



PROFILE OF INTERNAL DISPLACEMENT : MYANMAR (BURMA)

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PROFILE SUMMARY

In Burma, conflict-induced internal displacement affects ethnic minority groups in the border areas in particular. Army assaults to gain control over ethnic insurgency groups have forced at least 600,000 people to become internally displaced (UNGA August 2001; BBC, August 2001, p.8). Internal displacement has also occurred on a large scale in urban and rural areas where ethnic Burmese are in the majority. An unknown number of people have been forcibly relocated due to developmental projects such as “land development planning” or state farms (BERG September 2000).

Forced displacement of the civilian population accelerated after the army crackdown against the democratic movement in 1988. It became a major phenomenon in the previously semi-autonomous ethnic minority areas during the 1990s when the army of the ruling "State Peace and Development Council" (SPDC – previously SLORC) launched major offensives against ethnic insurgency groups. The struggle intensified after 1996, and hundreds of thousands of people have been forced to abandon their villages. Most affected are ethnic minority groups living primarily in the Tanintharyi Division and in the Shan, Mon, Karenni (Kayah) and Karen (Kayin) states in the east of the country. In spite of some recent positive developments in Burma, the military is still heavily present in most ethnic minority areas.

However, the army controls these areas at a heavy cost: the army has expanded from 175,000 to more than 400,000 soldiers since 1988 (U.S.DOS February 2001). Although several cease-fires have been agreed between insurgency groups and the government, fighting continues in the Mon, Chin, Shan, Karen and Karenni states and in Naga areas, displacing thousands of civilians. Access to strategic resources in the border states is an important motivation for continued fighting (BERG September 2000).

People in Burma become displaced as a consequence of forced relocation, human rights abuses or when military threats such as counter-insurgency operations, forced labour, restrictions on farmers and land confiscation become intolerable (UN 22 January 1999). Gross violations of international human rights and humanitarian law continue in the war-affected areas. The UN Special Rapporteur on Myanmar states that: “Among the ethnic minority groups, the Shan, Karen, Karenni and Rohingya in particular continue to be the target of indiscriminate violence whether they are civilians or insurgents.” (UN 22 August 2000 para. 53). Reports tell stories of torture, arbitrary executions, deliberate killings, indiscriminate use of landmines to enforce relocation, and forced recruitment by both the government troops and armed opposition groups (UNGA August 2001; AI 13 June 2001).

However, most people interviewed by the Karen Human Rights Group state that they did not flee actual battles, but rather the systematic destruction of their ability to survive caused by demands and reprisals inflicted on them by the SPDC military (Heppner, September 2000).

Population figures

Independent monitoring or assistance to internally displaced persons has so far not been authorized and it is thus not possible to verify the number of internally displaced in Burma. Tens of thousands of villagers in the contested zones remain in forced relocation sites or are internally displaced (HRW 2001). The Burma Border Consortium has estimated a minimum of 600,000 internally displaced in the border areas by mid 2001 (BBC August 2001, p.8). Estimates of the total number of internally displaced in Burma range between one and two million (UN 22 August 2000 para.52; USCR annual reports; U.S DOS February 2001, section 2.d).

Displacement patterns and protection concerns

If not moving to the relocation sites set up by the army, the displaced trek to neighbouring rural areas, seek refuge in neighbouring countries, or hide in the jungle. Many of the Burmese refugees lived as internally displaced before they crossed the border. In a new book on response strategies of the internally displaced: "Caught between Borders", the war in Burma is said to have created three main kinds of internal displacement:

- *jungle displacement*, in which people in remote rural areas flee their homes and hide in the hills and forests
- *forced relocation*, in which rural villagers are evicted then moved to sites under close state supervision
- *social dislocation*, in which persons leave their homes and try to survive on the social and economic fringes of existing communities.[...] (Cusano, September 2001, p.140)

Lack of physical security is a major problem facing both the internally displaced in hiding and those residing in relocation camps. The absence of independent observers in the areas of displacement makes the internally displaced extremely vulnerable. People in the relocation sites are being used by the SPDC troops as porters for carrying military supplies as well as to build and maintain army camps. There are reports that people are killed as they search for food outside their relocation areas. (NCGUB, 2000; KHRG, 5 April 2000). The internally displaced population runs a high risk of stepping on the many land mines that are planted in the border areas (Landmine Monitor 2001). Ethnic minority women in particular are victims of the army's counter-insurgency strategy (AI May 2000).

Several international organisations have raised the issue of inadequate protection of refugees repatriated both from Bangladesh and Thailand (HRW May 2000). There have also recently been reports of increased attacks against Muslims in Burma (Mizzina News, 25 October 2001).

Subsistence needs

The living conditions in the relocation camps are difficult: access to health facilities is minimal, if any, the food provided by the army is scarce, and the internally displaced have to shelter in makeshift huts (e.g. NCGUB, 2001; SHRF, April 1999). The internally

displaced who hide in the jungle also face extremely difficult conditions. They are, for example, seldom in a position to cultivate their own crops. There are reports of Karen internally displaced dying from starvation (AI 13 June 2001).

International response

While the UN Special Rapporteur on Myanmar has been allowed to visit Burma for the first time in many years, the blatant human rights abuses in Burma are regularly condemned in the resolutions of the UN General Assembly, the Commission on Human Rights and other meetings. (UN GA, December 2000; CHR, April 2001).

In particular, the Government's extensive use of forced labour has created strong international reactions. In June 1999, the International Labour Conference (ILC) effectively suspended Burma and the following year, adopted a resolution requesting international organisations and the ILO's constituents (workers, governments and employers) to review their relations with Burma and take appropriate measures to ensure that those relations do not perpetuate the system of forced labor, and to do whatever they can to bring the practice to an end. These measures, which have been interpreted as authorizing sanctions against Burma, came into force on 30 November 2000. (ILO, 2 July 1998; ILO, June 1999; ILO, 14 June 2000; ILO, November 2000). The ILC confirmed the measures at its June 2001 session and an ILO team recently traveled to Burma to assess government actions concerning forced labour (ILO, June 2001, ILO Press Release 17 September 2001).

Humanitarian access to the internally displaced in Burma is not improving and the overwhelming majority remains unassisted. Operational assistance by UN organisations inside Burma consists mainly of social development projects targeting the poor in government-controlled areas. International NGOs operating inside Burma face restricted freedom of movement and the International Committee of the Red Cross is the only international organization with access to detainees and selected villages in the Shan, Karen and Mon states. There have been several calls for improved coordination and concerted action among UN agencies to assess the needs of internally displaced in Burma (BERG September 2000; Cohen 1999).

(Updated October 2001)

CAUSES AND BACKGROUND OF DISPLACEMENT

Main causes of displacement in the border areas

Army offensives against ethnic opposition groups have caused massive displacement of the civil population since the late 1980s (1998-2001)

- Causes of displacement In Burma are numerous and differ from one region to another
- The ethnic minorities have been fighting for greater autonomy for 50 years
- The role of the army is paramount: since 1988 the junta has more than doubled the size of the armed forces, from about 175,000 to more than 400,000 men
- The strengthened armed forces launched major offensives against the armed ethnic opposition every year from 1989 onwards
- Civilians are targeted in or near rebel-held territory as ethnic minority armies lost territory
- From 1992 onwards, tens of thousands of ethnic minority villagers in areas all along the Thai border were forced to relocate to Tatmadaw-controlled towns
- The need for access to strategic resources located in border areas perpetuates fighting and leads to further displacement of the civil population

"The problem of displacement in Myanmar is complex and open to so many different interpretations that a comprehensive assessment is difficult. The causes of displacement are numerous and differ from one region to another, although certain common features and trends can be discerned.

The role of the army, in this context, is paramount. Since independence, it has exercised a strong influence over the governing of the ethnic states. Many Karen, Karenni and Shan do not perceive the army as a national army, and soldiers, particularly ethnic Burmese, generally behave towards the local population as if they were enemies. (UN 22 January 1999, paras 30-36)

“Since 1988 the junta has more than doubled the size of the armed forces, from about 175,000 to more than 400,000 men and has increased the Government’s military presence throughout the country, especially in ethnic minority areas.” (US Department of State, February 2001)

"The internal armed conflict in Myanmar is typical of contemporary civil wars everywhere; the vast majority of the casualties are civilians rather than combatants. Myanmar's various ethnic-based armed groups no longer control any significant territory, but operate in mobile units around the countryside, occasionally visiting a village and asking for rice. Shan, Karenni, Mon and Karen civilians are targeted for punishment by the SPDC because of their ethnicity and presumed support for armed groups operating

near their villages. The vast majority of these people, who bear the brunt of the armed conflict, are subsistence rice farmers living in small settlements." (AI 13 June 2001)

" For the past 50 years they [the ethnic minorities] have been fighting for greater autonomy from the central Myanmar government. A military coup in 1962 led Burma, as it was then known, to become isolated from the world under the rule of the Burma Socialist Programme Party (BSPP) in a one-party system totally dominated by the military. Following nationwide pro-democracy demonstrations in 1988, the State Law and Order Restoration Council (SLORC) staged a coup to take over the governing of Myanmar, reinstating martial law and imposing restrictions on opposition to the government. The SLORC renamed itself the State Peace and Development Council in November 1997. Human rights violations, including forced relocation of rural and urban populations, have, according to Human Rights Watch (Asia) increased in intensity since the SLORC seized power from the BSPP in 1988." (Harris 1998, p. 128)"In the 1988-89 period, as the international community remained focused on the activities of the pro-democracy forces both within Burma and in Thailand, the Burmese military launched a major offensive against the combined ethnic and student forces in Karen- and Mon-held territory. The government apparently hoped that a display of military force against the ethnic minority armies would convince people of the need for a strong army to save the country from imminent disintegration. The SLORC vastly expanded the size of the army (from around 180,000 men under arms in 1988 to 340,000 in late 1993), and in 1990 purchased new weapons from China in a \$1.2 billion deal that included jet fighters, tanks, and naval patrol boats. The strengthened armed forces, assisted by thousands of civilians forced to work as porters (usually two porters for every soldier), launched major offensives against the armed ethnic opposition every year from 1989 onwards, even at times crossing into Thailand to attack from the rear."

"As the ethnic minority armies lost increasing amounts of territory each year and their ability to find the funds to support and supply their forces declined as lucrative trade routes and logging areas fell to the SLORC, the government switched the focus of its campaign to the civilians in or near rebel-held territory. From 1992 onwards, tens of thousands of ethnic minority villagers in areas all along the Thai border were forced to relocate to Tatmadaw-controlled towns. Often, they were also used to provide forced labor on road-building projects designed to secure newly acquired territory for the SLORC and facilitate cross-border trade. In addition, the internally displaced became a ready source of porters to carry the supplies and munitions of Tatmadaw troops during major offensives or, increasingly, as they went on routine patrols and established new barracks in former rebel-held villages.

[...]

The increased capacity of the Burmese armed forces, the concerted push by the SLORC for cease-fire agreements with the rebel armies and its determination to bring recalcitrant rebels to the negotiating table by force, its vision of a Burman, Buddhist state in which minorities were second-class citizens, and the persistent human rights violations by both military and civilian authorities in Burma all contributed to refugee flight and to the danger of persecution when or if they returned." (HRW September 1998, "Reasons for Flight")

“With state coffers empty, and an increasingly large army to feed and accommodate, the ongoing civil strife must be funded by economic activities. The exportation of primary products, such as timber, mining and illicit drugs, generates quick cash and are principally located in the border areas. In 1989, the government earned an estimated US\$200 million alone from concessions with Thai companies to log in border areas where the Burmese military had not yet gained access. This deal provided much-needed foreign exchange, but also resulted in the clearing of thickly forested land, thus enabling the military to extend the war into areas right up to the Thai border. During the period 1989-94 there was a significant increase in the number of people internally displaced by fighting as well as the number of refugees arriving in Thailand.

On the side of the insurgents too, cash is required to continue with their campaigns, which in some cases are half a century old. Hence, winning the war becomes equated, for all sides in the conflict, with gaining control over strategic resources." (BERG September 2000)

Steep increase in forced relocations and other human rights violations after 1996 create substantial displacement (1999-2001)

- The scale of forced relocations increased significantly after 1996
- Over 300,000 Shan civilians have been forced off their farms since 1996 in order to cut off any alleged support for the Shan resistance
- Between 20,000 - 30,000 Karenni villagers have also been displaced for the same reason
- An unknown number of Karen people have lost their traditional lands
- In 2001 the Burmese Army has been reported to literally chase internally displaced, destroying any food supplies, shooting or torturing those caught up with
- Other reported crimes include widespread use of forced labour, military offensives against civilians; threats and intimidation as well as destruction of crops and livestock

"In flagrant violation of the basic rules of humanitarian law, civilians living in rural settlements have been attacked. In some cases, this has resulted in massacres, in others in disorderly flight to safety, often separating families. Those who are captured are often subjected to rape and arbitrary killing, or are held captive to grow food for the army, or made to provide forced labour or portering for the army.

[...]

Although the practice of forced relocations by the military as a means of controlling the population in the ethnic regions is not new, the scale of the relocations increased significantly after 1996. The victims of displacement are mostly peasants, including members of ethnic groups such as the Karen, Karenni, Shan and Mon, who live in areas of insurgency and are victimized by counter-insurgency activities or are caught in the crossfire between the army and the insurgents"(UN 22 January 1999, paras 30-36)

"Over 300,000 Shan civilians have been forced off their farms since 1996 in order to cut off any alleged support for the Shan resistance. Between 20,000 - 30,000 Karenni

villagers have also been pushed off their ancestral lands for the same reason. An unknown number of Karen people have lost their traditional lands as the army sweeps through villages on counter-insurgency campaigns.

Beginning in 1996/97 the military reportedly began a "self-sufficiency program" which meant that *tatmadaw* troops had to provide food for themselves. In reality this entailed increased forced labour duties for the population in counter-insurgency areas, which included growing crops for the military. In addition, while troops had always lived off the villagers to a certain extent, they now began to steal crops, livestock, money and personal belongings with greater frequency, engendering more hardship for the people. Many refugees interviewed in February 2001 by Amnesty International reported that the army took their cattle and killed them, stole or burned their rice, and took their other possessions when they entered their villages and farms.

Shan, Karen, Mon and Karenni civilians are also at risk of torture and even killing if they are suspected of supporting the resistance. When Burmese troops pass through villages, they frequently demand information about insurgents' whereabouts and activities. If such information is not forthcoming from villagers, they are sometimes tortured or even killed. Villagers can also be killed if they return secretly to work on their old farms after having been forcibly removed from them by the military. In May 2000 a group of 73 Shan and tribal villagers were reportedly shot dead in retaliation for an offensive by the Shan resistance against the Burmese army." (AI 13 June 2001)

"Since 1996, at least 1,500 villages (comprised of some 300,000 people) in central Shan State have been destroyed and their inhabitants forcibly moved. Since 1997, 200 villages throughout Karenni (Kayah) State have been relocated, and close to 200 villages in Papun District of northern Karen State have been shelled and burned. Since December 1999, the State Peace and Development Council (SPDC) has ordered over 100 villages throughout Dooplaya District of central Karen State to hand over their entire rice harvest to the army and then move to army-controlled sites or risk being shot on sight. In many areas, more than half the population has become internally displaced. There are over 100,000 Karen refugees, and at least as many Shan refugees, in Thailand, with more arriving every week." (Heppner, September 2000)

"[...] new refugees continue to arrive in Thailand more because of a "push" factor, due to Burmese Army abuses inside Burma, rather than any "pull" factor created by the presence of camps and access to international assistance. Most of the refugees arriving have been living for some time as Internally Displaced Persons (IDPs), trying to hang on before being finally forced to give up and leave.

[...]

