

Burma's dirty war

The humanitarian crisis in eastern Burma



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Executive summary

Up to a million people have fled their homes in eastern Burma in a humanitarian crisis that the world's powers have almost entirely ignored. Some of them have fled to Thailand, where they exist in a no-man's-land of refugee camps or as illegal immigrants. But most are inside Burma.¹ They live in army-controlled relocation sites or on the run in Burma's harsh jungle. Surviving on caches of rice hidden in caves or on roots and other wild foods, they face malaria, landmines and starvation. Pursued by the Burmese army, families are hunted like animals or starved into surrender.

These people – hundreds of thousands of ethnic minorities in eastern Burma – are the principal victims of a 'dirty war' waged by the Burmese army.² For more than 50 years, groups representing ethnic minorities have fought the Burmese army in an effort to gain greater political autonomy.

During the past ten years, the conflict has intensified as the ethnic armies have lost control of their territories and ordinary people lost their refuge. In fighting the ethnic guerrilla groups along the Thai-Burmese border, the Burmese army has launched an all-out counter-insurgency war in which civilians are the deliberate targets and terror is a weapon of war.

Murder and rape, the destruction of houses, crops and food, forced relocation and the burning of entire villages, extortion and forced labour, are all routine. They are tactics in the larger counter-insurgency strategy to separate ethnic minority armies from popular support.³

In interviews we carried out on the Thai-Burmese border, people told us of the shooting of family members as they lay huddled together in fields; of the torching of villages and planting of landmines around crops; and of the almost certain death facing those made to work for the army. Some told us how civilians were used as human minesweepers, forced to walk in front of army patrols to detonate deadly landmines.

'When [the army] sees us, they kill us, rob us or enslave us. We have to run away,' said one 35-year-old man whose village was shelled. 'Almost every month we fled to the jungle,' another told us. 'Every month, two or three people were killed by the military.' His family hid for months before deciding to leave for Thailand.

The Burmese military government, the State Peace and Development Council (SPDC), achieved notoriety after their brutal suppression in September 1988 of the pro-democracy uprising, costing thousands of lives. Its subsequent refusal to hand over power after Aung San Suu Kyi's National League for Democracy won elections in 1990 placed it among the world's pariah states.

Recent calls by the UN and others for the release of pro-democracy leader Aung San Suu Kyi and other opposition leaders, and the government's announcement of a 'roadmap to democracy', including a National Convention to re-draft the constitution, may signal a climate of change. But the spotlight, of both the media and governments, has focused on Rangoon and the rights of the opposition.

Far from the glare of the international spotlight, the growing crisis in eastern Burma has been largely unremarked. At this moment of possible change, it is imperative that the international community work to resolve not only Burma's political crisis, but the humanitarian crisis on its eastern borders. A resolution requires peace, and a peace in which ethnic minorities and their representatives have a say.

This report, written after a trip to the Thai-Burma border in November 2003, reflects Christian Aid's 20 years of work with Burmese refugees and displaced people. Since 1984 we have supported refugee camps through the Burmese Border Consortium, which today provides food and shelter to 140,000 people. Its staff give us increasingly alarming reports about conditions inside Burma. They speak of villages on fire, people fleeing for their lives into the jungle to escape army patrols, of hunger, death and disease.

Almost no one – with the exception of small, local 'backpack teams' – can enter eastern Burma to alleviate the humanitarian crisis. The Burmese government blocks international and local NGOs alike. Like the Burmese army's 'dirty war', this denial of humanitarian access costs lives. Here it is lives lost through starvation and disease.

Governments have given generously to help Burma's refugees, not least the UK and Irish governments and the EU, all of which fund the Burmese Border Consortium. This is vital support. But only a minority of Burma's terrorised people can escape. The rest, trapped in army sites or hiding in the jungle, remain prisoners of starvation or terror.

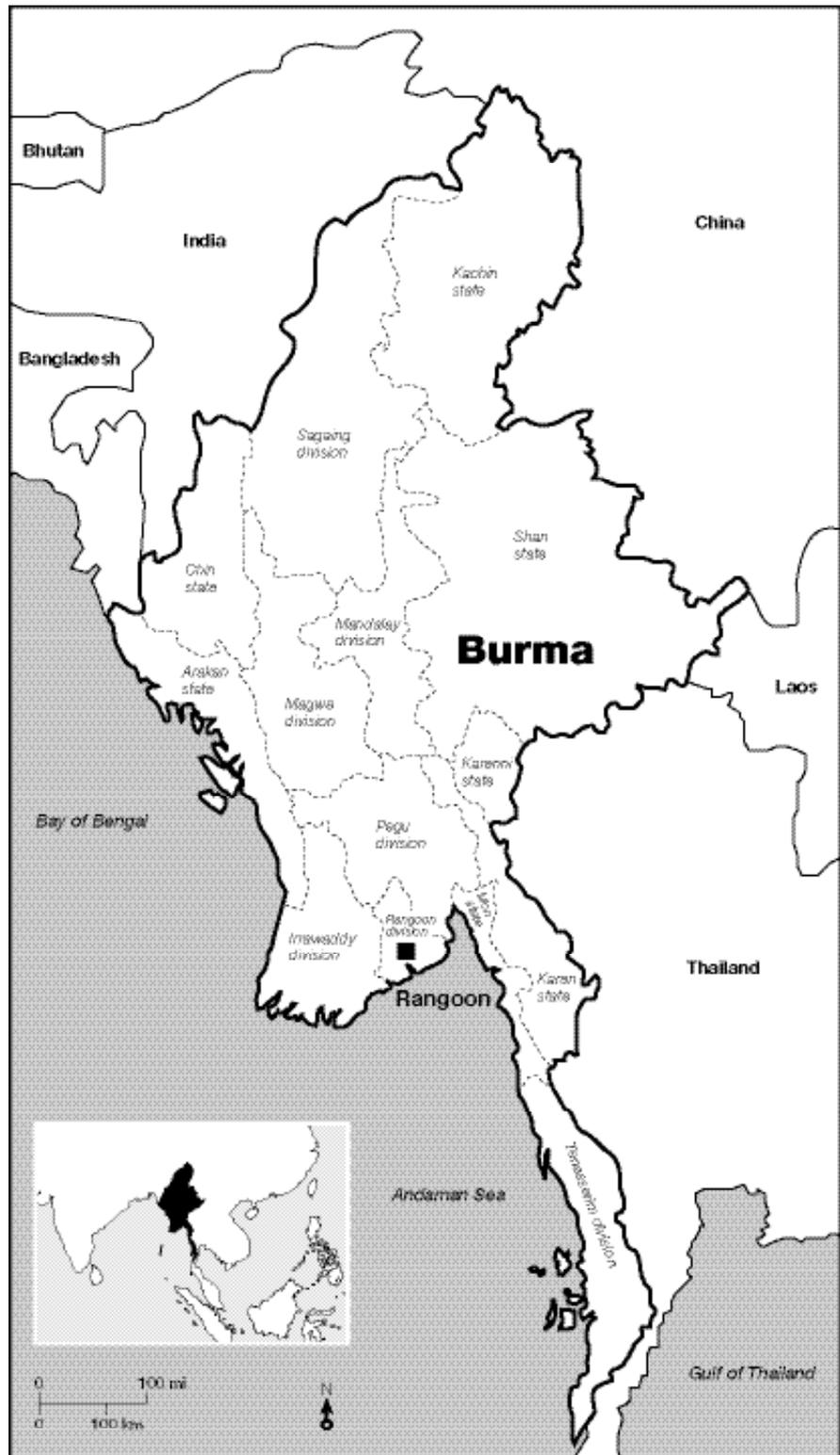
We believe that these people should no longer be forgotten. They should no longer have to exist as the targets of terror, or be forced to live on the run, feeding their children grass and roots when the rice runs out. Governments, including those of the UK and Ireland as well as the EU, must join with the UN to press the Burmese government to open up its eastern borders to humanitarian agencies. The UN must have access so that it can fully and freely investigate the extent of the humanitarian crisis affecting hundreds of thousands of people. Ultimately, however, the only answer to Burma's suffering is a just and lasting peace.

