letter to Sr. Gen Than Shwe

U Maung Shwe

&

U Thar Maung

[illegible][illegible]

Appendix 7: U Tin Shwe, Hlaingbontha quarter, Shwenyaung Township, Shan State (Household questionnaire)

02/07/2007

02/07/2007

02/07/2007

02/07/2007

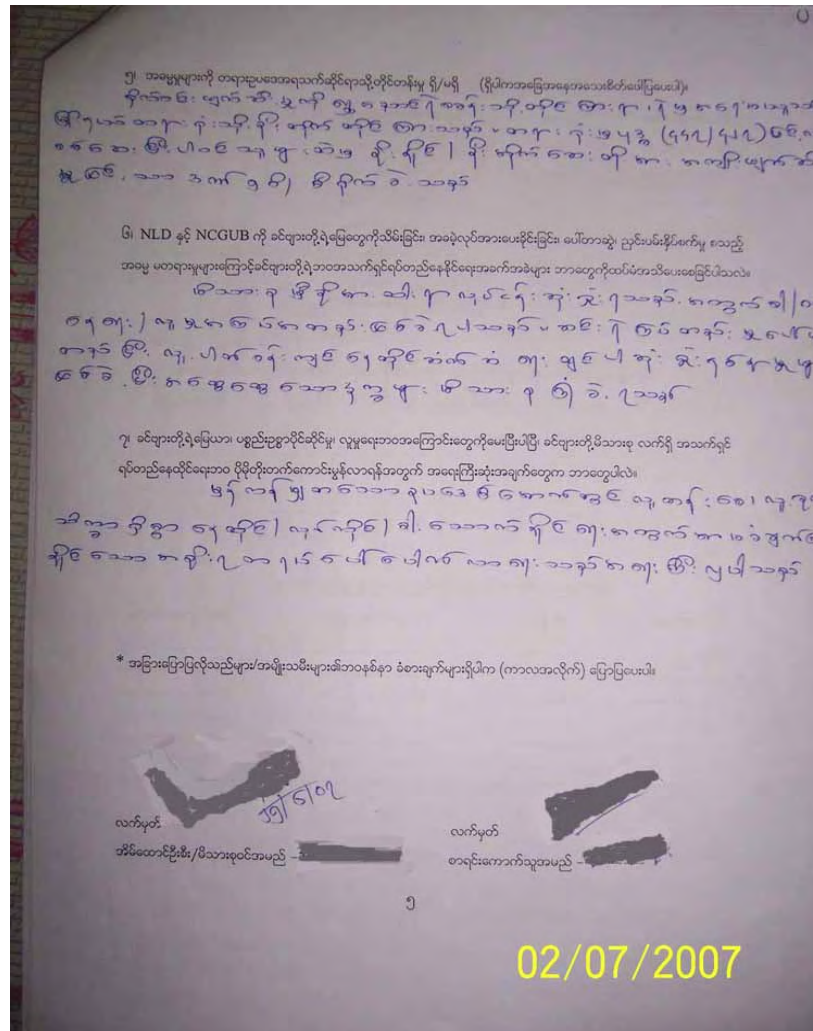


Photo evidence (Respective confiscated land and their homes)

Thabanseik village, Mamauk Village Tract, Kawa Township, Pegu Division

U Chit Tin

&

U Tin Soe



Daw Nyunt Khin

&

U Than Lwin



U Than Lwin



U San Chain, Aungkaungnyunt village, Mamauk village tract, Kawa Township, Pegu Division



U Sein Win, Sinkuly village, Hlegu Township, Rangoon Division



U Htein Lin, Ahhtayu village, Hmawbi Township, Rangoon Division



U San Mg, Sinkulay village, Hlegu Township, Rangoon Division





U Thaung Shwe, Kannartali village, Hlaingthaya Township, Rangoon Division



U Sein, Konetali village, Tuchaung village tract, Htantabin Township, Rangoon Division