The IDP situation is grim. Anything up to a million people might have been affected by village relocations during the last 5 years and hundreds of thousands have been displaced, now living in resettlement sites, or in hiding, moving frequently to avoid Burmese army abuses. This year the Burmese Army has been ruthlessly chasing IDPs, destroying any food supplies found, shooting or torturing those caught up with. They return repeatedly to stop people from re-establishing themselves. The Karen estimate that in Karen State

alone there are 120,00 IDPs living in hiding or on the run. All of these are potential refugees. This does not include many more that are living under SPDC control in the resettlement sites where they are used for forced labour and otherwise abused. Many of these also find ways to escape and become refugees." (BBC July 2001, p.8)

"Careful consideration of all the testimonies [*interviews from a field trip conducted by Christian Solidarity Worldwide into Burma in November 2000*] gives the lie to SPDC claims that there has been any recent improvement in their human rights record. The same story and tragic litany of abuses that have been recorded on every visit of Christian Solidarity teams to the border areas since 1994 continues unabated. Widespread use of forced labour, involuntary relocation, military offensives against civilians; threats and intimidation; destruction of crops and livestock have all combined to force tens of thousands of Karen and Karenni to flee from their homes and homelands. Many are presently living a fragile and uncertain life as IDPs in the jungle, with only temporary shelter, insufficient food, and virtually no medical care. Those whom we met in Burma had suffered two military offensives this year, in which they were shelled and, on one of the two occasions, they were also attacked by ground troops. Many who had left spoke of the murder and torture of members of their families or their communities. Many also said that it was impossible to survive within Burma, with the constant abduction for forced labour – or the need to pay prohibitively high bribes to avoid having to serve as porters." (CSW November 2000)

The Army targets civilians in order to cut supplies of food, funds, recruits and information to ethnic resistance groups: the Four Cuts Policy (1999-2000)

- The 'Four Cuts' policy aims to cut the supplies of food, funds, recruits and information to resistance groups by systematically terrorizing the civilian population in resistance areas
- SPDC has implemented the Four Cuts policy more systematically and brutally than did its predecessors
- SPDC's current tactic is massive forced relocations of the civilian population and destruction of all possibilities for livelihood

“Faced with ethnic-based armed uprisings against its repressive rule from all over the country, in the early 1970's the SPDC's predecessors implemented the 'Four Cuts' policy which is still in effect today. The 'Four Cuts' aim to cut the supplies of food, funds, recruits and information to resistance groups by systematically terrorizing, controlling, and impoverishing the civilian population in resistance areas so that they have neither the opportunity nor the means to provide any form of support to the opposition. The main pillars of the Four Cuts Policy are; detention, torture and execution of villagers and village elders perceived as having any contact whatsoever with the resistance; systematic extortion and pillage of the villager's crops, food supplies, livestock, cash and valuables; forced labor to get the civilians working for the Army and deprive them of time to do anything else; and increasingly, forced relocation to sites and villages directly under the control of the SPDC military troops. The SPDC's plan for relocation over areas where there is resistance appears to consist of the following steps: (a) mounting a military offensive against the areas; (b) forcibly relocating villages to sites under direct army

control and destroying the original villages; (c) using the relocated villagers and others as forced labourers for portering and building military access roads into their home areas; (d) moving in more army units and using the villagers for forced labor to build bases along the access roads; (e) allowing the villagers back to their villages, where they are under complete military consolidating control through “development” projects like forced labor farming for the army, etc. If resistance attacks still persist at this last stage, retaliation is carried out against villages by executing village elders, burning houses and other means.

These relocations have often been accompanied with other forms of human rights abuses. After relocation orders have been issued and people have been expelled from their homes, SPDC has declared expansive areas as “free-fire zones” – anyone who tried to remain in their homes can be shot on sight. Villagers are told that they will not be permitted to go home until the opposition groups have capitulated. (NCGUB 2000, p. 130)

"The SPDC has implemented the Four Cuts policy more systematically and brutally than did its predecessors. In areas of Burma such as the Karen, Karenni (Kayah), and Shan States where opposition groups continue to fight, the SPDC's current tactic is massive forced relocations of the civilian population. Forced relocation was used as a military tactic in the past, but only on a localized scale. In 1996, however, the junta began delineating regions of resistance and forcing hundreds of villages at a time to move to army-controlled sites along main roads or to camps near major towns. In hill villages throughout Karen State, residents are now being ordered to move into the center of their villages, meaning that they are only to go to their fields between dawn and dusk under threat of being shot if they violate curfew. This restriction disrupts the entire crop cycle because villagers are used to staying in field huts far from the village for much of the growing season. Many of them find that they can no longer produce enough food for themselves." (Heppner, September 2000)

"Many villages now being burned by SPDC troops were first burned in 1975 when the Four Cuts policy was first implemented, and some villagers speak of having been on the run from Burmese troops since 1975. But even these villagers say that in the past two to three years things have grown much worse. The direct attacks on the civilian population, characterized by mass forced relocations, the destruction of villages and the village economies, and completely unsustainable levels of forced labor, have now become the central pillar of SPDC policy in non-Burman rural areas of Burma. Where, in the past, two or three villages were destroyed at a time, now 100 villages are destroyed at a time." (NCGUB 1999, p.121)

Forced relocation is closely linked to forced labour (1998-2000)

- Amnesty International (AI) states that forced labour is the most common human rights violation against ethnic minorities in Burma
- From the 1990s, hundreds of thousands of civilians have reportedly been forced to work on public infrastructure projects without pay

- Several organizations report forced relocation programs where civilians are subjected to forced labour and that forced labor is commonplace in and around the relocation camps (2000-2001)
- Widespread campaigns of forcible relocations continues in the Kayin, Kayah and Shan states
- Children are also reported to be used by the Army for forced labour
- The impossibility of making a living because of the amount of forced labour exacted cited as a frequent reason for displacement

"Perhaps the most common human rights violation of ethnic minorities is forced labour of civilians, who are much more likely to be seized by the army than the majority Burman group. There are two broad types of forced labour: the first is portering, which entails carrying heavy loads for the military over rough terrain for days or weeks at a time. The second type involves work on construction projects such as roads, railways, and dams. Men, women, and children are all taken for labour duties, and almost never paid for their work. Portering is generally more arduous, as civilians must work for days or even weeks at a time and are kept as virtual prisoners. Children sometimes work on construction sites if their parents are ill or are busy working on their farms." (AI 13 June 2001)

"Beginning in the early 1990s the military authorities embarked on the construction of infrastructure projects throughout the country, including roads, dams, railway lines, and military barracks. Hundreds of thousands of civilians have reportedly been forced to work on these projects without pay. According to reports, in 1997 the central authorities began a program of self-sufficiency, issuing orders to local military commands which instructed troops to feed themselves. Subsequently troops began confiscating land farmed for generations by members of ethnic minorities, and forcing these farmers to cultivate their confiscated land to provide food for the military. In addition troops have continued or increased their practice of stealing food which villagers had grown for themselves."(AI July 2000)

"[In 2000] The military continued to seize ethnic minority civilians for forced labour duties and to kill members of ethnic minorities not taking an active part in hostilities, during counter-insurgency operations, particularly in the Kayin State. Forcible relocation continued to be reported in the Kayin State, and the effects of massive forcible relocation programs in previous years in the Kayah and Shan States continued to be felt as civilians were still deprived of their land and livelihood and subjected to forced labour and detention by the military." (AI Annual Report 2000)

"The widespread campaign of forcible relocations continues in the Kayin [*Karen*], Kayah [*Karenni*] and Shan states. Once relocated, the people are reportedly forced to remain on the relocation sites in often health-threatening conditions, which include overcrowding and lack of food, sanitation and safe drinking water. The military also often restrict residents freedom of movement to a set radius outside the camp. The relocated population is threatened not to leave the radius or return to their places of origin on pain of execution. Relocations are often accompanied by violence, especially against women, looting and extortion by the military. The observed pattern of forced relocations amounts to a premeditated destruction of a way of life, and is condemned in the strongest terms." (UN, 22 August 2000, para 54)

"[In 2000] Shan refugees escaping to Thailand reported that strict curfews had been implemented in Burmese government relocation sites forbidding Shan villagers from leaving their homes between dusk and dawn and, in some instances, prohibiting speaking and imposing a strict lights-out policy. Tens of thousands of other villagers in eastern and southeastern Burma remained displaced in the forests or in areas contested by the army and insurgent groups." (HRW June 2000)

"Forced labor is commonplace in and around the relocation camps. The SPDC troops force the villagers in the relocation sites to work on a daily or weekly basis; generally one person from each family must go. This forced labor includes clearing bushes and trees from the roadsides both inside and outside the relocation site, cleaning military buildings, cultivating land for the military bases, hauling water for the troops, building fences around the military camps, digging bunkers, road construction, portering for the military and other general servant work. The villagers are also being used to work in the infrastructure projects in the area.

[...]

People in villages which are under complete SPDC control and are not forced to move are also fleeing, even from areas where there is no fighting whatsoever. They flee because they are ordered to do so many forms of forced labor for all of the different military camps in the area that they can no longer grow their own crops or earn their own living." (NCGUB 2000, pp. 130-131, 153)

Also Children are victims of forced labour. A recent report from the Karen State states that children as young as 12 are used by the army:

"Children as young as 12 and 13 have to go for the labour so that their parents can try to make a living for the family. Beginning in November 2000, everyone from the villages of Wah Mu, Po Kheh Hta, Nya Cha Gaw Hta, Kwih Dta Ma, Ma Lay Ler and Gkay Gkaw was forced to work building fences around their entire villages, leaving only one to three gates into their village which could be guarded, and the villagers' movements to and from their fields are now strictly controlled. They were then forced to cut and clear the roadsides, build road bridges, and build 3 rings of fencing around Wah Mu Army camp of Light Infantry Battalion #366. Anyone who failed to go for this labour had to pay 500 Kyat per day, and they must also pay up to 100 Kyat per piece of bamboo which they fail to send. The KHRG researcher in this area estimates that the villagers are only left an average of 10 days in each month to work for their own livelihood, and must work the other 20 days without pay for the SPDC." (KHRG, April 2001)

ILO documents a pervasive use of forced labour in 1998 - recent information shows that forced labour remains common practice (1998-2001)

- ILO Commission of Inquiry confirms pervasive use of forced labour (1998)
- The ICFTU (International Confederation of Free Trade Unions) reports in February 2001 that the military junta had not taken any action aimed at genuinely curbing, let alone eliminating, forced labour
- A number of means had been used by the authorities to cover up their use of forced labour

In a 1998 report, ILO presented its findings which have been the reason for the current sanctions against Myanmar by ILO.

"There is abundant evidence before the Commission showing the pervasive use of forced labour imposed on the civilian population throughout Myanmar by the authorities and the military for portering, the construction, maintenance and servicing of military camps, other work in support of the military, work on agriculture, logging and other production projects undertaken by the authorities or the military, sometimes for the profit of private individuals, the construction and maintenance of roads, railways and bridges, other infrastructure work and a range of other tasks, none of which comes under any of the exceptions listed in Article 2(2) of the [Forced Labour]Convention [No. 29].

[...]

Failure to comply with a call-up for labour is punishable under the Village Act with a fine or imprisonment for a term not exceeding one month, or both, and under the Towns Act, with a fine. In actual practice, the manifold exactions of forced labour often give rise to the extortion of money in exchange for a temporary alleviation of the burden, but also to threats to the life and security and extrajudicial punishment of those unwilling, slow or unable to comply with a demand for forced labour; such punishment or reprisals range from money demands to physical abuse, beatings, torture, rape and murder.

Forced labour in Myanmar is widely performed by women, children and elderly persons as well as persons otherwise unfit for work.

Forced labour in Myanmar is almost never remunerated nor compensated, secret directives notwithstanding, but on the contrary often goes hand in hand with the exaction of money, food and other supplies as well from the civilian population.

Forced labour is a heavy burden on the general population in Myanmar, preventing farmers from tending to the needs of their holdings and children from attending school; it falls most heavily on landless labourers and the poorer sections of the population, which depend on hiring out their labour for subsistence and generally have no means to comply with various money demands made by the authorities in lieu of, or over and above, the exaction of forced labour. The impossibility of making a living because of the amount of forced labour exacted is a frequent reason for fleeing the country.

The burden of forced labour also appears to be particularly great for non-Burman ethnic groups, especially in areas where there is a strong military presence, and for the Muslim minority, including the Rohingyas.

All the information and evidence before the Commission shows utter disregard by the authorities for the safety and health as well as the basic needs of the people performing forced or compulsory labour. Porters, including women, are often sent ahead in particularly dangerous situations as in suspected minefields, and many are killed or injured this way. Porters are rarely given medical treatment of any kind; injuries to shoulders, backs and feet are frequent, but medical treatment is minimal or non-existent and some sick or injured are left behind in the jungle. Similarly, on road building

projects, injuries are in most cases not treated, and deaths from sickness and work accidents are frequent on some projects. Forced labourers, including those sick or injured, are frequently beaten or otherwise physically abused by soldiers, resulting in serious injuries; some are killed, and women performing compulsory labour are raped or otherwise sexually abused by soldiers. Forced labourers are, in most cases, not supplied with food -- they sometimes even have to bring food, water, bamboo and wood to the military; porters may receive minimal rations of rotten rice, but be prevented from drinking water. No clothing or adequate footwear is provided to porters, including those rounded up without prior warning. At night, porters are kept in bunkers or have to sleep in the open, without shelter or blankets provided, even in cold or wet situations, often tied together in groups. Forced labourers on road and railway construction have to make their own arrangements for shelter as well as all other basic needs.

[...]

The Commission considers that the impunity with which government officials, in particular the military, treat the civilian population as an unlimited pool of unpaid forced labourers and servants at their disposal is part of a political system built on the use of force and intimidation to deny the people of Myanmar democracy and the rule of law. The experience of the past years tends to prove that the establishment of a government freely chosen by the people and the submission of all public authorities to the rule of law are, in practice, indispensable prerequisites for the suppression of forced labour in Myanmar.

This report reveals a saga of untold misery and suffering, oppression and exploitation of large sections of the population inhabiting Myanmar by the Government, military and other public officers. It is a story of gross denial of human rights to which the people of Myanmar have been subjected particularly since 1988 and from which they find no escape except fleeing from the country." (ILO 2 July 1998, Paras. 528-535 & 542-543)

Information regarding the current practice of forced labour in Burma is presented in a March 2001 document to the Governing Body:

"62. In its communication dated 16 February 2001, the ICFTU provided extensive information regarding the current practice of forced labour in Myanmar. The ICFTU noted that the military junta had not taken any action aimed at genuinely curbing, let alone eliminating, forced labour. Rather, military and administration officials at every level had taken action aimed at hiding the extent and nature of forced labour imposed on the civilian population, at weakening or nullifying the effects of any orders preventing forced labour that might have been issued by superior levels, and at preventing and countering, through propaganda, disinformation and deception, the measures foreseen by the Conference resolution. This action included a massive campaign of letter-writing and petition signing, by so-called "representative workers". Referring to the open letter discussed in paragraph 47 above, the ICFTU considered that this letter was part of a campaign by the Government to counter the Conference resolution.

63. Appended to the ICFTU communication were 21 documents providing over 300 pages of detailed information on the recent practice of forced labour in Myanmar.

According to the ICFTU, this information showed that in practice forced labour had continued unabated. The information included detailed testimonies, reports and photographs of forced labour in various areas. On the basis of one of these reports alone, the ICFTU believed that at least 80,000 individuals, including women, children and elderly persons, from four districts of Karen State were forced to perform labour during the period November 2000 to January 2001. Two army officers were named in the report as having ordered and organised forced labour on road construction.

64. An essential part of the ICFTU submission consisted of translations, as well as many copies of originals, of orders demanding forced labour issued by the military or paramilitary groups under its control, as well as the local administration and the Myanmar Police Force. The submission contained over 500 such orders issued after May 1999, including many that had been issued since November 2000. These orders are similar in style, form and content to the orders already examined by the Commission of Inquiry and the regular ILO supervisory mechanisms and found to be authentic.

65. Details of a large number of specific instances of forced labour were contained in the ICFTU submission, relating to portering for regular patrols and military operations, the construction of roads, bridges and fences, the construction and servicing army camps, including the provision of building materials for these camps, the provision of transport for the military, the collection of firewood for use by army camps or in army-owned brick kilns, work in army-owned rice plantations, and work as unarmed sentries or messengers for the military. One order from an army battalion informed village heads that porters and bullock carts would only be requisitioned for use on military operations, and not for administrative purposes, but in general the pattern of forced labour demands appeared to be essentially unchanged from the practice reported by the Commission of Inquiry. The large number of different military units and other authorities issuing demands for forced labour suggested that the practice remained widespread.