Chapter 1

Displacement in eastern Burma

Hundreds of thousands of people in eastern Burma face a stark choice: slow starvation in the jungle, or making the dangerous journey across minefields and past army patrols to refugee camps in Thailand. In 2002, Christian Aid's partner the Burmese Border Consortium estimated that more than 630,000 internally displaced people were living in the states of Shan, Karenni, Karen and Mon, and Pegu and Tenasserim divisions, most of which border Thailand. Of this 630,000, it is estimated that 270,000 are living in hiding and another 360,000 in relocation sites controlled by the Burmese army or its allied militias.⁴ Both groups of displaced people have suffered systematic maltreatment, including gross human rights abuses, at the hands of the Burmese army.

Other displaced people have fled to Thailand. In June 2003, there were more than 140,000 people living in Thailand's official refugee camps while there are now estimated to be as many as 200,000 Shan refugees living unofficially in northern Thai provinces. Many others have entered Thailand as illegal migrants; there are no accurate figures of how many, and estimates vary from 800,000 to 1.5 million (these figures refer to the total number of Burmese migrants, not just those from eastern Burma). Although it is difficult to give precise figures, when all these figures are considered it is likely that more than one million people in total have been displaced from their homes in the eastern border areas.



The displacement of ethnic minorities in eastern Burma is a direct result of the Burmese government's policies over the past 40 years. Loss of life, human rights abuses and the impoverishment of a once-wealthy country have marked this conflict. Since the late 1960s the Burmese army, called the Tatmadaw, has targeted civilians in conflict areas as a counter-insurgency measure. This process sought to undermine insurgent groups by severing their links with local people, and was known as the 'Four Cuts'.

The Burmese army has cleared large areas of villages, forcing people to move to government-controlled relocation sites. This is a scorched-earth strategy in which the army murders villagers, rapes women, destroys houses and crops, plants landmines in fields and paths, and shoots on sight anyone found returning to their homes.⁵

The story of Eh Ser

Eh Ser is 35. Her husband Bleh Htoo is 28. They have three children, one of whom had to be left behind in Paan township. 'Life has been very difficult. Since I was a small boy, we have had to run,' says Bleh Htoo. 'Almost every month, we fled to the jungle. Every month, two or three people were killed by the military. We hid rice in caves so we could survive. Sometimes we stayed there the whole month,' adds Eh Ser.

Soldiers laid landmines around the village to stop people fleeing; five farmers going to their fields were badly injured. After the rice harvest Eh Ser and Bleh Htoo decided they would leave. They heard the army was coming back to force people to work as porters for them and Eh Ser was increasingly ill with malaria and had no money for medicine.

'It was difficult to walk when I was sick,' says Eh Ser. 'I was fainting all the time. I told him [Bleh Htoo]: "leave me here. You can go on with the children".'

Somehow they made it to the border. Eh Ser longs to see her mother and her eldest daughter, but the old woman is very frail and would not survive the journey. The ties that bind these three women's lives and give them meaning have been cruelly severed by war and borders. Perhaps they will not meet again.

The Burmese army's tactics have intensified in recent years. Although ceasefires have been agreed between the SPDC and ethnic minority armies in other parts of Burma, much of the eastern border with Thailand is still a conflict zone.

The Shan State Army (SSA) South, the Karenni National Progressive Party (KNPP) and the Karen National Union (KNU) have been the major groups fighting the Burmese government from bases close to the Thai border, although in January 2004 the KNU began peace talks.⁶ The Burmese army is concentrating its forces in these areas in an attempt to wipe out these remaining ethnic minority armies. About one-quarter of the nearly half-million troops that make up the Burmese army is based in Shan state alone.⁷

Forced relocation is a central strategy of the army. Between 1996 and 1998, for instance, it implemented a major forced-relocation programme in Shan state. As revealed by the Shan Human Rights Foundation (SHRF),⁸ 1,478 villages in central and southern Shan state were relocated between 1996 and 1998, a process affecting about 300,000 people. This process was intended to force the villagers into government-controlled relocation sites. Instead, according to estimates made at the time, at least 100,000 went into hiding and about 100,000 fled to Thailand.

To deter people from returning to their home villages, the Burmese army shot those found outside the main relocation centres. The SHRF gathered evidence from Shan state to show how the Burmese army had carried out extra-judicial killings of at least 664 displaced people in 1997. In one incident, soldiers killed and beheaded 26 villagers and laid out their bodies on the main Keng Lom-Kun Hing road as a warning to others not to leave the relocation centre.⁹

Burmese army offensives in the border areas were once confined to the dry season. Now they take place throughout the year. This reflects the army's tightening grip on the border areas, having driven out the ethnic minority armies from regions they previously controlled. Ethnic minority armies are now reduced to operating as small, border-based mobile units without control over any significant territory. There are now no secure areas in which ethnic minorities can live under the protection of ethnic minority armies.

Obtaining precise and up-to-date information on these conflict zones is difficult, given that the Burmese government has denied access to international organisations. Human rights groups and ethnic-welfare organisations based in Thailand visit periodically. This is a perilous undertaking, given the risk of being intercepted by the Burmese army, but these organisations are able to provide crucial information about the situation facing displaced people. Further information has been obtained from Burmese who have taken refuge in Thailand.

Lah Sey's story

Lah Sey is a 28-year-old mother of three. She arrived in Thailand two months ago with her mother Htoo Khu, a sprightly 70-year-old. Three years ago, Lah Sey's husband died of the malaria that decimates those who flee to the jungle. 'There was always fighting near our village. We had to work as porters and pay tax to the Tatmadaw and the DKBA.¹⁰ There was no time left to work in the fields and nothing to eat. They took all the animals and the rice. We all ran away to the jungle, but after a week, the food ran out,' said Lah Sey. 'I first ran from the soldiers when I was eight. I have been running for my life for 20 years.'

The rising numbers of refugees entering camps in Thailand is an indication of the intensification of the Burmese army's campaign against ethnic minorities in eastern Burma. In December 1999, the population of Thailand's refugee camps was 105,425. This figure reached 125,118 at the end of 2001, 134,922 by the end of 2002 and 140,225 by June 2003. This growth has taken place at a time when the journey across the border has become extremely dangerous because of more frequent Burmese army patrols.

As this report will show, numbers alone cannot convey the suffering of ethnic minorities in eastern Burma. The policies of the Burmese government over the past five decades have deprived displaced people in the region of their rights to security, food, shelter and healthcare – and have created the humanitarian crisis facing displaced people today.

Why is Burma's government waging war on its own people? As we see in Chapter 2, there is a complex history. The long-term solution is to ensure that ethnic minorities are fully represented in a democratically governed Burma.

Rape as a weapon of war

A profoundly disturbing picture emerges in Shan state from the Burmese army's systematic use of rape as a weapon of war. In 2002, the Shan Human Rights Foundation together with the Shan Women's Action Network published a report on the Burmese military's use of sexual violence against the Shan people.¹¹ The report presents evidence that the Burmese army has used rape as a significant part of its campaign against ethnic minorities.

'There appears to be a concerted strategy by the Burmese army troops to rape Shan women as part of their anti-insurgency activities. The incidents detailed were committed by soldiers from 52 different battalions. Eighty-three per cent of the rapes were committed by officers, usually in front of their troops. The rapes involved extreme brutality, often torture such as beating, mutilation and suffocation. Twenty-five per cent of the rapes resulted in death, in some incidences with bodies being deliberately displayed to local communities. Sixty-one per cent were gang-rapes; women were raped within military bases, and in some cases women were detained and raped repeatedly for periods of up to four months. Out of the total 173 documented incidents, in only one case was a perpetrator punished by his commanding officer. More commonly, the complainants were fined, detained, tortured or even killed by the military.'¹²

This report, providing details of each of these 173 documented incidents of rapes by the Burmese army, caused an international outcry when it was published in May 2002. The Burmese government has denied these allegations.¹³ But recent documentation shows that the Burmese army continues to use rape. Relief teams visiting Shan state in 2003 interviewed two women who had been raped after the report was published. Careful to omit any names, they wrote the story of these two women.

'XXX, 33 years old, married with two children, was raped in her rice field in the vicinity of XXX village, which is near XXX village. The soldier who raped her was one of 30 Burmese army soldiers on patrol. The soldiers held her down and one raped her. There were three other women raped in her village. Her husband was also frequently forced to porter for the Burmese army and was beaten. They fled to an IDP [hiding place] site at XXX in December 2002.

'XXX, 37 years old, married with two children. In August 2002 she was raped by a soldier of the Burmese army in her home at XXX. During the rape she lost consciousness. Five or six Burmese army soldiers came into her house. One soldier held her arms and covered her eyes with a cloth, while another held her feet and a third soldier raped her. The other soldiers stole her goods and shot two chickens with a slingshot. "I screamed but there were only women in the village at the time and I was helpless. I passed out. We came here in December 2002. I am very afraid. My heart is weak now because I am so afraid".¹⁴

Refugees International's 2003 report *No Safe Place: Burma's Army and the Rape of Ethnic Women* confirms that widespread rape is committed with impunity in ethnic minority areas and contends that rape and militarisation go hand in hand.

Chapter 2

The historical roots of ethnic conflict in Burma

Burma is one of the most ethnically diverse countries in Asia, with approximately one-third of the country's population of 52 million belonging to an ethnic minority, and more than 100 different language groups.¹⁵ The remaining two-thirds of the population is Burman, the dominant ethnic group that has historically ruled Burma. The country's administrative divisions are based on ethnicity.

Burma is divided into seven divisions in which Burmans form a majority – Rangoon, Irrawaddy, Sagaing, Pegu, Mandalay, Magwe and Tenasserim – and seven ethnic minority states which represent the largest ethnic groups – Chin, Kachin, Karen, Karenni, Mon, Arakan and Shan.¹⁶ Within these ethnic states, the majority of the population belongs to ethnic minorities. The ethnic states are located on Burma's borders with Thailand, China, India and Bangladesh, along the horseshoe of forested hills that surround the central plains. These ethnic states make up almost 60 per cent of the geographic area of Burma.

The reality is more complex than these administrative boundaries suggest. Many members of these ethnic groups live outside their ethnic states – for example, more than one million Karen live in Irrawaddy Delta division and Tenasserim division has a very large Karen population. And there are other ethnic groups, such as the Naga and Wa, which are not recognised in terms of administrative structures. Many of the larger ethnic groups are divided into a number of different sub-groups. There are, for instance, 40 different Chin-dialect groups and 20 Karen-speaking sub-groups.¹⁷

Some historical background is important in understanding the current ethnic conflict in Burma. At the time of the first Anglo-Burmese war in 1825, the Burman king ruled roughly the area enclosed by Burma's borders today. Ethnic minority groups within these boundaries recognised the overarching authority of the Burman king, but in practice were largely autonomous and followed their own systems of governance with little interference from the Burman court. British colonial rule was established in Burma in stages during the 19th century after the first Anglo-Burmese war in 1825. The Burman monarchy, based in Mandalay, was finally removed by the British in 1885 and Burma was governed as a province of the British Raj in India.

British rule exacerbated divisions between Burmans and ethnic minorities. Burma was ruled as two territories: Ministerial Burma, which covered the central plains where the majority of the Burman population lived, and was governed directly by British administrators; and Frontier Burma, which covered the areas in which the majority of the population were from ethnic minorities.

In Frontier Burma, the British followed a system of indirect rule in which traditional leaders continued to govern according to customary practices with minimal British involvement.¹⁸ There was less resistance to British rule from the ethnic minorities – in fact most British army recruits were from ethnic minority groups. During the second world war, the predominantly Burman nationalist movement led by Aung San aligned themselves initially with the Japanese and fought against ethnic minority groups who stayed loyal to the British. Later, during the war, the nationalists switched allegiance to fight with the British.

The process of establishing an independent government began in earnest after the war. Many ethnic minority leaders feared losing autonomy to a dominant Burman majority, and accommodating the needs of the ethnic minorities was a central issue. At the Panglong Conference in 1947, Shan, Kachin and Chin representatives agreed to the creation of the Union of Burma in which ethnic states would be allowed to govern themselves and have an equal share in the country's wealth.

However, other major ethnic groups, notably the Karen, Mon and Rakhine, were not at the conference. The 1947 constitution contained many inconsistencies and anomalies, including giving unequal rights to different ethnic minority groups. For example, only the Kachin, Karenni and Shan ethnic groups were granted their own ethnic states. There were complicated provisions for the Karen, but they were not granted their own state. And while the Karenni and Shan were given the right to secession from the Union of Burma after ten years, the Kachin had no such right. These issues were not resolved when Burma gained independence in January 1948 and conditions created that led to the outbreak of armed conflict.

Hostilities broke out soon after independence. The Communist Party of Burma (CPB) began its armed struggle against the Rangoon government in March 1948. The Karen National Union began its armed insurrection in January 1949, and Mon, Karenni, Pao and Rakhine armed groups soon followed suit. In the 1950s and 1960s more ethnic groups began armed insurrections, including the Kachin Independence Organisation, which was formed in 1961 and became one of the largest of such groups.¹⁹ Various insurgent organisations came to control much of the country.²⁰

In 1962 there was a military coup in Burma. The new military government under General Ne Win imposed a policy of complete isolation – a policy that lasted nearly three decades. Under Ne Win, the army began a new offensive against the insurgent groups. It succeeded in driving them out of central Burma, but could not dislodge them from their hills in the ethnic minority states. These 'liberated zones', controlled by various ethnic groups and the CPB, set up their own administrative systems, including health and education services. Conflict with various armed groups continued and the Burmese army regularly attacked these zones. Under Ne Win's reign, the Burmese army gradually penetrated more deeply into these border areas but was still unable to drive out the ethnic minority armies and the CPB. This state of affairs continued through the 1970s and into the late 1980s.

The 1988 pro-democracy uprising and 1990 election in Burma marked a change. Following the 1990 election, which saw the National League for Democracy under Aung San Suu Kyi win a landslide victory, the military heightened its crackdown on the pro-democracy movement. Although thousands of activists fled to ethnic minority areas and fought alongside various insurgent groups, these groups have progressively weakened. In 1989, the CPB, one of the strongest armed groups, collapsed and split into a number of different ethnic minority armies, including the United Wa State Army (UWSA). At the same time, the Burmese government began to seek ceasefires with ethnic minority armies.

The 1990s have seen changing formations and alignments of armed ethnic factions. New groups have formed, there have been splits and reunions, some groups have dissolved, and some have agreed ceasefires with the Burmese government. The main ethnic groups with long-standing ceasefire agreements are the UWSA in 1989, the Kachin Independence Organisation since 1994, and the New Mon State Party since 1995. The Democratic Karen Buddhist Army (DKBA), which

split from the Karen National Union in 1994, not only agreed a ceasefire with the government but now fights as allies of the Tatmadaw in Karen state. There are also seven other groups in Shan state and two in Kachin which have signed ceasefires.

The main groups that have not signed ceasefires are the Karenni National Progressive Party and the Shan State Army (South). In western Burma, there are non-ceasefire groups in Arakan state, as well as the Chin National Front and the National Socialist Council of Nagaland.²¹ In January 2004, the Karen National Union (KNU), which has been the largest group not to agree to a ceasefire, held peace talks in Rangoon and agreed an informal ceasefire. At the time of writing, no formal agreement had been signed.

One of the most significant effects of the ceasefires is that the Burmese army can concentrate its forces on those areas where there is ongoing insurgency. Areas previously under the control of ethnic groups are now occupied by the Tatmadaw. Ethnic minority armies have been driven out of the areas they formally controlled and now operate as small guerrilla groups based along the Thai border. Even the KNU has lost control of most of its territory. Its former headquarters in Manerplaw fell during a major army offensive in 1995 and it lost its other bases in 1997, after a second major offensive.