66. A document prepared by the Federation of Trade Unions of Burma, and contained in the ICFTU submission, indicated that a number of means had been used by the authorities to cover up their use of forced labour. These included issuing orders for villagers to attend meetings at the army camp, where they were requisitioned for forced labour, rather than issuing explicit orders for forced labour; issuing undated, unsigned and unstamped orders; demanding that written orders were returned to the issuing army personnel; using civilian authorities to requisition labour on behalf of the military; and arbitrarily arresting young, healthy persons, who after a few days in prison would be sent to work as porters for the military, dressed in used army uniforms (but who could be recognized as porters as they were barefoot)." (ILO March 2001)

Ethnic minorities become displaced due to a systematic destruction of their ability to survive rather than military attacks

- The result of frequent forced labour has often been that many ethnic minorities can no longer earn their living as farmers
- Civilians flee the systematic destruction of their ability to survive

"Widespread forcible relocation and forced labour have caused major disruption to many ethnic minorities' traditional ways of life. Those who have been forcibly relocated have lost their farms, their livelihoods, and their ancestral attachment to their land. The result of frequent forced labour has often been that many ethnic minorities can no longer earn their living as farmers because they are too busy working for the military to tend their fields. In this regard ethnic minorities are denied not only their civil and political rights, but also their economic, social, and cultural rights. These rights are guaranteed in the United Nations International Covenant on Economic, Social and Cultural Rights. Article 1, part 2 states *inter alia*: "In no case may a people be deprived of its own means of subsistence." (AI 13 June 2001)

"Under military control, rural Burma's subsistence farming village is losing its viability as the basic unit of society. Internally displaced people are usually thought to have fled military battles in and around their villages, but this paradigm doesn't apply to Burma. In the thousands of interviews conducted by the Karen Human Rights Group with villagers who have fled their homes, approximately 95 percent say they have not fled military battles, but rather the systematic destruction of their ability to survive, caused by demands and retaliations inflicted on them by the SPDC military. Where there is fighting, it is fluid and sporadic, and most villagers can avoid it by hiding for short periods in the forest. Once the SPDC occupies the area around their village, however, the suffering is inescapable. Villages, rooted to the land, are defenseless and vulnerable, and villages can be burned--destroying rural life in southeastern Burma." (Heppner, September 2000)

Main causes for displacement in urban areas

Public infrastructure projects force people to relocate (1998-1999)

- People are often forced to relocate from the routes of infrastructure projects, i.e. construction of roads, bridges, railways and embankments
- 'Urban Development Programmes' have been cited as a form of forced relocation in urban centres as the residents of a designated area have been required to move to 'satellite towns' at short notice
- 500 families are known to have been evicted from their homes in Rangoon, in preparation for the "Visit Myanmar Year" in 1996
- Islands off the south coast of Myanmar developed for tourism forcing residents to relocate

"In a campaign designed to raise income from tourism and cosmetically mask widespread civil strife, the SLORC dubbed 1996 'Visit Myanmar Year'. In 1994, at least 500 families are known to have been evicted from their homes in Rangoon, in preparation for the much-vaunted influx of tourists. The regime's hope, that 250,000 foreign visitors would visit the country in 1996, seemed unrealistic in the light of the 1993 – 1994 season, which saw only 40,000 to 60,000 tourists. Nonetheless, investors in Singapore, Hong Kong, Thailand, Japan, France and England were happy to finance countless hotel-building projects in the run up to 'Visit Myanmar Year'. Those living in sites earmarked for

construction were understandably less euphoric, as they faced eviction without adequate compensation. In Mandalay, the country's former capital, it was reported that people who still lived in traditional wooden houses were forced to convert them into modern, two-storey buildings. If they could not finance the renovation, they were relocated to sites outside the city where there were almost no facilities. The same applied to those living alongside the main Rangoon to Mandalay railway. Reports of forced renovation and eviction were also coming from other parts of the country. The Minister of Hotels and Tourism, boasted: 'Where there should be flowers, there will be flowers; where there should be trees, there will be trees'." (COHRE September 1998, p. 26)

"Weak private property rights regarding land ownership continued [in 1999] to facilitate involuntary relocations of persons by the State. The law does not permit private ownership of land; it recognizes only different categories of land use rights, many of which are not freely transferable. Postcolonial land laws have revived the precolonial tradition that the State owns all land and that private rights to it are contingent upon use that the State deems productive.

To make way for commercial or public construction and in some cases for reasons of internal security and political control, the SPDC continued to relocate citizens out of cities to new towns; however, this occurred on a much smaller scale than during the early 1990's. Persons relocated to " new towns" continued to suffer from greatly reduced infrastructure support and living standards, and residents targeted for displacement continued to be given no option but to move, usually on short notice." (US DOS 25 February 2000, sect. 1f)

"The overlap between gaining control of people, and projects carried out in the name of national development is well illustrated by the case of a nature reserve and the demarcation of islands as national parks. It is not known just how many people have been relocated with these projects as a primary cause given the counterinsurgency operations carried out in these areas. Villagers in Tenneserim division in late 1996 reported that they were forcibly relocated when the land was declared a forest conservation area.

[...]

The islands off the south coast of Myanmar are now being developed for tourism. Some of these islanders have been forced to flee and relocate under conditions of extreme brutality. In one incident in September 1996, 140 people were killed on Lanbi island to make way for an 'eco-tourism venture' to be known as the Lanbi Island Marine National Park.

[...]

All over Myanmar, 'development' projects such as widening and construction of roads, bridges, railways and embankments are under way. People are often forced to relocate from the routes of these projects; they seldom receive compensation for the loss of their homes and are forced to work on these projects. This extensive labour then denies them the ability to sustain their families. Examples includes the Ye-Tavoy railway and the extensive road network being constructed in Tenneserim division.

[...]

'Urban Development Programmes' that involve the residents of a designated area having to move to 'satellite towns' at short notice have been cited as a form of forced relocation in urban centres: no comprehensive data are available. It has been reported that the authorities have first disconnected the electricity and water supplies at the old settlements and then razed them to the ground. Compensation or assistance to build new homes is rarely offered and the new sites afford little infrastructure such as sewage, clean water or access to health facilities. Once registered with the local authorities in these 'satellite towns', people are denied permission to move." (Harris 1998, p.133)

Substantial forced relocation of urban populations during the early 1990s

- Claimed that some 1.5 million people had been relocated or resettled between 1989-1990
- Resettlements undertaken by the government for purposes of land development planning and other urban works
- Urban squatter communities moved to rural border areas

"According to a 1994 report of the US State Department, an estimated half million residents in Rangoon [Yangon] had been forcibly relocated from the city centre to new satellite settlements on the outskirts of the city between 1988 to 1994. Prior to this, a 1990 UNCHS/Habitat report indicated that between 1989-1990 some 1.5 million people throughout the country (4% of the entire country's population) had been relocated or resettled. Given the small urban population of Myanmar this represents some 16% of the urban population. More than half of this massive social engineering exercise took place in only four cities – Rangoon, Mandalay, Bago [Pegu], and Taunggyi[...]. In secondary towns the populations relocated accounted for 22% percent of the total town populations, respectively 120,000 out of 754,520 persons.

Considered by UNCHS/Habitat in their 1990 report as unprecedented internationally, for both the scale and the time period involved, these urban relocations or resettlements were undertaken by the government for purposes of land development planning and other urban works. These included development of: housing for civil servants; road, rail and pedestrian passageways; parks and gardens; commercial and residential use; clean up and beautification; and drainage systems and water bodies. An additional cause for much concern, was the accelerated forced relocation of poor communities to new, ill-prepared relocation sites, which was combined with a heavy handedness on the part of the military government to impose law and order standards in newly resettled areas.

Urban displaced people, particularly those- poorest households, have frequently been described in government documents as squatters, although some of them were previously renters or owners of permanent houses. They were often evicted at their own expense to new resettlement sites where conditions were difficult and where social services were lacking or scarce. Some such squatter clearance projects in Mandalay and Rangoon appear to have taken place to punish people after the 1988 upheavals, while 'fire' became an effective way of clearing squatters, as old plots are rarely returned to fire victims.

The most controversial of these urban displacements were those which concerned the relocation of urban communities to schemes designed as new rural communities. Throughout the early 1990s the government moved squatter communities and other urban populations from urban to border areas where people were to inhabit low population density areas and provide labor for construction and other infrastructure or development activities. Examples of this have been reported in the Kabaw Valley of Sagaing Division and in the Dimosoe area of Karenni State." (BERG July 1999)

Background for displacement in specific states or the ethnic groups

Ethnic minorities are being deprived of their economic, social and cultural rights on a large scale

"During the colonial period the British administered separately many areas where ethnic minorities made up the majority of the population. A major consideration in the creation of the Union of Burma in 1948 was the governance of the border areas surrounding the central plain. The Union of Myanmar currently comprises seven divisions and seven ethnic minority States, which are named after the Shan, Kayah, Karen, Mon, Chin, Kachin, and Rakhine ethnic minorities. However the States have no autonomy from the central authorities and disputes which soon arose after independence led to the establishment of armed groups in all seven states. This emergence of armed groups based on ethnicity is a crucial element in the history of the post-colonial Burmese state.

Ethnic minorities comprise approximately one third of Myanmar's population of 48 million people. They live in all areas of the country, but are mainly concentrated in the seven states which surround the central Burman plain. According to the State Peace and Development Council (SPDC, Myanmar's military government), there are 135 "national races" in the country. The authorities claim that they are striving to "*...preserve and understand the culture and good traditions of the national races...*"(6). Yet ethnic minorities are being deprived of their economic, social and cultural rights on a large scale." (AI 13 June 2001)

Intensification of forced relocation in Shan state due to continued armed struggle (1996-2000)

- Massive internal displacement has occurred in Shan State since the 1950s
- Cease fire agreement signed with diverse insurgent groups, but fighting continues in central and southern Shan State between the Shan State Army-South (SSA-South) and the Tatmadaw
- Major forced relocations of Shan people since 1996: village forced relocation region covers 18,000 square kilometres in the heart of Shan State
- In the last four years over 300,000 civilians have been displaced by the tatmadaw

- A potentially much larger category of Shan people will be displaced by people being forcibly relocated from the northern Wa area in Shan State

"During negotiations between Britain and Burma about independence, Shan and other ethnic minority leaders demanded guarantees of minority rights in return for an agreement to join in a Union of Burma. These were conceded in an agreement between the Burmese Government and the Shan, Kachin, and Chin representatives in 1947 in Panglong, a Shan town. After Burmese independence in 1948, however, disputes arose between some Shan political figures and the central administration in Rangoon over the handling of Shan affairs. In 1958 the first Shan armed opposition group was organized, and since then various other groups took up arms." (AI 13 June 2001)

"Massive internal displacement has occurred in Shan State since the 1950s. Multiple insurgencies have resulted in continuous fighting between a variety of armed ethnic groups and the central government into the 1990s. Conflict and displacement has been compounded by the entry of two other armed parties in Shan State: the Kiromintang remnants from China in the 1950s, and the Chinese-backed Communist Party of a (CPB) between 1968 and 1989. In addition to the Shan majority, other ethnic groups in Shan State have been affected, including the PaO, Palaung, Wa, Lahu, -, in, Akha and Kokang. (BERG September 2000)

"Several Shan armed groups have been involved in insurgent operations since the 1960s, but almost all have entered ceasefire agreements since 1989. Among the most significant is the Mong Tai Army, which is headed by Khun Sa (who is wanted in the USA on drug trafficking charges), and which reached an agreement with the SLORC in January 1996. However, the Shan State Army-South (estimated strength 3,500 troops, including some formerly from the Mong Tai army, who disagreed with the ceasefire) continues its war with the Tatmadaw in the central and southern areas of the Shan state." (ICG 2000, pp. 16-17)

"In March 1996 forcible relocations on a massive scale began in the Shan State as the army evicted civilians from their villages in an apparent effort to break up any alleged links with the SSA-South. To date well over 1,400 villages have been forced to relocate.

Although the pace of forced relocations has slackened, the consequences of displacement are still acutely felt by villagers who have lost their land and most of their possessions. In addition, the army has not provided them with farmland, food, paid employment, or any other form of compensation. Moreover, once the army has cleared villages of any inhabitants, it forbids villagers from returning to harvest their crops or to collect their belongings. Deserted villages are usually considered as "free-fire" zones by the Burmese military; as a result, hundreds of Shan civilians have been shot dead when they tried to return to their homes." (AI 13 June 2001)

"The vast majority of affected people are rice farmers who have been deprived of their lands and their livelihoods as a result of the State Peace and Development Council's (SPDC, Myanmar's military government) counter-insurgency tactics. In the last four

years over 300,000 civilians have been displaced by the *tatmadaw*, hundreds have been killed when they attempted to return to their farms, and thousands have been seized by the army to work without pay on roads and other projects. Over 100,000 civilians have fled to neighbouring Thailand, where they work as day labourers, risking arrest for "illegal immigration" by the Thai authorities."
(AI July 2000, Introduction)

"As in previous years, most of the Shan refugees interviewed by Amnesty International were forced by the *tatmadaw* to perform a variety of jobs, including portering, building roads and buildings and growing crops for the military. Those living in relocation sites in towns provided a captive source of labour for the military who were stationed nearby. People living in villages were also taken on a regular basis for forced labour duties. They were never paid for their work and they also had to provide their own food." (AI 13 June 2001)

"A [...] potentially much larger category of Shan refugee [in Thailand] is Shan villagers displaced by people being moved from the northern Wa area in Shan State adjacent to the border with China to the Thai border opposite Chiang Rai/ Chiang Mai. As many as 250,000 people are said to be scheduled to be relocated and as many as 50,000 to 100,000 may already have been moved during the last year. It is claimed that the move is to reduce poppy production near the northern Wa area and to allow the people to grow coffee and other crops in fertile areas near the Thai border. But the relocation area is also where the major Wa amphetamine factories are said to be located and land is being confiscated from local Shan villagers to accommodate the migrants. No estimates of the numbers of refugees are available yet but a large number of Shan villages is affected." (BBC August 2001, p.8)

The International Confederation of Free Trade Unions (ICFTU) estimates an even higher number of forcibly relocated from the Wa area:

"The Wa tribe has an estimated population of 1 million inside Burma and another 200,000-300,000 across the border in Southern China.

In 1999, around 50,000 families (about 250,000 Wa people) were forcibly moved from the northern Shan State (Wa State) to the Muang Yone- Muang Hsat area of southern Shan State. In 2000, between 100,000 - 200,000 Wa have been relocated. Many of the relocations, carried out by the pro-SPDC United Wa State Army (UWSA), were on short notice. Families were suddenly broken up when relocations came during the absence of husbands or wives. Many villagers had become homeless and landless by Wa mass resettlement programme.

Upon arrival in the south, the Wa are allocated one small bamboo hut per family and given one small milk tin of rice per day. Oil and salt are rarely available, and meat and vegetables less so. Sanitation is poor and disease is rampant. Between 1999 - 2000, over 7,500 died of malaria, typhoid and anthrax. The closed border makes delivery of

medicine difficult and medical vaccination almost impossible." (ICFTU 27 February 2001)

*The Shan Human Rights Foundation (SHRF) publishes a **monthly report** which give updated information on human rights abuses and displacement in the Shan state.*

Increased displacement of Karen villagers after escalated fighting between army and opposition forces (1995-2001)

- For many lowland Karen migrants, displacement began 20 or 30 years ago when, voluntarily or not, they left their homes and moved eastward
- Karen villages in Karen, Karenni and Mon states and Tenasserim division were forcibly relocated from 1992 onwards
- The Democratic Karen Buddhist Army (DKBA) has influenced displaced Karens' choices about where and how to flee
- New breakdown in negotiations between KNU and military rulers since January 1997
- Intensified relocation of Karen in the Tennaserim division between September 1996 and January 1997

"'Karen' is a blanket term that covers several peoples inhabiting a large area of mainland Southeast Asia between Burma's Irrawaddy River and Thailand's Chao Phraya. Today, Karens live around the Irrawaddy River Delta and along the Sittang, Salween and Tennasserim rivers in Burma, and along the Moei, Ping and Kwa Noi rivers in Thailand. [...]

No one knows how many Karens live in Burma.

[...]

The disparity could be the result of a failure to include remote villages, of problems of classification (who, exactly, is Karen?), or of a political intention to reduce the official number of Karens, and thereby emphasise their minority status. Using fertility rates to project population, the government, in 1992, estimated that there were 6.2 million Karens. The Karen National Union, which has not taken a census, claims 7 million Karens throughout Burma. If there were 6 million Karens in Burma today, they would comprise about 12 per cent of the total population. Approximately half of them live in eastern Burma, including Karen State, parts of Mon State, Tennasserim Division and the eastern extreme of Pegu Division.

[...]

For many lowland migrants, displacement began 20 or 30 years ago when, voluntarily or not, they left their homes and moved eastward. Although war is responsible for their displacement today, the ultimate resolution to their problems will involve land, politics and economics far from where they started. Highland Karens, displaced from their villages, may also have migrated several times. Their original homes may have already been taken over by others, degraded by logging, or seriously altered by development projects. Karens affiliated with KNU recognise that displacement is only one of their problems. Unless some political settlement reduces conflict with the government, they

will risk displacement no matter where they stay." (Cusano, September 2001, pp.143-144)

"Since 1968, the Karen have been mainly represented by the KNU [Karen National Union] and its armed wing, the Karen National Liberation Army (KNLA), which at its peak in the early 1980s could raise an estimated 10,000 soldiers. The KNU also held significant territory in Burma and operated along a 500-kilometer stretch of the Thai border, from Papun in the north to Tenasserim division in the south. Since 1984, when significant numbers of Karen refugees first crossed into Thailand, they have been assisted by the Karen Relief Committee, linked to the KNU.

[...]

After the April [1992] attack and the failure to capture the KNU's headquarters, the Burmese commander of the offensives against the KNU announced a unilateral cessation of operations. However, while there was reduced fighting in this period, the army embarked on a program of forced relocations of Karen villages in Karen, Karenni, and Mon states. Where skirmishes did take place between the Tatmadaw and the armed opposition, civilians in nearby villages were targeted for retaliatory attacks that often included extrajudicial executions. These attacks coincided with increased use, from 1993 onwards, of the "four cuts" strategy in the Karen townships of Hlaingbwe, Pa-an, and Papun and in Tenasserim division as the army attempted to cut off enough support to the KNU to make them more disposed towards a cease-fire. The result was a dramatic rise in the number of Karen seeking refuge in Thailand." (HRW September 1998, pp. 8, 11 & 12)

" In 1994, the Democratic Karen Buddhist Organisation (DKBO), known by its armed wing DKBA (the Democratic Karen Buddhist Army), challenged KNU's exclusive claim to Karen nationalism. The group organised Buddhist Karens in the KNU rank and file and, with support from the Burmese army, drove KNU from many of its strongholds along the Thai border. By cooperating with the Burmese army, DKBA flouted the dominant mode of Karen nationalism, which was Christian-led, S'gaw speaking, partially westernised, and essentially separatist in its attitude towards the Burmese state. Posing the first powerful alternative to KNU, DKBA has enhanced the political status of Pwo-speaking Buddhist Karens of eastern Burma. Indeed, DKBA has brought to light the complicated relations between Karen civilians and militant nationalists.

The advent of DKBA changed several aspects of how Karens become displaced and cope with their displacement. Because DKBA is composed of Karens from former KNU areas and, like KNU, is sustained by Karen communities in eastern Burma, it is a powerful agent in depriving KNU of civilian support. With intimate knowledge of local terrain, political history and economy, DKBA has been able to pinpoint and challenge KNU bastions. For example, in Pa'an, Hlaingbwe, Kawkareik and Myawaddy townships, DKBA has relocated villages, confiscated rice and controlled rice distribution. DKBA controls several key transportation routes leading to the Thai border, and has the power to stop would-be refugees from reaching camps in Thailand. DKBA controls many border villages that once provided personnel and succor to KNU. The group tries to woo KNU members and sympathisers from refugee camps, promising a better deal under DKBA if they return--and threatening retribution if they don't. By attacking KNU-controlled

refugee camps in Thailand, DKBA has influenced displaced Karens' choices about where and how to flee." (Cusano, September 2001, p. 147)

"In November 1996, another round of talks between the KNU and the SLORC held in the Mon state capital, Mulmein, broke down with no progress having been made. Then in January 1997 the KNU hosted an "ethnic nationalities seminar" that produced a ten-point "Mae Tha Raw Hta Agreement." The agreement was said to have been signed by fifteen ethnic opposition groups, though some of those named in the agreement later said they were not present when the final document was produced. The agreement called for a "federal union of national states having the full rights of national equality and self-determination" and for tripartite dialogue, including the National League for Democracy, the ethnic nationalities and the "SLORC military clique."

As a result of the KNU's involvement in this agreement, which was seen as a direct challenge to the SLORC and possibly the end of all negotiations, in February 1997 the SLORC commenced a major offensive against those areas in the Tenasserim division and southern Karen state still under the control of the KNU." (HRW September 1998, pp. 8, 11 & 12)

"This [February 1997 offensive] has caused at least 50,000 people to remain internally displaced. Some 20,000 have sought asylum in refugee camps in Thailand and an unknown number of people have entered Thailand as migrant workers.

[...]

Between September 1996 and January 1997 people were forced to relocate in the Tenasserim division, some on more than one occasion, from about 70 villages. Motives for this forcible relocation seem to have centred around the ability of the SLORC to control the area, and use the scattered people for forced labour on army bases and roads. This situation of generalized violence includes some 20 documented cases of murders and of confiscation of land and rationing of the villagers' rice. It has been estimated that some 25,000 civilians have been affected by these forced relocation orders." (Harris 1998, pp. 130-131)

"In February 1999 Amnesty International delegates interviewed dozens of Karen refugees in Thailand who had fled mostly from Papun, Hpa'an, and Nyaunglebin Districts in the Kayin [Karen] State in late 1998 and early 1999. They cited several reasons for leaving their homes. Some had previously been forced out of their villages by the *tatmadaw*, or Myanmar army, and had been hiding in the forest. Conditions there were poor, as it was almost impossible for them to farm. They also feared being shot on sight by the military because they occupied "black areas", where the insurgents were allegedly active. Many others fled directly from their home villages in the face of village burnings, constant demands for forced labour, looting of food and supplies, and extrajudicial killings at the hands of the military. All of these people were farmers who typically grew small plots of rice on a semi-subsistence level.

[...]

The Kayin State continues to be subject to a high level of militarization as the DKBA and the *tatmadaw* conduct joint operations against the KNU and to occupy villages. Although

the present status of the DKBA vis-a-vis the SPDC is not entirely clear, it is clear that the DKBA operates with the cooperation and support of the SPDC. The DKBA number over 1,000 troops, and their headquarters is at Myaing Gyi Ngu, near Hpa'an, capital of Kayin State, where they claim to take responsibility for some 50,000 civilians. Both the DKBA and the *tatmadaw* are responsible for widespread human rights violations. As well as the DKBA, there are other local Karen-led or ex-KNU militia groups, some of whom have cease-fire agreements with the SPDC, and special counter-insurgency *tatmadaw* forces. The activities of these various armed factions have led to great instability in some parts of the Kayin State, characterized by forcible relocations, village burnings, and extrajudicial executions. The SPDC, the DKBA, and the KNU all plant anti-personnel landmines throughout the countryside which adds a further dimension to the dangers facing civilians there. Amnesty International is opposed to the manufacture, use, stockpiling, and transfer of anti-personnel mines and calls on the SPDC, DKBA, and the KNU to stop planting landmines." (AI June 1999, "Kayin State")

The human rights situation is getting worse in the Nyaunglebin district in the Bogo Division and the Papun district of the Karen State (2000-2001)

- The situation of displacement, landmines, and extrajudicial killings is reported to be most acute in Papun district in Kayin State and Nyaunglebin district in Bago Division
- Since the end of the rainy season in October 2000, the SPDC has intensified its counter-insurgency campaign – causing massive suffering for the civil population
- Villagers are forced to move to Army-controlled sites further west for use as forced labour building and maintaining more Army posts, but many flee before the arrival of the military troops
- The Guerrilla Retaliation squads began operations in the region since September 1998

"Currently there are over 97,000 Karen refugees living in camps which are located in Thailand near the Myanmar border. However there are in addition an unknown number of internally-displaced people remaining throughout the entire Kayin State, who are either unable to flee or unwilling to leave their ancestral lands and so remain in the jungle. Because of an increasing number of Burmese troops and landmines there, those who wish to escape find it difficult to do so, either because of potential attacks by the *tatmadaw* or anti-personnel mine detonations. The situation of displacement, landmines, and extrajudicial killings is most acute in Papun district in Kayin State and Nyaunglebin district in Bago Division. Many of those interviewed by Amnesty International said that there were some KNU soldiers in their vicinity, but these soldiers usually moved through areas and did not maintain any fixed bases. The KNU occasionally asked for rice, but in general did not harass Karen civilians and sometimes acted as guides or provided intelligence about the *tatmadaw's* movements to villagers. However the KNU is essentially unable to protect Karen civilians in Papun and Nyaunglebin districts from the wide variety of human rights violations which the SPDC inflicts on them. Karen civilians, particularly those in "black" areas, are considered as enemies by the *tatmadaw* and suffer disproportionately compared to the KNU troops." (AI 13 June 2001)

“There was a spate of forced relocations in 1997, then somewhat of a lull through early 1998. Many villages in the parts of these eastern hills bordering Papun district have been destroyed since 1997 as part of the SPDC campaign to wipe out Karen villages in Northern Papun and eastern Nyaunglebin districts. However, in late 1998 and early 1999, there have been more relocations as well as repeat relocations of villages which had previously made their way back home. This is probably connected with the aim of the *Sa Thon Lon* Guerilla Retaliation units in 1998 and early 1999 to bring all villagers under complete control, execute any with past or present KNLA connections as a warning to the others, and make the area into a 'white area', which is SPDC terminology for regions where the population has been completely subjugated. (NCGUB 2000, pp. 136)

[...]

Since the end of the rainy season in October 2000, the SPDC has intensified its campaign to destroy once again any villages which have been rebuilt and to hunt out the villagers in hiding. The columns look for villagers harvesting rice, open fire on them and landmine their fields or uproot their crops, and hunt out and destroy any hidden rice supplies. There are at present approximately 40 SPDC Battalions involved in this operation, making the food and security situation for the villagers in hiding extremely desperate. It is extremely difficult to place exact numbers on those internally displaced in these two districts, but the number could now be 50,000 or even more.” (KHRG April 2001, p.1)

Forced relocation in Tenasserim Division directly linked to construction of gas pipelines (1991-2000)

- Villagers displaced from highly militarized pipeline corridor
- Claimed in May 2000 that violence and forced labor in the pipeline region has continued

"Since the early 1990s, a terrible drama has been unfolding in Burma. Three Western oil companies—Total, Premier, and Unocal—bent on exploiting natural gas, entered partnerships with the brutal Burmese military regime to build the Yadana and Yetagun pipelines. Determined to overcome any obstacle, the regime created a highly militarized pipeline corridor in what had previously been a relatively peaceful area. The results, predictable to anyone familiar with the recent history of Burma, were violent suppression of dissent, environmental destruction, forced labor and portering, forced relocations, torture, rape, and summary executions.

[...]In July 1996, EarthRights International and the Southeast Asian Information Network (SAIN) released *T o t a l D e n i a l* , a report that exposed the human rights and environmental problems associated with the Yadana pipeline. In the nearly four years since the publication of that report, the violence and forced labor in the pipeline region have continued unabated.

[...]

The influx of Burmese troops was only one step toward militarizing the region for the pipeline projects. To proceed, the soldiers had to take complete control. Villagers' movements had to be monitored. *Villages had to be moved*. Through early 1993, Karen communities that lay east of the Ye-Tavoy road were particularly targeted for relocation

to create a secure corridor for the pipelines. [...] Karen villages 15 to 20 miles both north and south of the pipeline routes were forced to move to the Ye-Tavoy road— closer to SLORC outposts—to create a labor pool and eliminate threats from armed ethnic groups. This relocation area became the pipeline corridor, and the timing of the relocations coincided with the negotiation of the pipeline deals and the attack on Nat-E-Taung in late 1991. The pattern of relocations further suggests that the impending pipelines were related directly to the relocations and gave SLORC further pretext to control the population in this particular area. Indeed, villages outside this relatively narrow corridor were not relocated at this time despite the presence of armed ethnic groups in those areas. Villagers suspected of having contact with any resistance groups in the corridor were dealt with harshly[...]. Some villages were completely relocated. In others, troops compelled residents living on the outskirts of the village to move to the center to enhance the military's control of the people. The relocations and subsequent sweeps of the forested areas for any villagers who might be hiding near the Thai/Burmese border effectively depopulated the region east of the Ye-Tavoy road.

[...]

Between 1991 and early 1993, the Burmese military relocated a number of Karen villages. Targeted Karen communities included Karen Shintapi, Chaung Sone, Paw La Goo, Ya Pu, Lauk Ther, and Zinba. Portions of Zinba and Chaung Sone—the outskirts of the village—were relocated to the center of the village, so the army could more effectively control the population. Several of the communities, namely Ya Pu and Lauk Thein, were relocated after July 1992, when the Yadana contract had been signed, which belies the companies' assertions about relocations and their projects. Other villages, such as Michaunglaung, were torched in late 1992, again after the contract had been signed, making the relocation final and crushing any villagers' hopes of returning to their life-long homes." (Earthrights May 2000, pp. 2, 39, 43)

After a period of decreasing displacement of the Mon people, civilians are again fleeing human rights violations (1998-2001)

- Military rulers initiated in the 1990s a massive program of road and railroad construction in the Mon state
- Forcible or compulsory displacement in the Mon State occurred largely in urban areas
- Forced labor, forced relocations, arbitrary taxation, and the extrajudicial execution of villagers suspected of assisting Mon soldiers reported as main causes for flight
- Mon and Karen villages were forced to relocate as gas pipeline is being built between Burma and Thailand
- Despite cease-fire agreement in 1995, the Mon refugees did not feel safe to return to their homes and instead established camps in Mon-controlled areas

"The population of the Mon State and Tanintharyi Division, in the southeast of Myanmar, is a mixture of Mon, Karen, Tavoyan, and Merguians as well as smaller ethnic minority groups. The Mon, who along with the Khmer were among the first settlers of mainland Southeast Asia, established major kingdoms in the pre-colonial era. They live in villages north of Dawei. The Merguians, living primarily in the Mergui area, and Tavoyans, living

mostly in the area of Dawei town, are ethnically the same as the Burman group, but have developed their own dialects and local cultures. In February 2001 Amnesty International interviewed members of these groups from Yepyu and Tanintharyi townships in Tanintharyi Division and Mudon, Paung, Thanbuzyat and Ye townships in the Mon State as well as Kya-ein-seik-kyi township, Kayin State.[...] They had fled to the Thai-Myanmar border because of forced labour and excessive and arbitrary taxation as well as other human rights violations.