Until 1995, the Burmese army launched annual offensives into ethnic minority areas in the dry season, then withdrew to government-controlled regions. Villagers could prepare their hiding places and food stocks in the jungle, and return to their villages, once the Burmese army retreated. With the fall of Manerplaw and the other main KNU bases, Burmese army troops now stay in the border areas all year round. Since 1996 they have implemented the 'Four Cuts' policy in Karen state and Tenasserim, with devastating effect. They have systematically cleared villages suspected of harbouring insurgents, destroying houses and food stocks and hunting down people hiding in the jungle.²²

Ethnic groups no longer have the military strength to retake control of these areas. The security of ethnic people who live in them now lies in finding a just political solution. Tripartite dialogue involving the SPDC, the National League for Democracy and ethnic minority leaders remains the only hope.²³

Chapter 3

'We scattered like birds': displaced people speak

Christian Aid travelled to the Thai-Burma border in late 2003 to take testimonies from people fleeing Burmese army operations. Those interviewed are all now living in refugee camps in Thailand. There are currently ten official refugee camps along the Thai-Burma border, with a total camp population of more than 140,000. Christian Aid's partner, the Burmese Border Consortium, provides the camps with food and shelter. Other humanitarian agencies supply medical and educational services.

The refugee camps were originally established in 1984, when the Thai government invited non-governmental organisations working in Thailand to provide refugees with assistance. This was in response to the first mass influx of refugees from Burma into Thailand. It followed a major Burmese army offensive against the KNU, which drove about 10,000 people across the border into Thailand. A number of aid agencies formed a consortium (later named the Burmese Border Consortium) to coordinate these relief efforts. Since then, as shown in the previous chapter, the refugee population has increased dramatically as the Burmese army has continued to take control of areas near the border previously held by ethnic minority forces.

The camps provide a safe haven – food, shelter and access to healthcare and education – denied to displaced people inside Burma. But getting to the camps is difficult and dangerous; people seeking to flee to Thailand risk being shot on sight if Burmese army patrols find them. And even if they get to the border, they may be turned back by Thai soldiers because the Thai authorities do not want more refugees from Burma. Many Burmese people enter Thailand illegally to find work in sweatshops, small factories and farms. As illegal migrants, they receive sub-standard wages in poor working conditions. Many women are sucked into a life of prostitution in Thailand's burgeoning sex industry.

Taking refuge in Thailand means giving up any independence. Refugees are entirely dependent on aid agencies to meet their basic needs. They cannot leave the camps, even to look for firewood or building materials. They cannot leave to work. Their entire world is bound by the perimeter of the camp.

And, although the refugees live in safety, they have no guarantee that they will not be repatriated to Burma. Thailand is not a signatory to the 1951 UN Convention on Refugees, which prevents refugees from being forcibly returned to their country of origin if their life or freedom are threatened. People in the camps therefore live in a state of limbo, unable to go home, uncertain of their future.

Many of the people whom we interviewed had only just arrived in the camps when we met them. Here we present the testimonies of five families, to illustrate the terrible hardships that they have lived through. Their stories provide first-hand accounts of the kind of suffering the Burmese army has inflicted on Burmese citizens. Thousands of other people living in the refugee camps could give similar accounts.

The names of those who have given testimonies have been changed to protect their identity.

Eh Khu's testimony

Eh Khu, 28, arrived at a refugee camp from Papun township in Karen state, with his wife, children and elderly mother. He told Christian Aid: 'The last time the Burmese soldiers came to the village, it was August, the end of the rainy season. They used to come, sometimes three times a month, burning rice barns and houses, taking pigs, shooting buffalo. The last time, they caught a man, tied him to a tree and tortured him. We didn't see what happened to him after that. We fled and spent a month in the jungle, before we ran out of food. There were 50 of us. Half of us decided to make for the border. We had to creep past the Burmese army positions in the middle of the night. We didn't know if we would make it.'

His mother, Paw Ghay, 64, is relieved to have found refuge. Twenty-five years ago, when the Burmese military first came to her village, soldiers shot her aunt and younger sister as the three of them lay, huddled, in a hut in their rice field. For three decades, she and her family have lived in fear and destitution. 'We can stay here without running and we can feed ourselves,' she says of the camps. 'Maybe the Burmese soldiers hate us,' adds her son haltingly, as if struggling to understand, 'when they burn our village and destroy our possessions so many times.'

Htoo Ghay's testimony

Htoo Ghay, 35, arrived two months before we met him, with his wife and three children, as soldiers and the Democratic Karen Buddhist Army (a militia fighting with the Burmese army) descended on the village to extort taxes and impose forced labour. The village was shelled in fighting between the soldiers and the Karen National Liberation Army (the armed wing of the Karen National Union).

Htoo Ghay had been planning to leave for more than two years. Then the army set up a base in the village. People were killed and women were raped. After 15 days in the jungle, Htoo Ghay's food ran out and he and his family set out on the perilous trek to the Thai border.

Asked why he could no longer stay in his village with the Burmese army present, Htoo Ghay exclaimed: 'We cannot stay close to them. We are scattered like the birds! When they see us, they kill us or rob us or enslave us. We have to run away!'

Soe Thein's testimony

Soe Thein, 32, is a Burmese-speaking Muslim with a wife and three children who fled from Hlaing Bwe township two years ago. 'We had no food and no money to pay taxes or buy exemptions. Once a month, the military would take me for 20 days when they attacked the KNLA Seventh Battalion base on the border near Wang Kha,' said Soe Thein. Porterage for the military is a descent into a hell that many villagers do not survive.

Laden like packhorses, two porters for every soldier, forced to walk at the head of the column to detonate rebel landmines, many villagers were hideously injured by explosions. They were shot where they fell, as were any who collapsed from exhaustion. 'When we crossed the mountains, on the high ridges, one porter fell to ground exhausted. A soldier kicked him over the cliff to fall to his death. Whatever happened I knew I had to stay standing.'

Many surviving porters have witnessed the deaths or mistreatment of fellow porters. Many have related accounts of how a weak or sick companion was left behind to die, thrown down a mountainside or shot. The porter's maxim is: 'If you can't walk, you die. You walk, you live.'²⁴

Soe Thein is only one of thousands of Burmese Muslims who fled across the Thai border after a wave of persecution launched by the Burmese army and DKBA in the Irrawaddy Delta and the eastern states, two years ago.

Hussein's testimony

Hussein, 55, has a wife and five children. He arrived at the border four months ago after 18 months in hiding. 'The DKBA came to our village and took our goats, burned down the mosque and told us to leave. When we did not go, they came back shooting.'

They took shelter in another Muslim village nearby but eventually, as other settlements were burnt out, the DKBA arrived there too. Ten families left with Soe Thein for the border. They had to skirt DKBA positions on the way, pretending to be itinerant traders. 'I dream of returning home,' says Soe Thein, 'but I think I will die here.'

Ler Wah's testimony

Ler Wah is 55, with two daughters and three grandchildren. His wife died in childbirth 25 years ago. He has not remarried. He is one of ten people living in the same small hut here on the border. One of his daughters crouches to cook rice while three children cling to her and each other in a tangle of anticipation. Ler Wah seems detached and withdrawn. He chews tobacco incessantly.

'I left because I could not take the shelling anymore. I am afraid of the Burmese military,' he says in a flat monotone. 'When I hear people talk about the Tatmadaw, the very word makes me want to run away. When I was a child they tried to catch me many times when we fled the village. We were in the jungle almost every month of the year.'

He says little specific about the events he describes as if recounting the detail will bring back the pain. If he were in a western country, he would be described as suffering from post-traumatic stress disorder.

Seik Mon's testimony

Some of Ler Wah's shadowy persecutors are also victims. Close to another refugee camp, further north on the border with Karenni state, Seik Mon sticks out like a sore thumb. He says he is Mon, but his features are strongly Burman. He looks nervous. He is a deserter from the Burmese army.