Although the New Mon State Party (NMSP) agreed a cease-fire with the then State Law and Order Restoration Council [...] in June 1995, a few smaller groups broke away from the NMSP and continued to fight against the SPDC. In addition a small number of Karen National Union (KNU) troops engage in skirmishes with the Burmese army in the Bago and Tanintharyi Divisions and the Mon State. As a result, civilians in the areas where these groups operate are at risk of being taken as porters for the *tatmadaw* as they patrol the countryside, and also of interrogation about the armed groups' whereabouts." (AI 13 June 2001)

“Reported to be more urbanised than either Karen or Karenni State to the north, where inhabitants are mainly rural dwellers, forcible or compulsory displacement has occurred largely in urban areas, such as in round Moulemein city. While displacement in rural areas has taken place, its incidence has decreased since the cease-fire between the government and NMSP in 1995 - which has held generally with the exception of areas overlapping with Karen-insurgent-held areas.”(BERG September 2000)

"While military offensives were the major cause of Mon refugee outflows in the 1980s, by 1992 - when the NMSP had already lost much of its former territory - forced labor, forced relocations, arbitrary taxation, and the extrajudicial execution of villagers suspected of assisting Mon soldiers were the main causes of flight. The SLORC set about developing the Mon state and Tenasserim division peninsular, embarking on a massive program of road and railroad construction and clearing economically important areas of people who might support the Mon and Karen ethnic armies. The single most common reason for flight over the next five years was the construction of the railroad between Ye and Tavoy (a distance of 160 kilometers). In late 1993 the SLORC started rounding up villagers in Mon state to provide labor to build the railroad, and as of May 1998 the use of forced labor on this project was continuing. Over this period of time, thousands of Mon, Karen, and Tavoyan villagers were forced to work at the site for up to two weeks per month, sometimes more. As in other forced labor projects, the villagers were forced to find their own transportation to the site, take with them their own tools and food for the duration of their stay, and work without pay until their allotted section of work was complete. Villages nearest the site were targeted first, but as the project continued, people from further afield were used. The work was overseen by Tatmadaw soldiers, who often beat people considered not to be working hard enough, and there were few safety precautions, so that laborers sometimes died in accidents and landslides. After months of such work, during which time they were no longer able to tend their fields, villagers lost the ability to sustain themselves and had no option but to flee to Thailand.

[...]

The other major development project that affected the Mon was the gas pipeline that was to be built to carry natural gas from the Gulf of Martaban across Burma and into Thailand (see below). The original route was to have taken the pipeline to Three Pagodas Pass, though a shorter land route coming out further south at Nat Ei Daung was finally agreed upon. Nevertheless, in preparation for the pipeline, which would be vulnerable to attack by ethnic minority forces, Mon and Karen villages were forced to relocate, and in 1995, the SLORC created a new army command position, the Tenasserim Coastal Military Command, whose headquarters were in Tavoy. The increase in Tatmadaw soldiers in the area led to an immediate increase in the forced recruitment of civilians as porters and as laborers to build new army barracks in the region, and this contributed to refugee outflows from 1994 onwards." (HRW September 1998, "The Ethnic Minorities" & "The Mon")

Substantial forced relocation in the Karenni (Kayah) State (1996-2000)

- Government-initiated development schemes, aimed at separating people from non-state groups by forcing them into relocation sites, has resulted in most displacements since 1960s
- Large numbers of displaced connected to economic interests in the area
- Major forcible relocations of complete villages found place in 1992 and in 1996
- Amnesty International reports that forcible relocation is based on ethnic origin or perceived political belief
- One local representative of the Karenni people claims the situation is getting worse

“Situated to the north of Karen State and with a population of 207,357 in 1998, in Karenni State there are currently three main forms of displacement: conflict-induced; development-induced; and displacement arising as a result of resource scarcity.

In Karenni State, the Karenni and particularly the Karenni National Progressive Party (KNPP) seek an independent state - a claim fiercely resisted by successive military governments. Perpetrated by the Burmese army since the 1960s to secure decisive military solutions, displacement has led to the expropriation of land and natural resources, shattering the resource base of many local communities.

The protracted conflict has not only led to displacement, but has also increased the rivalry between a myriad of armed groups vying for control of resources, populations and a stake in the balance of power in Karenni State. As armed Karenni groups rely on local levies or militia that can be called on to fight when needed, the war has been brought directly to the villages where Burmese Army retaliatory campaigns, including relocation, have aimed at separating communities from insurgent armed groups (BERG May 2000).

"Forcible relocations are part of the army's "Four Cuts" counter-insurgency strategy, which entails cutting alleged links of intelligence, food, money and recruits between armed opposition groups and local civilians. During the last seven years there have been two major forcible relocations by the *tatmadaw* in the Kayah State. In March 1992, 57 villages were ordered to relocate to Pruso and other sites in northwest Kayah State. As a

result 8,000 people moved; dozens of them were reported to have died from malnutrition in the relocation centres; and others were forced to do work on the Aungban - Loikaw railway and perform portering duties for the military.

Beginning in May 1996 the then SLORC ordered 98 villages between the Salween River in the east and the Pon River in the west, to move to sites which they had designated for relocation, including Shadaw and Ywa Thit. The military reportedly initiated the forcible relocation program in this area where KNPP troops were active and which was difficult to control because of mountainous terrain. Villagers received written orders which stated that they “*would be treated as enemies*” if they did not move by June. Villagers from other areas in Kayah State were also forced by the military to move to Nwa La Boh, Tee Po Koh, Daw Tama Gyi, Pasaung and Pruso town. After these forcible evictions, the military burned down many of the villages in order to prevent its residents from returning. An estimated 4,000 villagers went to the Shadaw relocation centre, thousands went to other centres, and some 4,500 fled to refugee camps in Thailand. Others decided to hide in the forest away from *tatmadaw* control.

[...]

Forcible relocation as practiced by the *tatmadaw* in the Kayah State, appears to be carried out solely on account of the ethnic origin or the perceived political beliefs of the affected Karenni civilians. Its effects are devastating. People are forced to remain in life-threatening conditions in the relocation centres, including lack of sanitation, safe drinking water, food and proper medical care. Some of them earn money or food by hiring themselves out as day labourers, but these efforts are curtailed by the forced labour they must perform routinely for the military." (AI June 1999, "Kayah State")

A May 2000 report by the BERG group also provides details about displacement related to various public infrastructure projects, among others:

"Another project that caused an unknown number of displacements was the rail link between Loikaw and Aung Ban on the border with Shan state. Work on the railway, which is 40 kilometres long, started in 1991 and was completed in 1994. During this time, 31 acres of farmland plus 9 acres of land in Loikaw city were requisitioned to make way for the line [...] A further 24 households were displaced in Loikaw to make way for additional but unspecified transport infrastructure projects. In each case no compensation was made. In addition to the displacements which came about directly as a result of the railway, the building of the embankments disrupted (in some cases blocked) irrigation systems and supplies of water to local farms. This then resulted in a further voluntary displacement, the extent of which is not known." (BERG May 2000, p. 67)

“Recent data indicate that while villagers have been displaced by fighting, it is also government-initiated development schemes, aimed at separating people from non-state groups by forcing them into relocation sites, that has resulted in most displacements since 1960s. These schemes were responsible for the wide-scale displacement of about 25,206 people in 1996 alone. Of these, 11,669 are known to have moved to relocation sites, 4,400 were registered in refugee camps and a further 9,137 unaccounted for. Since 1998, many IDPs have moved out of relocation sites back to their villages (some voluntarily, while others have been ordered back) or to refugee camps in Thailand.

Land ownership is extremely fragmented and a significant proportion of the population is landless in Karenni State. There are large numbers of displaced connected to economic interests in the area. With an economy based on access to teak resources - and of equal importance, hydro-electric power and mining concessions - the government has in some cases taken steps to pacify areas, quelling so-called 'insurgency' problems before undertaking investment in the areas. Much of this displacement is carried out in military style outside any civil or legal framework. Moreover, the deterioration of the formal economy has fostered the growth of an extra-legal state economy, focused on the extraction of natural resources that all groups, including the state, rely on.

In the absence of lasting and substantive peace, the displacement of civilians is likely to continue. The current cease-fire agreements in the state appear to be ad hoc economic deals rather than a process aimed at political resolution and peaceful reintegration. The cease-fires in fact have allowed armed groups to legitimise their the extra-legal state economy and added to further factionalism in the competition for increasingly scarce resources.” (BERG September 2000)

A representative of the Karenni people said in an interview with Christian Solidarity Worldwide that the situation in the Karenni State is worsening:

"It was noted that the situation in the Karenni State is worsening. No NGOs are working there although the ICRC is trying to. The SPDC has closed many of the Relocation Camps. Starvation is a problem with hundreds dying. Villages and harvests have been destroyed, and livelihoods lost to the extent that some people were reduced to begging. Large numbers of land mines have been laid by the SPDC, killing and maiming people and animals. However, cross-border attacks on Karenni camps had not taken place since 1998, possibly due to SPDC awareness of world (and Thai) opinion. Fear was expressed concerning the repatriation of the Karenni within 3 years mooted by some Thai politicians. The SPDC continues to view the Karenni refugees as rebels rather than refugees, hindering negotiations to return." (CSW November 2000)

Land confiscation and displacement in the Kachin State (2000)

- Estimates suggest that there were around 67,000 internally displaced in the Kachin State prior to the signing of a cease fire
- While conflict-related displacement has decreased, the impoverishment of many rural dwellers following three decades of strife have led to significant rural displacement

“While the situation of internal displacement is not reported and hence the scale of the problem not well known in Kachin state, 30 years of internal conflict between the various Kachin independence movements and the Burmese army has resulted in large-scale displacement of the Kachin population. Figures from Kachin State suggest that perhaps 100,000 were forcibly relocated from their homes by counter-insurgency operations between the 1960s and 1990s, while other estimates suggest that in 1994 - prior to the

signing of a cease-fire - there were around 67,000 internally displaced. More recent estimates suggest that although conflict-related displacement has decreased, the impoverishment of many rural dwellers following three decades of strife have led to significant rural displacement. As no peace dividend followed the cease-fire agreements, leaving the issue of resettling previously displaced groups obscure, many rural populations in Kachin State have become landless and forced to seek a livelihood in the extractive natural resources (mining) sectors or in the service sector in urban areas.

Indeed despite the negotiated cease-fire arrangements between the central government and the Kachin Independence Organisation (KIO) and the Kachin Democratic Army (KDA) there continue to be problems of displacement and land confiscation. As has been remarked by numerous civilians in Kachin State, cease-fires have allowed the different armies to retain their arms and territory, controlling and taxing the populace, while basically prioritising business for themselves through the extraction of natural resources. These complaints are not solely levied at the rebel groups, but more importantly at government, as the army has claimed much farmland, principally to grow food. Recently the government put up 27,000 acres of fallow land for paddy production and has opened a land-title registration office in Myitkyina to facilitate the transfer of such land to new owners." (BERG September 2000, "Kachin State")

Increased fighting in Nagaland displaces the civil population (2000-2001)

- Numerous Naga villages have been displaced after fighting between SPDC and Naga insurgent forces
- It is estimated that up to 1,300 villagers have been displaced and fighting seems presently to have increased
- Recent reports of military crackdown on villages in Eastern Nagaland

Moreover, as is the case in Sagaing Division, the designated administrative boundaries of the division conceal the ethnic diversity within its borders and internal displacement which has occurred. Many Naga people, estimated to be around 100,000 strong in total, populate the four northern townships of the division, near the town of Khamti and the Patkai mountain range [...]. Fighting for an independent Nagaland in both India and Burma, and facing increased internal divisions, the Naga have suffered significant conflict-related displacement. In the last six years particularly along the Khamti-Tekai road, numerous Naga villages have been displaced after fighting between SPDC and Naga insurgent forces. It is estimated that up to 1,300 villagers have been displaced and fighting seems presently to have increased. (BERG September 2000, "Other States and Divisions of Burma")

"Delegates of the Relief Team from NPMHR and NSF have just returned from Chen Mohu, Mon after delivering the relief materials to the Nagas from Eastern Nagaland who has been displaced following the Myanmar military crackdown on their villages. The team comprising of eight members from both the aforementioned organizations left for Mon on the 1st of June, 2001 and returned on the 4th of June, 2001.

Many villagers from Chen Hoyat, Throilo and Nyanching have taken refuge in the neighbouring villages of Mon district of Nagaland state, while many are still hiding in the jungles in Eastern Nagaland. According to the refugees we met at Chen Mohu the atrocities meted out on them were gruesome. A couple caught by the Myanmar army suffered excruciating tortures leading to the death of the husband. The wife was raped for two days and released at another village. Their five children had fled with the rest of the villagers. Several had gone missing while the bodies of at least three who had starved to death had been discovered. Those who escaped also do not know how the people are sustaining themselves in the jungles in the rainy weather of the summer season.

Except for some few houses and granaries in the outskirts of Throilo village, all the three villages have been burnt to ashes. Many of the cattle were eaten up by the Myanmar army in the campaign. The others were just shot and left to rot in the jungles.

After burning down the three villages, the Myanmar army left several mines inside as well as around the burnt villages. As of now, nobody has fallen victim to the landmines. Only a bear, a pig and two cows have been killed by the landmines. For this reason the villagers are unable to go back and rebuild their villages." (NPMHR/NSF June 2001)

Forced Relocations of Muslims (1997)

- Reports of anti-Muslim riots in 1997 in central Myanmar
- Muslims forcibly evicted from their villages in the Kayin (Karen) State (1997)

"During February and March 1997 in central Myanmar there were reports of anti-Muslim riots in Mandalay, Prome, and Yangon by Buddhist monks, characterized by damage to mosques and Muslim property. Opposition and Muslim sources have claimed that some of the monks were in fact disguised SLORC operatives acting as agents provocateurs. However Amnesty International has not been able to confirm these reports.

Amnesty International has received reliable reports about the persecution of Muslims during the 1997 SLORC offensive against the KNU in the Kayin [Karen] state. Mosques were burned, Korans were destroyed, and Muslims were forcibly evicted from their villages. Many Muslims of South Asian origin have lived in the Kayin State for over a century, and relations between ethnic Karen and Muslims have generally been good, characterized by tolerance on both sides. Muslims of South Asian origin in the Kayin State have suffered from a variety of human rights violations at the hands of the SLORC, including forced labour and forcible relocation under threat of death.

[...]

Muslims of south Asian origin were forcibly relocated from their villages in March 1997 in Gyaidone township, Kayin State. A 56-year-old Muslim shopkeeper provided the following information about the incidents. When the tatmadaw began to shell her village she fled with 170 people to the jungle. Their mosque was also burned by SLORC troops. A Karen villager, who had been interrogated about the Muslims' whereabouts, came to

the jungle hideout to deliver a message to the Muslim headman from the SLORC telling them that if any Muslims returned to the village they would be killed. The Karen villager then urged them to flee from the area quickly, which they did. The Muslim woman concluded her interview by saying, 'I dare not go back to my place. If I go back I will be killed by the SLORC.'" (AI 22 July 1997, "Forcible relocations of Muslims")

Displacement within the Arakan (Rakhine) state (2000)

- Governmental policy to concentrate the Rohingya population in the northern part of the districts of Maungdaw and Buthidaung
- Most of the Rohingyas who lived in the Kyauktaw, Mrauk-U or Minbya districts have been forcibly displaced to the North
- Construction of model villages for Buddhist settlers forces Muslim Rohingya to move to less fertile lands
- Construction of new military camps also displace the Arakanese population

"Discrimination against the Rohingya in Burma continues unabated, and the structural causes of the initial 1991-92 exodus remain unresolved. Denial of citizenship, forced labor, and arbitrary confiscation of property continue to prompt new refugee flows and limit the reintegration of those who have returned." (HRW May 2000, chapt.III)

"With about three million inhabitants, Arakan accounts for about 6% of the total population of the country, two thirds of which are Arakanese and less than one third, Rohingya. The former are Buddhists from a minority considered by the Constitution as a national group: they are thus full citizens, whereas the Rohingyas Muslim are not considered as citizens of Burma. The rest of the State is made up of small minorities (Khami, Mrau, Thet, Hindu, Dynet...), representing a very small part of the population.

[...]

Two Rohingya armed resistance movements have been set up in response to Burmese oppression. The Rohingya Solidarity Organisation (RSO) was formed in the early 1980s in reaction to the new discriminations affecting the Rohingyas and to the 1978 expulsions. It switched from political activism to armed struggle soon after the 1991-92 persecutions. The RSO essentially acts by infiltration and attacks in Northern Arakan from Bangladesh. The other, less important, armed group is the Arakan Rohingya Islamic Front (ARIF), created in 1987. Its activity seems to have ceased over the past few years. Generally speaking, the armed Rohingya resistance is not very active and constitutes above all a pretext for the militarization of the region as well as a way for the Burmese junta to keep a close watch on the population.

[...]

As an essential element of the governmental policy of the colonisation and militarization of North Arakan, forced relocations are diverse and mainly serve three purposes: to «clean» Arakan of its Rohingya population and concentrate it in the northern part of the districts of Maungdaw and Buthidaung; to increase the presence of Buddhist settlers, in order to "reconquer" the region through model villages; to contain the Rohingya population with an increased military presence.

The ethnic and religious cleansing of Arakan is being progressively achieved. Muslim villages outside the far North are becoming rare. Most of the Rohingyas who lived in the Kyauktaw, Mrauk-U or Minbya districts have been forcibly displaced to the North over the past few years. These forced relocations, which go hand in hand with serious human rights violations, have been denounced by the UN Special Rapporteur on Burma, notably in February 1993 and January 1995. 15 The Rathidaung Rohingyas (in the border district south of Maungdaw and Buthidaung) met with the same fate. According to villagers still living in Rathidaung, out of the 53 Muslim villages existing in the district before 1995, only two remain in 1999.

The construction of model villages for Buddhist settlers in the North of the State also entails the forced relocations of Muslims who are moved to less fertile lands, usually without compensation. A villager from South Maungdaw: "In 1993, 40 families from our village were displaced because of a model village. A financial compensation? Are you kidding? Instead of money they showed us sticks..." Forced relocations are also systematic during the installation of new military or Nasaka camps.

[...]

Lastly, the authorities displace villagers in order to build administrative or religious buildings like in March 1998, when 80 families of the Dail Fara quarter in Maungdaw were forced to move several hundred metres away. The villagers lost their land and many of them now live in an area subject to flooding.

[...]

The Burmese authorities regularly resort to forced relocations of Arakanese. Villagers are warned at the very last moment. They do not always get compensation and when they do, it usually is far from the actual value of what the villagers lost as they were displaced. The most common cause of forced relocations in the last decade is the installation of a new military camp. As in Maungdaw and Buthidaung, the government, concerned with controlling the whole population, has also displaced the small minorities of Arakan (notably the Mro) from their mountainous and remote areas towards the plains. Finally, the recent development of tourism has caused the displacement of people living close to historical sites which the government wanted to highlight. These forced relocations always entail an impoverishment of the population, for whom moving is expensive, especially because of the cost of rebuilding a house. Furthermore, any displacement also means an agricultural loss: most often, the land the villagers get (provided they get some) is smaller and less fertile than what they had. The villagers also lose their trees, the source both of income and of food. (FIDH April 2000, pp. 5,7,24,39)

"There are credible reports that government authorities in Arakan State have compelled Muslims to build Buddhist pagodas as part of the country's forced conscription labor program (see Section 6.c.). In March the Government forcibly relocated about 200 Buddhists from Dagon Township in Rangoon to Arakan State; this had the effect of increasing the population of Buddhists in a region with a large Muslim population (see Section 1.f.). On November 19, in Arakan State's Maungdaw Township, Myint Tun, director of the state's Buddhist Religious Association, accompanied by officials of a local Buddhist religious center, reportedly visited the village of lower Purma and ordered the

village headman to demolish the village's largest and oldest mosque, without citing any reason." (US DOS 25 February 2000, sect.5)

Internal Displacement in other states and divisions of Burma (2000)

- The situation in the Chin State is not well known, but estimates by the Chin population reflect large scale displacement
- In the Sagaing Division, the Naga have suffered significant conflict-related displacement in recent years
- In addition to conflict-induced displacement, people have been forcibly resettled by border area 'development' programmes

“The situation in Chin State has also not been well reported, hence the scale of the problem is not generally known. However, estimates by Chin people themselves reflect large-scale displacement of population. The Chin National Front (CNF), a pan Chin nationalist movement, reports displacement taking place. Members also estimate that there are 40-50,000 persons displaced from their homes, many of whom have fled to Mizoram State in north-east India.

In addition to conflict-induced displacement, many states have introduced border area 'development' programmes, entailing resettlement of populations and carried out under the auspices of the Ministry for the Development of Border Areas and National Races, set up in May 1989. Initiated in border states where successive central governments have been involved in long-standing conflicts with ethnic armies, its objectives among others, are to carry out 'all round development', promote national unity and stamp out poppy cultivation. This programme was to extend to 19 distinct border zones with an estimated population of four million [...]. In these zones two groups were eligible for resettlement: former insurgents who laid down their arms in so called 'welcome' sites and populations displaced by military action between the army and insurgents.

In the seven largely Burman-inhabited divisions, with the exception of Tenasserim Division, the displacement situation is little better despite the absence of any insurgent activity there. Evictions for reasons of city beautification, urban development and infrastructure construction (particularly roads, railways and dams) are likely to be the same as in the seven ethnic majority states. The construction of the Kalay-Gangaw railway line in Sagaing Division illustrates clearly that the problems of forced displacement are not only confined to the war-affected zones. The line crosses mostly flat farmland and paddy fields; these were destroyed without any compensation being paid by the national government.” (BERG September 2000)

POPULATION PROFILE AND FIGURES

National total figures

Suggested that the total number of internally displaced exceeds one million - several sources estimate a minimum of 600,000 IDPs in border areas (1999-2000)

The Global IDP Database has not been in a position to identify sources that provide exact total countrywide figures for IDPs in Myanmar. However, several national and international non-governmental organisations are monitoring the IDP situation in areas of particular ethnic groups – especially Shan, Karen, Mon and Karenni. Specific figures for selected geographical areas are thus available. In his 1999 report the Special Rapporteur appointed by the Commission on Human Rights suggests that there were by 1998 as many as 500,000 IDPs just within the four ethnic states mentioned above. The higher figures reported by mid-2000 may suggest an increase in internal displacement since 1999. As described in the [background section](#) of this profile, displacement has also been reported in urban areas outside the ethnic states. USCR has since the mid-1990s in their annual reports suggested that the total number of internally displaced persons may be as high as 1 million (USCR 1996-2000, see the [Burma sections](#)) and the US State Department indicates an even higher estimate:

“There is a large number of internally displaced persons (IDP's) in the countries. NGO's estimate that there could be as many as 1 million minority group members who the SPDC has moved forcibly from their villages and districts and who now live near or along the Thai border. NGO's also estimate that an additional 1 million IDP's also might exist in various other locations throughout the country; however, it is very difficult to confirm specific numbers of IDP's.” (U.S. DOS February 2001, Section 2.d.)

“Hundreds of thousands of villagers have been displaced since 1996 when SLORC intensified its campaign to control the ethnic border areas and many of these remain in hiding or on the move. The ethnic groups estimate that there is a minimum of 600,000 internally displaced persons (IDPs) in the border states.” (BBC January 2001)

“In 2000, the numbers of internally displaced persons (IDPs) in the eastern border areas opposite Thailand are estimated to be over 500,000 – comprising some 200,000 Karens, 200,000 IDPs affected by relocations in Central Shan State since 1996, 200,000 Karennis, and approximately 40,000 Mons.” (ICG 21 December 2000, p.1)

"At least 300,000 people have been displaced by the forced relocations in central Shan State, another 50,000 in Karenni State, an estimated 300,000 or more in Karen State, and many throughout Tenasserim Division." (KHRG June 2000, chapt. IV)

"It is estimated that over half a million displaced persons, living in Mon, Karen, Shan and Karenni States, are in need of humanitarian assistance.

[...]

The Special Rapporteur is not in possession of independently verified statistics on the number of displaced persons in Myanmar, but local and international NGOs estimate the number in Karen State to be between 100,000 and 200,000[...] Unofficial estimates place the current number in Shan state to be over 300,000[...]and in Karenni State, 70,000. Finally, there are reportedly about 40,000 persons displaced in Mon State." (UN 22 January 1999, paras.27-28)

Geographical distribution

Compilation of figures on internal displacement by the Burma Ethnic Research Group (BERG) – (2000)

State and Divisions	No. of people Affected	Date of Data and Number of Sources
Karen State	108,280	(Dec 1997) (1)
Shan State	>300,000	(April 1998) (3)
Mon State	>20,000	(Sept 1998) (4)
Karenni State	31,620	(Dec 1998) (5)
Chin State	40-50,000	(-) (6)
Kachin State	67,000	(Jan 1994) (7)
Arakan State	>250,000	(Aug 1997) (12)
Yangon	504,000	(Oct 1994) (20)
Mandalay	150,000	(May 1990) (21)
Bago	36,000	(May 1990) (21)
Sagaing	1,260	(Dec 1999) (24)
Ayeyarwaddy	18,000	(May 1990) (21)
Tanintharyi	37,000	(May 1990) (21)

Source: BERG September 2000

Over 300,000 Shan villagers affected by relocation programme (1996-2000) and tens of thousands are being forcibly relocated from the northern Shan State (2001)

- Reports of over 1400 villages relocated throughout 7,000 square miles in Central Shan State since 1996
- Over 300,000 people have been ordered to move at gunpoint into strategic relocation sites
- Displacement of new villages in southern Shan state on the Thai-Burma border during 1999

- New displacement is expected as people from the northern Shan State is being forcibly relocated to border areas, displacing the original inhabitants

"In March 1996 forcible relocations on a massive scale began in the Shan State as the army evicted civilians from their villages in an apparent effort to break up any alleged links with the SSA-South. To date well over 1,400 villages have been forced to relocate. (AI 13 June 2001)

"Since March 1996, the Burmese military regime has forcibly relocated over 1,400 villages throughout 7,000 square miles in Central Shan State. Over 300,000 people have been ordered to move at gunpoint into strategic relocation sites. No assistance has been provided to them.

The relocation program has intensified during 1997 and 1998, with new areas being forced to relocate, and existing relocation sites being forced to move again. Vast rural areas of 11 townships have been turned into depopulated "free-fire" zones.

[...]

It is estimated that over 80,000 Shans have fled into Thailand during the last two years. Current Thai policy has denied these Shan safe refuge and the right to receive humanitarian assistance." (SHRF April 1998, Executive Summary")

"During 1998, there continued to be consolidation of relocation sites, as had occurred in 1997. [...] There were also new villages forcibly relocated in Loksok township, to the west of the existing areas of forced relocation. During the first few months of 1999, new villages in Murng Ton, in southern Shan state on the Thai-Burma border have been relocated." (SHRF April 1999, p.5)

"Since 1998 the region [*of forced relocation*] has not expanded significantly in size, but more and more villages within the relocation zone have been cleared, and relocation sites have been consolidated from smaller sites containing one or two villages to larger sites in main towns or near military bases. SPDC patrols roam the region, burning whatever is left in villages and shooting villagers they find on sight. Most of the villagers in this area have been homeless since the operation began, and the displacement is taking a fatal toll." (NCGUB August 2000, p.131)

"A [...] potentially much larger category of Shan refugee [in Thailand] is Shan villagers displaced by people being moved from the northern Wa area in Shan State adjacent to the border with China to the Thai border opposite Chiang Rai/ Chiang Mai. As many as 250,000 people are said to be scheduled to be relocated and as many as 50,000 to 100,000 may already have been moved during the last year." (BBC August 2001, p.8)

"In late 1999 the SPDC began to resettle members of the Wa ethnic minority from northern Shan State near the Chinese border to Mongton and Murngsat townships in the Shan State near the Thai border. Tens of thousands of them have subsequently been moved to these locations." (AI 13 June 2001)

Several reports state more than 200,000 IDPs in the Karen state (1999-2001)

- By April 1998, about 480,000 Karen, or 30 percent of the rural Karen population of eastern Burma, were either internally displaced or refugees
- It is likely that some 200,000 Karen live displaced in the jungles of eastern Burma
- Villages situated along car roads in the southern Tenneserim division forced to consolidate and relocate
- A report from the Nyaunglebin and Papun districts in the Karen state suggests that 50,000 may be internally displaced

It has not been possible for the Global IDP Database to verify the present number of internally displaced Karen people, but 200 000 or more appears to be an estimate confirmed by several sources:

"It is difficult to count displaced Karens. Armed conflict only exacerbates the technical and political obstacles to conducting a census, and problems of classification blur the distinction between who is and is not displaced. The only known attempt to count displaced Karens, undertaken in 1997, subtracted the number of refugees registered in Thai camps from the total number of people believed to have been displaced, then estimated how many of the remainder may be internally displaced. Using this method, researchers suggested that approximately 30 per cent, or 480,000, of the rural Karen population of eastern Burma was displaced at that time. In addition to the 91,000 Karen in refugee camps in Thailand, 100,000-200,000 were displaced internally (BERG, 1997, p. 35). Since then, fighting and forced relocation have continued, and it has become more difficult to enter Thailand. It is likely that some 200,000 Karen men, women and children live displaced in the jungles of eastern Burma." (Cusano, September 2001, p.148)

The Committee for Internally Displaced Karen People estimates a higher number in September 2001 than it did in 1999:

"The estimate of internally displaced Karen people living in the Burmese jungle is now over 300,000." (CIDKP, September 2001)

"The internally displaced people (IDP) population inside Burma is even more than the refugee population in neighbouring countries. According to an unsystematic census collected by the Committee for Internally Displaced Karen People (CIDKP), the Karen IDPs number over two hundred thousands in Karen State." (CIDKP November 1999)

Other estimates of the number of internally displaced in the Karen State:"Figures of displacements in rural areas are hard to obtain, estimates made in 1998 of the IDPs in Karen State and Tenasserim Division found between 100,000 and 200,000 Karen were internally displaced. The government has been cited as the responsible party for the forced relocation of small villages to larger villages or to relocation sites in order to control of areas where there is conflict. When combined with the number of people who were then in refugee camps in Thailand, it was estimated that approximately 30 per cent

(or 480,000) of the rural Karen population of south-eastern Burma was currently displaced. "(BERG, 1998: 34)

"The Special Rapporteur is not in possession of independently verified statistics on the number of displaced persons in Myanmar, but local and international NGOs estimate the number in Karen State to be between 100,000 and 200,000" (UN 22 January 1999, para. 28)

"As of April 1998, about 480,000 Karen, or 30 percent of the rural Karen population of eastern Burma, were either internally displaced or refugees, mostly the former. Burmese army troops prevent villagers from returning to their homes – homes that may no longer exist because of the army's strategy of burning fields and villages."(USCR 1999, p.104)

"At least 300,000 people have been displaced by the forced relocations in central Shan State, another 50,000 in Karenni State, an estimated 300,000 or more in Karen State, and many throughout Tenasserim Division." (KHRG June 2000, chapt. IV)

A report from the Nyaunglebin and Papun districts in the Karen state suggests that forced relocation is on the increase:

"Since the end of the rainy season in October 2000, the SPDC has intensified its campaign to destroy once again any villages which have been rebuilt and to hunt out the villagers in hiding. The columns look for villagers harvesting rice, open fire on them and landmine their fields or uproot their crops, and hunt out and destroy any hidden rice supplies. There are at present approximately 40 SPDC Battalions involved in this operation, making the food and security situation for the villagers in hiding extremely desperate. It is extremely difficult to place exact numbers on those internally displaced in these two districts, but the number could now be 50,000 or even more." (KHRG April 2001, p.1)

Over 50,000 Karenni reported internally displaced by 2000

- Karen Human Rights Group (KHRG) reports 50,000 internally displaced in Karenni State in June 2000
- Violation by SLORC of cease-fire agreement with major armed group in 1995 followed by major forced relocation campaign
- Government-initiated development schemes, aimed at separating people from non-state groups by forcing them into relocation sites, has forcibly displaced people since the 1960s
- Claim by unverifiable source that there were 70 000 Karenni IDPs in 1999

A Karenni representative stated the following figure of internally displaced in an interview with Christian Solidarity Worldwide:

"[...] the number of Karenni IDPs is about 50,000. Very little help is getting through to the majority of them. It is also getting more difficult for Karenni refugees to cross over into Thailand due to increased border security. About 1000 managed to cross over

between January and May 2000; since then it has been only a trickle. Furthermore, once they arrive in Thailand, refugees are now held in a transit area in Camp 2 for up to 4 months before they are released into the general camps. Thailand has stated that all refugees along the Burmese border are due to be repatriated within 3 years from early 2000." (CSW November p.4)

"At least 300,000 people have been displaced by the forced relocations in central Shan State, another 50,000 in Karenni State, an estimated 300,000 or more in Karen State, and many throughout Tenasserim Division." (KHRG June 2000, chapt. IV)

"Recent data indicate that while villagers have been displaced by fighting, it is also government-initiated development schemes, aimed at separating people from non-state groups by forcing them into relocation sites, that has resulted in most displacements since 1960s. These schemes were responsible for the wide-scale displacement of about 25,206 people in 1996 alone. Of these, 11,669 are known to have moved to relocation sites, 4,400 were registered in refugee camps and a further 9,137 unaccounted for. Since 1998, many IDPs have moved out of relocation sites back to their villages (some voluntarily, while others have been ordered back) or to refugee camps in Thailand." (BERG September 2000)

"During 1997 more refugees continued to arrive [in Thailand], as the program of forced relocations continued and was extended to Mawchi, site of some of the 1992 relocations. Conditions in the relocation sites remained dire, with the lack of sanitation, food and medical care leading to scores of deaths from malaria and other diseases. Villagers sent to the camps were forced to build fences around the periphery, turning the camp into virtual prisons. In July, eleven additional villages were forcibly relocated to Laikha district, bringing the total of internally displaced in Karenni state to over 32,000. By May 1998 the internally displaced had not been permitted to return to their homes. Trickle of people who had been able to get out of Burma were continuing to arrive in the refugee camps, the population of which by then totaled 12,520 people, with an average of 500 people arriving each month. With no access to the area by any international organizations, including United Nations agencies which in other countries had developed programs for the assistance of displaced populations, it was impossible to know how these people were managing to survive." (HRW September 1998, "The Karenni")

"The Special Rapporteur is not in possession of independently verified statistics on the number of displaced persons in Myanmar, but local and international NGOs estimate the number [...] in Karenni State, 70,000." (UN 22 January 1999, paras. 27-28)

Migration patterns specific to the Karen

"Starting in the 1950s, the centre of KNU power gradually shifted from central Burma to the east. As the eastward retreat into the Dawna mountains and towards the Thai border hastened during the 1960s and 1970s, lowland and urban Karens from the Irrawaddy Delta, Rangoon and Insein began moving to the new 'liberated' areas. Serving KNU's

mountain strongholds, the lowland Karens married local highlanders, producing a generation of culturally, linguistically and religiously diverse Karens who personify the socio-demographic impact of the KNU's eastward migration. As war in the mountains intensified, KNU recruited more of the traditionally insular highlanders, and the fate of migrant KNU insurgents and local Karen civilians became inextricably linked.