Seik Mon never knew his father and mother. He was raised in Pegu division by foster parents. At 18, he left for Rangoon to work as a casual labourer. He was picked up off the street by the military in one of their regular nightfall roundups and forcibly conscripted into the army. Boys with wealthy parents bought their sons out. But for Seik Mon, it was to be the start of a decade of brutality and servitude.

After two years in the 212 Tuang Jin regiment, he was posted back to another unit in Pegu, where his commander was Captain Thein Khut Aung. 'We burned villages and rice barns, and stole the villagers' animals and property. And we killed people.'

He describes how farmers carrying cooked rice to sustain them for a day's work in the fields were shot on the spot in case the food ended up in enemy hands. Anyone who was a suspect was arbitrarily executed.

But as the years passed he grew increasingly uneasy. This was Pegu and these were the people he grew up with. By now he was married to a Karenni woman with a young son. He knew her stories of how her people had suffered, too. He developed 'a pain in his heart' – an expression meaning 'an unendurable discontentment'.

One day, after his unit burned another village, he snapped, remonstrating with his officer over their brutality. Captain Thein's response was to break a chair over his head, opening a wound from ear to ear. He was savagely kicked and beaten by his fellow soldiers as he lay on the ground.

At this point in his story, Seik Mon starts to sob uncontrollably. He is overcome by the memory of his ordeal.

Through his tears, he describes how he spent two weeks in detention on a bare floor, then a month on guard duty as punishment, forced to stand all day in the blinding sun. His head still aches from it. He and his wife, pregnant with their second child, were denied rations. His request to leave the army was thrown back in his face.

When he was unexpectedly granted leave to visit his wife's village in northern Karenni state for a seasonal festival, the family quickly said goodbye to relatives and headed for the Thai border.

Their darkest hour was crossing the great silent and empty expanse of no-man's-land between the Salween River and the border, a vast free-fire zone riddled with landmines and deserted burnt-out villages, both the adults cradling a frightened child in their arms.

They arrived in the camp four months ago. Seik Mon is a forlorn figure in this lush green landscape. He has escaped one hell only to be shut up in another of his own. His story is not unusual. A growing number of Burmese soldiers have deserted or committed suicide in the face of being brutalised or forced to brutalise others.²⁵

He and Ler Wah are two of the invisible victims of this war. They are the traumatised, the walking wounded, the sick who do not speak. Small wars do not count them as casualties. They are always there, but we do not always see them.²⁶

Chapter 4

The struggle for survival

The testimonies recorded by Christian Aid are from people who have fled to the refugee camps on the Thai-Burma border. Yet most displaced people remain inside Burma. While Thailand may offer a sanctuary, going there means people have to abandon their independence and homeland. Many of the refugees currently in Thailand had been internally displaced for several years, and only made the long and dangerous journey to Thailand when their families could no longer cope with the hunger, sickness and constant insecurity. Those who remain face a constant struggle to survive.

The Burmese army has forced the majority of displaced people in Burma into relocation sites. This strategy is designed to curtail civilian support for insurgents by placing them under close military control. The Burmese Border Consortium estimates that, by 2002, more than 360,000 people had been forced into relocation sites in eastern Burma. This included an estimated 125,000 people from Wa and other ethnic groups in Shan state, who the United Wa State Army relocated.²⁷

The relocation centres are essentially detention camps. Residents are frequently subjected to extortion and forced to work on government infrastructure projects. There is no paid work, food is scarce and medical attention and education facilities are virtually non-existent. Shelter is rudimentary; new arrivals bring the bamboo from their old houses on their backs, or else they sleep in the open. Where government schools are available, there are usually fees to pay and ethnic minority children must study in Burmese.

There are two major types of relocation site: large relocation sites and relocation villages. Large relocation centres are created when several villages are forcibly moved to one large site under close military control. They are usually situated in lowland areas, near roads or army bases. In many cases, the army confiscates food supplies. Even when residents are allowed to retain control of their food, the amount that they can carry to the relocation sites is limited.

In some centres, residents are allowed access to their farms, but usually the distance involved and restrictions on how much time they can spend tending their fields mean that rice production is much lower than it was before they were displaced. Residents are sometimes allocated plots of land to farm, although this land is usually undeveloped and of poor quality. Even when people are able to produce some rice, the army imposes 'rice taxes'. Faced with chronic malnutrition and no means of securing even minimum subsistence needs, many residents escape to go into hiding or cross the border into Thailand.

In some areas, rather than forcing several villages to move to a large relocation site, the army establishes 'relocation villages'. An existing village may be used as the base for a relocation site, with outlying houses and hamlets forced to move into the central village. The village is fenced in and controlled by the army. In such villages, residents are more likely to have access to their farms, but they are still subject to forced labour, extortion and other human rights abuses.

People in relocation sites, including villages, face acute health problems. Malaria is endemic in the border areas and most people are unable to take protective measures against mosquitoes. Widespread malnutrition leaves them weak and vulnerable to other diseases. Most have no

access to basic medical assistance or medicines, although some of the larger relocation centres have a basic clinic. Even here people have to pay for medicine. Local organisations provide assistance, but it is limited.

Forced labour is also a huge burden. Working for the Burmese army as porters or on road construction is hard physical labour that would test even the fittest. For people already weakened by sickness and lack of food, this can be a matter of life or death, as the testimonies presented in Chapter 3 show. Those forced to work as porters for the Burmese army are made to walk in front of the soldiers to clear any landmines.

Rather than live under such close military control, with the human rights abuses that are part of it, many people choose to hide in the jungle. Life in the jungle is particularly grim. Burmese army patrols carry out search-and-destroy missions into remote jungle areas to look for people on the run and their food supplies. There are no safe areas. Constant movement is the only way of avoiding patrols.

The following description from Thandaung township in Karen state illustrates the desperate choice people face.

SPDC patrols hunt them, trying to force all civilians into army-controlled villages where everyone is used as forced labour, maintaining military access roads and portering supplies to outlying army camps. In the SPDC-controlled villages even food supplies are tightly controlled; rice cannot be bought without army permission, and farmers must hand over all food crops to soldiers, who eat most of it and hand back only a tiny and insufficient ration. Making things even worse, new units of the SPDC's notorious Dam Byan Byaut Kya execution squads have been created to penetrate all areas of Toungoo district, and are now moving between villages with lists of civilians to kill.²⁸

Most people in hiding do not know how long displacement will last. Many have lived for years in hiding; others flee into the jungle for a limited period and return to their villages once the Burmese army has moved on. Displaced families in the highlands of Kyaukgyi township, says one resident, prepare to run every day.

When we wake up in the morning, we fold our blankets, cook, eat and put everything back in our carrying baskets so that we will be ready to run if the soldiers come.²⁹

According to one man who fled into the jungle three times in one year:

Each time we had no food. In the forest, relationships varied. Some shared food with others, then left to look for roots together; others did not. I saw one family close to utter starvation, the two small children crying from hunger. The mother pitifully fed them roots which hadn't been boiled long enough; she probably didn't know what else to do. After that they suffered nausea, vomiting and diarrhoea. They had absolutely no possessions...other than a pot, a machete and a small blanket.³⁰

The most common survival strategy is to hide rice in jungle caches. The Burmese army launches regular patrols, aimed at seeking out displaced people, destroying their temporary shelters and rice supplies. If the military finds a store of rice, it takes it, destroys it or in some cases lays mines around it. Animals and insects are even more effective, and often consume the hidden grain.

Wah Ghay's story

Wah Ghay fled with his family from an isolated village in Hlaing Bwe township after years of regularly running to the jungle to avoid fighting and coercive taxation.

He told Christian Aid: 'We buried rice in the jungle, but it would only last 15 days at the most and we had to go back when the soldiers had gone. For many years in our village, there was not enough to eat. The soldiers stole our rice and burned down our barns. Some years, I walked to the border, worked for ten days and brought back enough rice to feed us for the next month. We never knew if we would survive or not.'

One day, when the military came to conscript him as a porter, he and his family decided to leave for good.

Foraging for wild foods is a second vital lifeline in the absence of a regular food supply. It is a normal part of life for rural people in Burma, but it becomes a dangerous and unpredictable undertaking as the pangs of hunger force people to forage ever wider. Many executions, rapes or beatings occur during chance encounters between displaced people looking for food and small military units on patrol.³¹

Others surreptitiously return to their fields or cultivate small plots hidden in the dense jungle, using traditional 'slash and burn' methods. They risk attracting attention or potentially fatal encounters with soldiers. One army tactic is to locate jungle clearings in which displaced people have planted upland rice, then wait until harvest time to destroy the crops or lay landmines and shoot anyone coming out of the jungle to harvest them. Wild boars also often destroy the jungle plots. In many areas, necessity forces people out of the hills to trade or borrow from relatives in villages or relocation centres.

Other food such as salt and fish paste, which they cannot produce themselves and is part of their main diet, is another problem for the IDPs [internally displaced people]. They try to sneak into the nearest relocated village to buy these foods. Many die along the way when they get caught in the middle of ambushes. There are no easy routes because these areas have been declared free-fire zones and the relocation sites are fenced in and watched by the People's Militia or Burma army. Villagers in the relocation sites have their movements severely restricted. However, the IDPs and villagers at relocation sites have secret deals for selling food. Villagers at relocation sites sneak out and bring things to sell to the IDPs. This business is very dangerous and they cannot do it every time.³²

Sharing food becomes an important survival strategy for many in the jungle. Most adults feed their children first, while they fast or eat only what they can forage. When rice supplies fail, wild tapioca cooked with bamboo shoots into a thin gruel becomes the staple food.

Ser Mu is 31. She has twin two-year-old boys and a five-year-old daughter. She has spent two years hiding in the jungle with her family. They had to flee after soldiers burnt down their village soon after her sons were born. They had fled many times before. The soldiers came six or eight times a year.

After a year in the jungle, her husband became sick and died. 'He died from not eating, from giving his food to the children. We lived on rice gruel and bamboo shoots. There were 30 of us, five families. Some relatives came to help us,' she told Christian Aid.

But the Burmese military was also looking for them. In her second year in the jungle, in one of their many close encounters with soldiers, her father was shot dead and she was wounded in the thigh. Against the odds she survived, but her mother died soon afterwards, from hunger like her husband, weakened by one of the many jungle fevers that ravage the displaced. Eventually, she and the children joined one of the regular groups heading for the Thai border.

She is matter-of-fact about her ordeal, almost stoic, in a way that many Karen are when speaking about their suffering. 'Now there is no need to run and we have something to eat. All I want now is to see my children grow up healthy and strong.'

Living in the jungle is harsh and becomes even harsher the longer people have to stay there. Not only is food in short supply, so are medicines, clothes, blankets, clean water, pots and pans, knives and other essentials. It is a gamble and an ordeal. Morbidity and mortality rates are extremely high.³³ Malnutrition, malaria, upper respiratory-tract infections and diarrhoea are endemic.

To avoid starvation or save their village or fields from the encroaching jungle, some displaced groups must risk returning home and surrender themselves to military rule. This was the decision made by Naw Blei and other villagers in Tenasserim division in southern Burma:

After wandering in the jungle, we felt that there were no more places to go. Some people suggested that going back would be better than being caught in the jungle. So one day, when there were no soldiers in the village, we re-entered. We saw all our possessions scattered and no cock crowed, no dog barked, no cat cried and no cattle wandered about the place. Everything was quiet. The next day, soldiers came and started to dig trenches by our houses. They did not harm us but would climb our trees and take fruit. They ordered us not to leave the village without permission. To go out cost 15 Kyat a day and we had to be back before dark.³⁴

Other returnees are not so lucky, and may face questioning, assault or worse from the military. Others may be marched off to relocation centres.

No one can survive in the jungle for long. In this trial of endurance, you live or you die. Families and communities are hunted like animals or starved into surrender. Few emerge unscathed.

Displaced people in hiding desperately need external assistance – food, shelter, clothing, medical attention and access to education for their children.³⁵ But the Burmese government does not allow international humanitarian agencies to provide such support. Agencies are denied access to the areas in which people are hiding.

Local community associations, set up by ethnic minorities, work in these areas without official permission, sending in 'backpack teams' to provide emergency rice rations, basic medical care and rudimentary education services. These are dangerous and difficult operations and the teams must avoid Burmese army patrols at all costs. They provide vital support to those that they reach, but can only meet a fraction of the humanitarian needs of people in hiding. Only when the Burmese government allows humanitarian agencies unrestricted access to these areas – or ends the war – can the needs of these people be met.

Life for displaced people in eastern Burma is a daily struggle for survival. They are denied their basic rights to security, food, shelter, medical care and freedom of employment. The Burmese government has denied them these rights, despite its clear obligation under international law to uphold them for all its citizens.

Chapter 5

Humanitarian access

The testimonies collected by Christian Aid back up the claims of Christian Aid's partner, the Burmese Border Consortium, and human rights organisations that the Burmese army has displaced hundreds of thousands of people. Furthermore, the Burmese army has committed gross human rights violations against displaced people, notably extra-judicial killings, torture, rape, forced labour, extortion and wholesale destruction of property and food supplies.

The Burmese government is at war with its own people. In this conflict lasting more than half a century, civilians from Burma's ethnic minority groups have been the major victims. Forcible relocation is a standard counter-insurgency tactic in low-intensity conflicts. Developed by the British during the Boer war and the Malaya insurgency, it has been widely used by states in conflict, from Burundi to Guatemala. Its aim is to separate civilians from insurgents by taking them hostage, and is usually accompanied by gross human rights abuses.³⁶

But while the Burmese armed conflict is relatively small on a global scale, to call it 'low-intensity' is a misnomer. The term fails to acknowledge that civil and political society as a whole – rather than competing military forces – is the strategic target. In such conflicts, civilian non-combatants are deliberate targets for terror.³⁷

Ethnic minorities in Burma have rights under international law; they have the right to be protected from violence and the right to humanitarian relief. The Burmese government has a duty to respect and uphold these rights. The Burmese army is also obliged to adhere to the Geneva Conventions, including the Fourth Geneva Convention's commitment to minimum rules of protection for all civilians in areas of conflict. The Burmese army's counter-insurgency measures, which target the civilian population, are a clear breach of this convention.

The Burmese government has consistently denied that it is guilty of human rights abuses and that it is in breach of international humanitarian law. It routinely rejects accusations of attacks on civilians in annual exchanges at the United Nations Commission on Human Rights, the international community's global reporting mechanism on human rights abuses.³⁸ Not only does the Burmese government deny such attacks on displaced people, it denies that the displaced exist at all. Instead, it asserts, a number of communities have been relocated as part of its Border Areas Development Programme, established in 1989.

The Burmese government refers to its Border Areas Development Programme to counteract allegations that it is abusing ethnic minorities. For example, in response to *Licence to Rape*, the report on the rape of Shan women by Burmese army soldiers to which we referred in Chapter 1, the Burmese government's submission to the 59th Session of the UN Commission on Human Rights stated:

Nothing can be further than the truth. On the contrary, the Myanmar government, on its part, has been energetically and effectively implementing a programme of development of the border areas and national races. This has been recognised and appreciated by the national races in the frontier areas who have indeed joined hands with the government in the development projects in their regions.³⁹

In the same submission, the Burmese government states that it has launched a comprehensive plan for the development of the border areas and presents a list of its achievements, including the opening of 366 primary schools, 48 middle schools, 46 hospitals and 74 clinics.