These dynamics created the great variety one sees among displaced Karens today: former Buddhist monks trained at Burmese monasteries; Baptist mission school graduates from the Delta; and animists brought up with local spirit traditions. Among the displaced are teachers who followed KNU east, college students who fled cities after the 1988 military coup, and indigenous farmers, hunters and healers. There are Karens who can hold a conversation more easily in English than in Karen, those to whom English and Burmese are foreign tongues, and eastern and western Karens for whom Burmese is the common language." (Cusano, September 2001, pp.141, 143-144)

PATTERNS OF DISPLACEMENT

General

People become displaced as army orders villages to move or they flee when the military front move close to their places of residence (1998)

- The relocated population is left to fend for itself to find work, food and sanitary and education facilities
- People hide in the forest and return when it is safe to tend their farms

"The following information provided to the Special Rapporteur is illustrative of the widespread recourse to forced relocation and the consequent violation of most basic rights. Central Shan State has witnessed one of the largest forced relocation programmes, which still continues. From March 1996 the army has ordered village after village in eight townships (Larng Kher, Murng Nai, Nam Zarng, Lai Kha, Murng Kerng, Kun Hing, Ke See and Murng Su) to move to a total of 45 relocation sites. The estimated number of people relocated is over 100,000 from over 600 villages. When relocated, the population is left to fend for itself to find work, food and sanitary and education facilities. In Karenni State, throughout June and July 1996, orders were given to more than 100 villages located between the Pon and Salween Rivers instructing villagers to move to relocation sites near army camps in Sha Daw and Ywa Thit townships. The estimated number of people affected was 20,000-30,000, most of them ethnic Karenni. The army's purpose is apparently to isolate the population in that area from Karenni insurgents of the Kayinni National Progressive Party (KNPP). Army officers are reported to have warned that those who remained in the deserted villages would be considered insurgents or "enemies".

In addition to displacement caused by deliberate action, many persons are said to have left for fear of being attacked when the military fronts move close to their places of residence. To avoid losing their homes and sources of livelihood, many communities have resisted displacement as long as possible and have developed different strategies for survival. Several displaced persons living in camps in Thailand described to the Special Rapporteur how people in their village would hide in the forest and return when it was safe to tend their farms. As the situation worsened, many families fled the village. Since fighting was spreading to different parts of the districts, they did not know where to go to find shelter and after one week they returned. The village was finally attacked and the houses destroyed."(UN 22 January 1999, paras. 39-40)

Two categories of IDPs: the displaced and the dispersed (1999)

- People become displaced as they are forced to move to relocation sites or army camps, or they flee to the mountains or the jungle from the military

- People usually move in small groups of a few families or individuals

"The Special Rapporteur has ascertained from his contacts with those who have sought refuge in the camps on the Thai side of the Thai-Myanmar frontier that since 1996, there are two distinct categories of internally displaced persons in the ethnic States: the "displaced" and the "dispersed". The first category consists mostly of families who were forced to go to relocation sites or army camps, while the second category includes persons who instead fled to the mountains or the jungle, trying to avoid the main roads and to hide from the military. It is much more difficult to identify the dispersed, since they are not concentrated in a group but are literally dispersed throughout the country.

[...]

The internally displaced persons in Myanmar rarely flee in large numbers. They usually move in small groups of a few families or individuals. The areas of expulsion are numerous and spread throughout the country, including the border areas with Thailand. The displaced's own perception of where food and security might be found are determining factors in deciding upon the destination of their flight. The displaced usually move to neighbouring rural areas or to the jungle; others go directly to relocation sites and from there to camps located in Thailand, or directly to Thailand where they often join relatives or friends from the same area. In this regard, the Special Rapporteur was often told during the mission that the army is planting landmines in order to prevent the population from using the routes which take them to their paddy fields or to the Thai border. According to information received, each battalion in the front-line area (along the Myanmar -Thai border) was issued with about 200 landmines and ordered to plant them.

[...]

Following orders to leave their homes, many villagers avoid moving to relocation sites and usually move first to a nearby rural area or go to the jungle, trying to work in their fields during the day and returning for safety at night. They can remain in hiding for several months as long as they are able to find sufficient food to survive. These villagers live in fear that the soldiers will find them, especially in the dry season. It was reported, for example, that at the start of the dry season in 1998, local army troops shot on site at villagers hiding in the Mi Chaung Theit area." (UN 22 January 1999, paras. 54-57, 62)

Many refugees have survived two years or more as IDPs in relocation sites or hiding before entering Thailand (1998)

- People give up the struggle as IDPs and try to cross into Thailand as refugees

"Generally newly displaced villagers either move to SPDC nominated relocation sites, or hide in the surrounding areas hoping later to return to their villages. Conditions in the relocation sites are often harsh with the people getting little opportunity to grow food and being constantly harassed to provide free labour. Villagers caught outside the resettlement areas are sometimes summarily killed. After enduring such conditions for a while many of the villagers give up and try to reach the border as refugees. Those who go into hiding find life just as impossible, especially if, as is common, the SPDC troops burn down their villages, destroy fruit trees and remain in the area. After attempting to survive

for a period, many of these too give up the struggle and try to cross into Thailand as refugees. The time from displacement to flight as refugees varies widely and during 1998 many new refugees having survived two years or more in SPDC relocation sites, or in hiding. As long as SPDC continues to relocate villages and restrict normal life, there is an almost never ending potential for new refugee arrivals." (BBC February 1999, p.3)

Displacements in the ethnic states

Patterns of displacement in the Shan state (1999-2000)

- People given three to seven days notice before having to leave their villages
- Relocation sites are usually areas of bare land near towns, main roads and army bases
- Some forcibly relocated villagers moved straight to towns

As described in the "Background" section, forced relocation is the major form of displacement in the Shan state:

"By mid-1998, over 1,400 villages in 8 townships had been forcibly relocated and destroyed, displacing a population of at least 300,000 people. Tens of thousands of people were struggling to survive in relocation sites throughout the region, foraging for food and begging from cars passing on the roads. The SPDC provided them nothing. Those who tried to hide in the forests around their villages were shot on sight by SPDC patrols, and in some cases there were systematic massacres of as many as 40 people at a time. At least 100,000 people fled across the border into Thailand; the SPDC troops allowed them to go, happy to see the Shan people leaving Burma.

[...]

The village forced relocation region spans roughly 7,000 square miles (18,000 square kilometres) in the heart of Shan State. Since 1998 the region has not expanded significantly in size, but more and more villages within the relocation zone have been cleared, and relocation sites have been consolidated from smaller sites containing one or two villages to larger sites in main towns or near military bases. SPDC patrols roam the region, burning whatever is left in villages and shooting villagers they find on sight. Most of the villagers in this area have been homeless since the operation began, and the displacement is taking a fatal toll." (KHRG 5 April 2000)

"For the last three years Amnesty International has documented this pattern of forced relocation and other attendant human rights violations in the Shan State. Other non-governmental organizations have also extensively reported on these incidents, and the UN Special Rapporteur on Myanmar and a number of governments have repeatedly raised the issue. However it is regrettable that despite widespread calls from the international community, no improvement in this pattern of violations has occurred in the Shan State or in any other area of Myanmar. (AI July 2001)

"Some villages have been issued written orders to move, but in most cases the order is just given orally by the local military officer or a passing patrol. Sometimes village leaders of several villages in an area are summoned to meetings and given orders to

relocate. The order generally allows them three to seven days, sometimes longer, to get out of their village, after which they are told that all belongings will be destroyed and all villagers shot on sight. The officers give reasons for the relocation, usually accusing the villagers of harboring Shan soldiers or telling them that the civilians must be cleared out so the Shan soldiers can be killed, though in many cases these villages have had little or no contact with Shan soldiers. In the earlier relocations, many villages were ordered to move to more central "consolidation villages", and many others were simply driven out without being told where to go. More recently in 1998, most villages being relocated are being ordered to empty fields beside army camps, motor roads, or large towns such as Kun Hing and Lai Kha, rather than to other villages. Most villagers begin moving their belongings immediately, making several trips to save as much of their food supplies and possessions as possible before the deadline. Those without bullock carts or "trologies" (small motorized Chinese tractors which can haul small carts) find it very difficult to save their possessions in time, particularly if it is a full day's walk or further to the relocation site. In some cases, SPDC troops have confiscated everyone's rice supplies just before the move, then redistributed only a small part of it back to the villagers once they arrive at the relocation site." (NCGUB 1999, p.122)

"There are various patterns of displacement for the Shan villagers who have been forcibly relocated from their homes. There are basically four alternatives, which are detailed below. However, many of the displaced have not chosen a single alternative, but have chosen more than one or, in some cases, even tried all four, in different orders. Thus, there are countless variations on the patterns of displacement.

Moving to the relocation sites

The term "relocation sites" refers to the sites designated by SLORC/SPDC troops to which the relocated villagers were forced to move. These were usually areas of bare land near towns, main roads and army bases where nothing at all was provided for them by the local authorities.

[...]

Going into hiding

One option for the villagers ordered to move was simply to go into hiding in the jungles near their villages, and then lead a precarious existence dodging Burma Army patrols while seeking to continue cultivating their crops.

[...]

Moving to towns or other areas of Shan State (outside of relocation sites)

Some forcibly relocated villagers moved straight to towns. The main factor influencing whether people did this was either money, which meant that they could afford to purchase land or housing there, or else having relatives in towns with whom they could stay, and perhaps find work.

Others moved to villages on the periphery of the area of forced relocation, which they felt would be safe from relocation because they were under the control of the ceasefire organisations such as the Shan State Army, the Shan State National Army, the Shan Nationalities People's Liberation Organisation or the Pa-O National Army.

Moving to Thailand

There has long been a pattern of migration of Shans to Thailand to find work, as particularly during the time of economic expansion before 1997 there was a huge demand for migrant labour. Thus, despite the fact that there are no refugee camps on the Shan-Thai border, Thailand was thus the obvious place for many of the relocated villagers to flee for survival, as opposed to some of the other neighbouring countries such as Laos and China." (SHRF 1999, pp. 6-9)

"Over three quarters of refugees interviewed by Amnesty International [in 1999] had been forcibly relocated from their home villages in Murngnai, Kunhing, Laikha, Kaesee, Murngton townships. Most of these people had initially gone to designated relocation sites near towns or military bases, but had eventually found it impossible to survive there. Of the 300,000 relocated civilians in the Shan State, there are approximately 100,000 people in relocation sites, about 50,000 people hiding in the forest, some 50,000 people who have fled to other areas, and over 100,000 who have escaped to Thailand. Most of these people have been deprived of the right to earn a livelihood, after they were pushed off land where they cultivated rice and raised livestock." (AI June 1999, "Update on the Shan State")

"At most of the relocation sites the troops no longer guard the perimeter very tightly because the villagers have no choice but to scavenge for food outside the camp. Many villagers have taken advantage of this opportunity and fled into the forests, usually to go and live in hiding back around their old villages. They join the others still there, many of whom have already been living in hiding for close to two years now. Most of the villagers in hiding are staying in the forests somewhere near their old village." (NCGUB 1999, p 127)

Patterns of displacement in the Karen State (1999-2001)

- In early 1997 the SPDC began a campaign to wipe out all Karen civilian villages in the hills
- The Burmese army's counter-insurgency tactics usually follow a pattern to forcibly relocate Karen villages
- Temporary displacement is a frequent, even routine, way of life for Karens in the war zones
- The displaced remain in the forest living in small huts after destruction of their villages by SLORC troops
- Reported that Karens have not been given relocation sites on which to move

"Amnesty International has reported [...] violations in the context of the *tatmadaw's* counter-insurgency activities in northern Kayin State for the last five years.[...] The pattern has essentially remained the same: forcible displacement and destruction of villages and food and the Burmese army shooting Karen civilians on sight in areas where the KNU operate. The *tatmadaw* has forcibly relocated Karen civilians in Papun district in Kayin State and Nyaunglebin district in Bago Division since the 1970s, but in early 1997 and again in late 2000 they stepped up their campaign of village and crop

destruction. Those civilians not in "black" areas who remain in their villages are at risk of forced portering and labour by the army." (AI 13 June 2001)

"Though people may ultimately flee in a sudden, violent moment, they probably anticipated that they would leave, but didn't know when. The Burmese army's counter-insurgency tactics usually follow a pattern: after targeting an area for depopulation, the army orders villagers to move by issuing a written notice, convening a meeting of village headmen or visiting the village themselves. According to field reports, notification seldom results in quick and orderly compliance. Unless or until the army comes back to move or scatter the villagers, people assume a subtly defiant wait-and-see attitude. They may attempt to negotiate with the local military command but, more often, they will ignore the first notice and go about their business. The army sometimes reacts to uncooperative villages by sending a detachment of soldiers to emphasise the order. This may result in the first instance of serious human rights abuse, and may include detention, torture, summary execution, looting and destruction of homes, property and livestock. Knowing that farmers are reluctant to leave their land, the army may also burn or confiscate crops, food and farm implements. This is when jungle displacement begins. However, the army does not always notify in advance. Areas with heavy insurgent activity (those in designated 'black-zones'), remote villages that orders may not have reached, and villages that have flouted army demands for provisions and labour may suffer a rapid attack from which people also flee into the jungles. But even without prior notice, Karen villagers are aware of the army's movements and potential for violence, and of their community's standing in the political struggle among rival military powers. They choose to stay on their land until combat, human rights abuses or hunger finally force them off.

After fleeing, displaced Karens seek the first opportunity to return home. Though they lose their houses and possessions, they still manage to return to their fields. Temporary displacement may be a frequent, even routine, way of life in the war zones.

[...]

At best, villagers may flee with ample warning, stay hidden in the jungle for only a few hours or overnight, and return to an intact village, perhaps because the soldiers changed course or, for other reasons, did not enter the village and moved off to a safe distance. More often, however, people flee with little warning and must wait out the troops' stay and the inevitable looting of food and valuables. Soldiers may make the village a temporary base, or may stay until the villagers come out of hiding and return.

At worst, displaced people see no chance of returning home.

[...]