The Burmese government dismisses the claims of human rights abuses on the basis that they are from unreliable sources:

These allegations were quoted by those who bear ill-will against the government as 'credible sources' of news regarding Myanmar and thus deliberately misleading the world community.⁴⁰

There is no independent evidence to support the Burmese government's claim that it is implementing a development programme in eastern Burma for the benefit of ethnic minorities. On the contrary, this report has presented a growing body of evidence to contradict this assertion. Forced relocation in the border areas has little to do with development, and people have seen few benefits in terms of their food supply and access to healthcare and education.

The Burmese government's claim that the reports of human rights abuses by the army are misleading is also unfounded. Reports from many different organisations – including Amnesty International, humanitarian organisations such as the Burmese Border Consortium, and human rights groups in Thailand – all assert a consistent pattern of gross human rights violations by the Burmese army.⁴¹ No independent organisations support the Burmese government's assertion that human rights violations have not taken place.

The Burmese government has failed to fulfil its obligations under international humanitarian law towards ethnic minorities. International humanitarian law demands that displaced people are protected from violence and have access to humanitarian assistance. Burma is failing to meet the internationally agreed standards on internal displacement as set out in the 1998 UN Guiding Principles on Internal Displacement.⁴² Principle 5 states: 'All authorities and international actors shall respect and ensure respect for their obligations under international law, including human rights and humanitarian law, in all circumstances, so as to prevent and avoid conditions that might lead to displacement of persons.'

A lasting political solution will only be achieved through a democratic process that recognises and protects the rights of all ethnic minorities in Burma. At the time of writing, the Burmese government has just announced that a National Convention to draft a new constitution will begin on 17 May this year. If this process is to bring a lasting and just solution, this must be based on a tripartite dialogue between the Burmese government, Aung San Suu Kyi's National League for Democracy and Burma's ethnic minorities.⁴³

However they evolve, these negotiations are likely to be lengthy. But, as we have seen in this report, displaced people in eastern Burma cannot afford to wait until Burma's political future is resolved. The Burmese government must allow, in the meantime, international humanitarian agencies and local community organisations access to vulnerable populations in border areas of eastern Burma. Displaced people in eastern Burma not only need protection but humanitarian assistance. In its April 2004 resolution on Burma, the UN Commission on Human Rights made a special call for immediate and unhindered access to all parts of Burma by both the UN and humanitarian agencies.⁴⁴

There are about 30 international NGOs and nine UN agencies working inside Burma. They are based in the capital, Rangoon, and operate under tight government restrictions and surveillance. These organisations provide vital assistance in the areas where they can gain access.

But, as we have seen, most people are out of reach. In precisely those areas where UN and other agencies are most desperately needed – and where government services have all but collapsed – they are banned. In June 2001 nine UN agencies based in Rangoon wrote in a joint letter that Burma as a whole faces ‘a silent humanitarian crisis in the making’.⁴⁵ These agencies have been denied access to displaced people in eastern Burma, the areas where the humanitarian crisis is at its worst. Access is only granted to areas firmly under government control. Foreigners are not permitted to visit places where there is ongoing conflict or where ethnic minority armies are believed to be at large.

The exception is the International Committee of the Red Cross (ICRC), which does have some access to eastern Burma. The ICRC has field offices in Moulmein in Mon state, Paan in Karen state and Keng Tung in Shan state, but its movement within these states is extremely restricted and it is not allowed into many areas. It is not allowed into Karenni state at all.

Humanitarian agencies believe they have an obligation to work where the need is greatest. The UN’s Office for the Coordination of Humanitarian Assistance (OCHA) has a mandate to assist civilians in conflict areas: ‘people who are without food, water, shelter or medical care cannot wait for a conflict to end to receive life-saving assistance. As a result, the UN must often negotiate access with all warring parties.’⁴⁶ This mandate applies to the parts of eastern Burma subject to counter-insurgency actions. UN agencies and international NGOs working in Burma have an obligation to seek humanitarian access to all Burmese civilians in need. In particular, we believe that the UN should exert more pressure on the Burmese authorities to allow humanitarian access to displaced people in ethnic minority areas. The UN must also insist that any organisations that are granted access must be allowed to operate independently.

In a recent development, an agreement was reached in early March 2004 between the United Nations High Commission on Refugees (UNHCR) and the Burmese government over access to some areas of eastern Burma. This is part of a broader plan to establish the conditions for the possible return of refugees from Thailand.⁴⁷ The UNHCR has stated that the ‘conditions’ – details of which have not yet been disclosed – are not yet conducive to refugee returns and that an acceptable settlement between the Burmese government and ethnic organisations is an essential prerequisite to refugee repatriation in eastern Burma.

The UNHCR has stated that as part of such an agreement it will start working towards improving basic healthcare, education, community services and infrastructure in the areas of eastern Burma to which refugees could return. While we support the potential for increased humanitarian access to eastern Burma, it is vital that the UNHCR is more transparent about its plans and consults with all the parties involved, both in Burma and Thailand. In particular, Christian Aid believes that the mechanisms for providing humanitarian assistance must be negotiated openly by all parties – humanitarian agencies, the Burmese government and ethnic organisations.

It is also essential that refugees themselves are involved in planning any repatriation. If repatriation does eventually take place, it must be with their consent. They cannot, of course, be returned if their life and freedom are under threat, under the terms of the UN Convention on Refugees.

Arrangements for humanitarian access must also be incorporated into any future ceasefire agreements between the Burmese government and ethnic minority armies. For example, this is particularly relevant in relation to the recent ceasefire talks between the Karen National Union

and the Burmese government. Humanitarian access to areas covered by the ceasefire must be included in any formal ceasefire agreement between the Burmese government and the KNU. This would provide a potential opportunity to offer real hope for displaced people in Karen state.

The international community has a critical role to play in putting pressure on the Burmese government to implement a process of democratic reform in Burma. Thailand and other member states of the Association of South East Asian Nations (ASEAN) have particular responsibilities and influence, as do Burma's neighbours, China and India.

Following the May 2003 crackdown on the National League for Democracy, there were growing signs that the international community was losing patience with the military regime in Burma. Britain's Foreign Secretary, Jack Straw, called for the immediate release of Aung San Suu Kyi and other members of the NLD, and demanded that the Burmese authorities allow access to a UN special envoy or face consequences.⁴⁸ ASEAN member states have been under increasing pressure to review their policy of constructive engagement with Burma.⁴⁹ Yet at the ASEAN summit in Singapore in October 2003, ASEAN leaders refused to take any action to punish Burma for its actions. Instead, they expressed their support for the Burmese government's stated commitment to a 'roadmap to democracy', despite its failure to release Aung San Suu Kyi.

The announcement of the National Convention by the Burmese government offers some hope. It is an opportunity that we cannot afford to squander.

For five decades, the international community has looked away while one of the world's most repressive regimes has made war on its own people. During this period, the rights of unknown victims of the conflict, many of them voiceless, impoverished and displaced ethnic minorities in Burma's isolated eastern borderlands, have been ignored. This cannot be allowed to continue. The international community must press the Burmese government to hold genuine and open discussions about a new constitution, and end the war on its own people.

Recommendations

We recommend that the Burmese government:

- cease immediately its policy of forced relocation in ethnic minority border areas
- cease immediately the gross human rights abuses, including forced labour, extortion and rape, that accompany such relocations, and respect the rule of law
- recognise the humanitarian crisis facing internally displaced people in eastern Burma and give independent humanitarian agencies access to all areas to allow them to provide assistance
- invite the UN Special Rapporteur on Internal Displacement to visit Burma and assess the situation
- allow the UN Special Rapporteur on Human Rights in Burma to investigate allegations of rape and other human rights violations against ethnic minorities
- engage in substantive tripartite dialogue with the National League for Democracy and ethnic minority representatives.

We recommend that UN agencies working in Burma:

- demand that the Burmese government grants humanitarian organisations independent access to the affected border areas and people of eastern Burma to assess the situation and provide humanitarian assistance.

We recommend that international non-governmental organisations working in Burma from Rangoon:

- make an urgent, joint and formal request to the Burmese government for humanitarian access to displaced people in eastern Burma
- undertake humanitarian needs-assessment of conflict-affected areas with the help of local organisations
- support dynamic and flexible humanitarian assistance programmes in areas of ongoing conflict by working with local, community-based organisations.

We recommend that the Thai government:

- continue to grant displaced people fleeing Burma a safe haven
- take no action to repatriate refugees to Burma without their consent and until the conflict is resolved and the rights of returning refugees can be guaranteed.

We recommend that the UK and the Irish governments, the EU, other nation states and the UN Security Council:

- condemn human rights abuses against ethnic minorities by the Burmese army, and demand that displaced people are protected from violence and have access to humanitarian assistance
- ensure that humanitarian organisations working with displaced people are provided with the necessary funds to support displaced people inside Burma and continue to support refugees in Thailand
- lobby ASEAN countries, and India and China to persuade the Burmese government to follow a peaceful transition to democratic civilian rule and ethnic equality in Burma.

Notes

- 1 In 1989, the Burmese military government renamed Burma as 'Myanmar'. Christian Aid's policy is to refer to the country as Burma, in line with Burma's democracy movement, which continues to use Burma. The US, British and Irish governments also refer to the country as Burma, although the UN uses Myanmar and the EU uses Burma/Myanmar.
- 2 In this report all non-Burman groups are referred to as ethnic minorities. The majority of people in eastern Burma belong to ethnic minorities.
- 3 This report looks only at human rights violations by the Burmese army. We recognise that the ethnic minority armies also violate human rights, including the recruitment of child soldiers. There is, however, no substantial evidence of systematic human rights abuses by ethnic minority armies and the clear culprit in the humanitarian crisis is the Burmese government.
- 4 Burmese Border Consortium, *Internally Displaced People and Relocation Sites in Eastern Burma*, (Bangkok, 2002).
- 5 R Sharples, 'Landmines: the effects on repatriation', *Burma Issues Newsletter*, May 2002. Karen Human Rights Group, 'Papun and Nyaunglebin Districts; Villagers Flee SPDC. Troops Resume Burning and Landmining of Villages', 2000.
- 6 See the International Crisis Group's recent report *Myanmar Backgrounder: Ethnic Minority Politics*, on the ceasefire and non-ceasefire groups, May 2003.
- 7 Shan Human Rights Foundation and Shan Women's Action Network, *Licence to Rape: The Burmese Military Regime's Use of Sexual Violence in the Ongoing War in Shan State*, May 2002, p 8.
- 8 Shan Human Rights Foundation, *Dispossessed: Forced Relocation and Extrajudicial Killings in Shan State*, April 1998.
- 9 Ibid, p 5.
- 10 The DKBA is the Democratic Karen Buddhist Army, which broke away from the Karen National Union and formed an alliance with the Burmese government (see Chapter 2).
- 11 Shan Human Rights Foundation and Shan Women's Action Network, *Licence to Rape*, *ibid*.
- 12 Ibid, p 1.
- 13 UN Commission on Human Rights 59th Session, from the Permanent Mission of Myanmar to the United Nations Office at Geneva addressed to the secretariat of the Commission on Human Rights, E/CN.4/2003/G/47, 18 March 2003, p 17.
- 14 Free Burma Rangers, 'Report of Relief Mission to South-Eastern Shan States', March 2003, http://www.freeburmarangers.org/Reports/fbr_report_0303.html
- 15 Martin Smith, *Burma/Myanmar: Time for Change*, Minority Rights Group, 2002, although this is an estimate. No accurate ethnic survey has been done since 1931 and some estimates put the ethnic minorities as high as 40 per cent of the total population.
- 16 In keeping with the practice of the democracy movement, Christian Aid uses the original names for these states and divisions, rather than the new terms introduced by the Burmese government.
- 17 Martin Smith, *ibid*.
- 18 Than Myint-U, *The Making of Modern Burma* (Cambridge: Cambridge University Press, 2001).
- 19 Martin Smith, *ibid*.
- 20 For a full history of ethnic conflict in Burma, see Martin Smith's *Insurgency and the Politics of Ethnicity* (London: Zed Books, 1999).
- 21 See the International Crisis Group's report, *ibid*.
- 22 Burma Ethnic Research Group and Friedrich Naumann Foundation, *Forgotten Victims of a Hidden War: Internally Displaced Karen in Burma*, April 1998.
- 23 Ethnic Minorities Solidarity and Cooperation Committee, 'The New Panglong Initiative: Re-building the Union of Burma', policy paper, 2002.

- 24 Karen Human Rights Group, 'Summary of Types of Forced Portering', KHRG, Thailand, 1995. See also 'Stick Together in a Tight Spot', one of the events recounted by ordinary people in *The New Eye 1998-99: True Stories of the People's Struggle for Peace in Burma*, PO Box 1076, Silom, Bangkok, Thailand.
- 25 Karen Human Rights Group, 'Abuse Under Orders. The SPDC and DKBA Armies Through the Eyes of their Soldiers', KHRG, Thailand, 2001.
- 26 Judith Herman, *Trauma and Recovery. The Aftermath of Violence – from Domestic Abuse to Political Terror* (New York: Basic Books, 2002).
- 27 The United Wa State Army controls two areas within Shan state as part of its ceasefire agreement with the Burmese government. It has forcibly relocated about 125,000 people from the northern UWSA-controlled zone to the southern UWSA zone. The UWSA claims this is part of its opium-eradication programme, and that it has relocated poor hill farmers from the north, dependent on opium production, to much more fertile land in the south.
- 28 Karen Human Rights Group Information Update, 'Expansion of Guerrilla Retaliation Units and Food Shortages in Toungoo District of Northern Karen State', June 2003, www.khrg.org (Toungoo district is referred to as Thandaung township in the national zoning system.)
- 29 Kweh Saw, 'Report on Conditions in the Free-Fire Zones of Mutraw District and Mone Township', unpublished, quoted in Chris Cusano, 'Burma: Displaced Karens. Like Water on the Khu Leaf', in Vincent, Marc and Birgitte Refslund Sorensen, *Caught Between Borders: Response Strategies of the Internally Displaced* (London: Pluto Press, 2001). (Mone township is now referred to as Kyaukgyi township under the national zoning system.)
- 30 Asian Human Rights Commission, 'Voice of the Hungry Nation: People's Tribunal on Food Security and Militarisation in Burma' (Hong Kong: AHRC, 1999).
- 31 Karen Human Rights Group, 'Flight, Hunger and Survival. Repression and Displacement in the Villages of Papun and Nyaunglebin Districts' (KHRG, Thailand, 2001).
- 32 Eh Na Saw, 'Effects of the Relocation Programme on Villagers in Palaw Township, Tenasserim Division, Burma', November 1998, unpublished. Quoted in Cusano, 2001.
- 33 Chris Beyrer, 'The Health and Humanitarian Situation of Burmese Populations along the Thai-Burma Border', *Burma Debate*, Vol 6 No 3, New York, Open Society Institute, 1999.
- 34 Asian Human Rights Commission, 1999, p 31.
- 35 Burmese Border Consortium, *Reclaiming the Right to Rice*, (Bangkok, 2003).
- 36 Loren B Thomson (Ed), *Low Intensity Conflict: The Pattern of Warfare in the Modern World* (Toronto: Lexington Books, 1989).
- 37 Carolyn Nordstrom, 'Warzones: Cultures of Violence, Militarisation and Peace', Working Paper No. 145, Peace Research Centre, Research School of Pacific and Asian Studies, Australian National University, Canberra, 1994.
- 38 In April 2004, the UN Commission on Human Rights expressed its 'grave concern at... the violations of human rights suffered in particular by persons belonging to ethnic minorities, women and children, especially in non-ceasefire areas.' See United Nations Economic and Social Council, Commission on Human Rights, Sixtieth Session, 'Question of the Violation of Human Rights and Fundamental Freedoms in Any Part of the World', E/CN.4/2004/L.34, 21 April 2004.
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- 40 Ibid, p 4.
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Front picture: Kayan sisters in a Karenni refugee camp in Thailand
Photo: Dean Chapman/Panos

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