Life in the jungle is harsh, and becomes even more so the longer people stay. Not only is food in short supply, but so are medicines, clothing, blankets, clean water, pots and pans, knives and other essential instruments of survival. People often construct temporary shelters, perhaps with no floor or walls, only a roof made out of leaves. But if alerted to approaching danger, persons living displaced in the jungle may abandon these temporary homes at a moment's notice and move on in search of safer ground, usually staying along the banks of small streams and rivers.

To avert total destruction of the village, or to avoid having soldiers hunt for people in the forest, people sometimes choose to return and 'surrender' themselves to military rule. " (Cusano, September 2001, 149-150)

“In early 1997 the SPDC began a campaign to wipe out all Karen civilian villages in the hills. Where villagers could be found they were ordered to relocate westward into the plains; where they could not be caught, their villages were shelled without warning, looted and then burned to the ground, while villagers found afterwards were shot on sight. Most villagers fled into the hills to live in hiding in small groups of families while trying to grow small patches of rice, and many others moved westward as ordered into the plains, either to stay with relatives or to garrison villages along the main roads as the SPDC troops had demanded. Many of the people who moved into the plains have now fled back into the hills, They say that they returned to the hills because they could not survive in the plains; they had no land to plant, there was no paid labor to survive on, and they could not face all the demands for forced labor and money from the SPDC troops. Some had died because they were not used to the water and the illnesses in the plains. In the end they fled back into the hills. Now they join the thousands of Karen villagers who have lived as internally displaced in these hills since 1997.

In the hills, the villagers are hiding in small groups of a few families in high valleys and other remote places. They try to grow small patches of rice but have little or nothing to eat. As in many areas, much of the already small rice crop was destroyed by the lack of rains early in the season and the plague of insects brought on by the drought. SPDC patrols come through the hills as often as two or three times per month, burn any rice storage barns they find, shoot at villagers they see in the fields or the forests, and burn any shelters they find.

The displaced villagers are always fleeing from one place to another to avoid the patrols. They have no change of clothing and few or no blankets, and have to sleep around fires in temperatures which can drop to 10 degrees Celsius or lower at this time of year. They have no medicines and speak of treating gunshot wounds by applying sesame oil after saying incantations, These villagers don't dare go down to the plains for fear of arrest as 'insurgents', and it is difficult or impossible for most of them to get to Thailand because they would have to pass through all of northern Papun district, where SPDC troops have destroyed even more villages and are patrolling to shoot villagers on sight. “ (NCGUB 2000, pp. 136-137)

The Nyaunglebin and Papun districts of the Karen State are particularly hard hit by displacement (2001)

- Displaced people from Nyaunglebin District flee eastward into northern Papun District, but the situation in Papun District is reported to get increasingly difficult
- The Army seeks to force the villagers to move to Army-controlled sites to do forced labour and maintaining more Army posts
- The forced relocation areas are often without access to rice fields, making the acquisition of food supplies very difficult

- In most cases the villagers flee before the troops arrive and go into hiding in the hills

"Nyaunglebin District

Since the beginning of January 2001, over 2,000 villagers have fled eastern Shwegyin township in Nyaunglebin District and crossed into Papun District near the Bilin River, where they now live in the hill fields in hiding.

[...]

One large group consists of most of the villagers in the Loh Kee/Thay Ko Hser Der area, who fled in early January when a large column of SPDC troops from Light Infantry Battalion #369 came and stayed in their villages for a week, looting and destroying food supplies. According to a KHRG researcher and villagers in the area, the SPDC Battalions have been ordered to clear out all hill villages west of the Bilin River by any means necessary. Where possible, the villagers are to be forced to move to Army-controlled sites further west for use as forced labour building and maintaining more Army posts, but in most cases the villagers flee before the troops arrive and go into hiding in the hills, so the Army columns shoot them on sight instead. The Army appears to believe that if all villagers can be driven out of the hills, it will no longer be possible for any resistance to operate there. To this end, their military attacks are all aimed at villagers and the internally displaced rather than the Karen forces, and their landmines are planted around ricefields and the ruins of villages where they believe the villagers will return.

[...]

Villagers leave their homes for periods of time ranging from hours to months, waiting for troops to leave the area.

[...]

The villagers are aware of, and have even received messages about, the SPDC's plans to clear out all the villages west of the Bilin River. Such a plan makes it unlikely that villagers like them will be able to return to their homes anytime soon.

Meanwhile, in the western plains of Nyaunglebin District the official SPDC relocation sites are expanding and multiplying, and many villages have been forced to move to these places, particularly villages on the eastern edge of the plains or those which are any great distance from the nearest SPDC Army camp. In these areas, the Army orders people to move to a relocation area within a specified timeframe. Villagers face severe consequences if they do not comply. Once the villages are emptied, the areas become shoot-to-kill zones and landmines are often laid on village land or in rice fields. Villagers then must choose whether to hide in the jungle, flee to another area or adhere to SPDC orders. For those who risk moving to relocation areas, they live under tight Army control and are forced to provide free labour for the army carrying supplies, acting as Army servants, and building security fences and traps at Army camps and around their own relocation sites. The new areas are often without access to rice fields, making the acquisition of food supplies very difficult, and the Army provides nothing. From north to south in Nyaunglebin District, KHRG has already documented the existence of forced relocation sites at Mone, Weh Gyi, Thit Cha Seik and Yan Myo Aung in Mone township; and Yan Gyi Aung and Kaw Tha Say in Kyauk Kyi township.

KHRG researchers recently reconfirmed the continued existence of these sites, and added that in Kyauk Kyi township the 40 households of Dtone Dta Dta village have been forced to move to Shwe Dan on the Kyauk Kyi-Shwegyin motor road (where there is a camp of the Democratic Karen Buddhist Army, DKBA), and Leh Gkaw Wah village has been forced to move to Lay Bin Weh on the bank of the Sittaung River. In addition, independent sources report that there are also relocation sites in western Nyaunglebin District right now at Kyaut Na Ga with five villages and 1,000 people; Kwin Seit with eight villages and 1,500 people; May Po Hta with five villages and 500 people; and Win Maung with 10 villages and 2,000 people.

In western Nyaunglebin District near the Sittaung River, KHRG has previously documented the activities of the *Sa Thon Lon* "Guerrilla Retaliation" SPDC execution squads, a specially trained unit which has been roaming villages since 1998 and executing anyone suspected of present or past ties to the Karen resistance.

[...]

KHRG researchers report that this unit continues to exist and to execute villagers on a regular basis using brutal methods, but that they are not executing as many people as when they first began operations

[...]

Papun District

While displaced people from Nyaunglebin District flee eastward into northern Papun District, the situation in Papun District also continues to worsen. In areas along the Bilin River west of Papun, some villagers have managed to return and stay in and around their villages, but they must live in constant fear of the approach of SPDC columns and flee into the hills whenever they hear of troops coming near. In late 2000 many of them managed to secure a small rice harvest, but they are having to share some of this with several thousand people who have fled into the area from Nyaunglebin District to the west (see above). The new arrivals from Nyaunglebin District are still living on the ground in small lean-to's, and many of them have nothing so the local villagers are giving them what food they can.

Slightly further down the Bilin River, SPDC Light Infantry Division #66 has been active since 1999 so most people in the area from Meh Gha Law to Ker Kaw Law have fled their villages and have not been able to return, heading further up the Bilin River out of the reach of Division 66 instead. Over the past 3 years many villages have been forced to move to the SPDC garrison village of Meh Way, where the population is heavily used for forced labour at the Army camp and as porters for the columns heading out into the hills to destroy villages.

[...]

Northwest of Papun in northern Lu Thaw township, the Army has fortified its new vehicle road from Kyauk Kyi (at the Sittaung River in Pegu Division) to Saw Hta (on the Salween River at the Thai border) with at least 7 army camps, fences protecting the road, and landmines laid along the roadsides. The road itself is impassable to vehicles for much of the year, so the SPDC columns still use large numbers of forced labour porters to carry supplies to the camps along the route. One internally displaced person reported seeing hundreds of porters carrying supplies for the army down the Kyauk Kyi - Saw Hta road on January 31st 2001. All of the villages along the road route were destroyed 3 to 4 years

ago and no one dares live there anymore. Meanwhile, the military activity along the road and the mines around it have essentially cut off escape routes and supply lines for the people living to the north, in northern Lu Thaw township and in Toungoo District. It is now extremely difficult to send supplies to the thousands of displaced people in these areas, and it is equally difficult for them to flee to the Thai border. Some have managed to reach Thailand by making an extremely difficult and dangerous trip eastward into Karenni (Kayah) State and then southward to the Thai border. Some have managed to break across the road and join the internally displaced in the Yeh Mu Plaw area of central Lu Thaw township, though conditions there are also extremely difficult. But for most, they are now not only displaced and hunted, but more isolated from the outside than ever before. They are presently suffering from food shortages, mortality from diseases ranging from diarrhoea to malaria with no access to medicines, and the need to regularly flee SPDC columns.

[...]

Most of the hill villagers in Lu Thaw township are presently living in hiding. They are determined not to leave their land if they can possibly stay, but present conditions are forcing many of them to consider fleeing to Thailand. However, this is not at all easy because of the landmines and the proliferation of SPDC Army camps and patrols. Even if they can make it to Thailand, if they encounter Thai Army troops or Border Patrol Police units before making it to a refugee camp, they are routinely forced back across the border at gunpoint.

In Dweh Loh township south and southwest of Papun, the SPDC is already more strongly in control. Most of the villagers there have little choice but to stay in their villages, particularly if they are strongly attached to their land and livestock. Those who stay, however, face constant and heavy demands for forced labour, money, food, and materials from the SPDC Army units and authorities in the area.” (KHRG, April 2001)

Displacement patterns within the Karenni State (1999-2000)

- While villagers have been displaced by fighting, it is also government-initiated development schemes, aimed at separating people from non-state groups by forcing them into relocation sites, that has resulted in most displacements since 1960s
- A significant proportion of the state’s population have experienced displacement and resettlement at least once
- Many Karenni have first moved into relocation sites, but then gone into hiding in the forest, moved to Thailand, or relocated further inside the region
- Relocation sites are being closed down due due to the inability of SPDC to supply them

“Recent data indicate that while villagers have been displaced by fighting, it is also government-initiated development schemes, aimed at separating people from non-state groups by forcing them into relocation sites, that has resulted in most displacements since 1960s. These schemes were responsible for the wide-scale displacement of about 25,206 people in 1996 alone. Of these, 11,669 are known to have moved to relocation sites, 4,400 were registered in refugee camps and a further 9,137 unaccounted for. Since 1998, many IDPs have moved out of relocation sites back to their villages (some voluntarily,

while others have been ordered back) or to refugee camps in Thailand.” (BERG September 2000)

There are also reports that relocation camps are being closed down due to the inability of SPDC to supply them:

"[...] most of the Relocation Camps in Karenni State, apart from the two largest in Shadow and Mawchi, have been closed down, due to the inability of the SPDC to supply them. Most of those who had been forced to live in these Relocation Camps have been forbidden to return to their villages (most of which have been destroyed). They therefore swell the numbers of nomadic IDPs living a precarious hand-to-mouth existence in the rain forests near the Thailand border."(CSW November 2000)

“The relocation sites were scattered throughout the state at Shadaw, Ywathit, Mawchi, Pah Saung, Baw La Keh, Kay Lia, Mar Kraw She, Tee Po Kloh and Nwa La Bo. As more villages were relocated, more sites such as Daw Dta Hay were created. All were under complete control of the Army, usually located adjacent to new or existing Army bases. Although living in the jungle was fraught with problems associated with the danger of the patrols and finding food to eat, some people still tried to remain there, but many gave in to the order and moved to the relocation sites.

[...]

The perimeters of the relocation sites are largely left unguarded and the fences that the villagers are often forced to build are primarily around the army camps and not the actual relocation sites. The troops are lax in securing the camp perimeters mainly because they realize that the villagers have no choice but to go and forage for food outside the camps. This opportunity is often used by the villagers to flee the relocation site and go into hiding in the jungle, usually near their old villages.

This has been ongoing since the relocation sites were first established. Many villagers have reported that large numbers of people have already left the relocation sites in search of food and that the current populations of the relocation sites are much less than what they were originally.” (NCGUB 2000, pp.142-142)

"Most of the more recent civilian population movements in Karenni involve either refugee movements across an international border or involuntary movements into relocation sites and hiding villages within the state. The broad extent of the movements show that settlement patterns within the state are fluid and constantly changing and a significant proportion of the state's population have experienced displacement and resettlement at least once. However, other patterns of movement are also significant. So as the events of the last four years can be put in a wider perspective, five different patterns have here been defined.

- People who have crossed an international border — both refugees and migrants
- People who are currently involuntarily settled in relocation sites and gathering villages
- People who are still involved in a cycle of displacement, relocation and transition; including the landless and those in and out of relocation sites and hiding villages
- People who have never moved from their homes, either voluntarily or involuntarily

▪People who have voluntarily moved away from their homes, either temporarily or permanently, to find work or to trade

[...]

Patterns of conflict induced displacement include:

- Displacement into State controlled areas such as relocation sites or gathering villages;
- Displacement into hills and forests surrounding the village, either to avoid threats or actual violence due to the presence of both State and non-State armies or to avoid relocation orders into State controlled areas;
- Displacement into other areas where lesser hostilities mean less harassment and generalised violence;
- Displacement into Thailand, either in refugee camps or elsewhere;
- Displacement within non-State controlled areas.

[...]In addition to IDPs who resettled in relocation sites, a significant proportion of those who were ordered to leave their villages in 1996 are currently still displaced outside relocation sites. In the first few months following the order to relocate, there were at least 13,537 IDPs in this situation. Many of these people had initially moved into the relocation sites, but then quickly moved out either to hide in the forest, move to Thailand, or relocate further inside the region. IDPs who have since reached the refugee camps in Thailand have described their situation hiding in the forest. Forced to live in small communities of three or four families to avoid detection, some groups moved to a new location every few days. Fear of detection meant that there was likely little contact between groups in the same area and many groups avoided activities such as digging wells, building shelters or building sanitation arrangements. Immediately after displacement in 1996, attempts were made by the *Tatmadaw* to find and force IDPs into relocation sites. During this process, rice supplies, domestic animals and fruit trees in the deserted villages were destroyed. Two years later, in May and June of 1998, there was another attempt which resulted in some IDPs being forced into relocations sites, while some 87 IDPs arrived in the refugee camps at the Thai border " (BERG May 2000, pp. 48-49, 62-63)

"Those relocated villagers who chose to hide in the forest rather than live in relocation sites also suffered from treatable diseases and malnutrition. While in hiding they often had to move from place to place to avoid *tatmadaw* troops on patrol because they were at risk of being shot by the military. They survived on what they could forage in the forest, sometimes becoming ill as a result of eating poisonous plants. Those in the forest lived in small groups in simple huts or slept under banana leaves for fear of being discovered by the military. When troops did find huts or small cultivated fields, they burned them down. In spite of these obstacles many decided to live in hiding because, as one animist farmer said: '*...we did not want to live in Shadaw camp that would be like detention for people like us who lived up in the hills and love freedom*.'" (AI June 1999, "Kayah State")

PROTECTION CONCERNS

Protection needs of civilians after being displaced

Reports of people experiencing human rights abuses after being forced to move to relocation sites (2000)

- Reports of relocated people searching for food outside their relocation areas being killed
- People at the relocation sites are being used by the SPDC troops as porters for carrying military supplies as well as build and maintain army camps

"At the relocation sites [in the Karen State], the military can easily demand forced labor and porters. Villagers have been ordered to build military camps, dig foxholes, make traps, fences and clear bushes around the camps.

At relocation sites the troops demands various fees from the villagers. The main types of fees demanded include portering fees, fee to cover the expenses of soldiers, the cost of building schools, and compensation if attacked by the KNLA. On February 17, 1998, the KNLA attacked a group of SPDC soldiers and *Pyithusit* (militia) at Gaing Kyi village in Palaw township. Two SPDC soldiers died and five were wounded. On February 26, 1998, money was demanded from villagers at the Palawgone relocation site, where everyone is Karen, for medicine to treat the injured soldiers and militia. Each house had to pay 500 *kyat*. They also demanded 450 *kyat* from each household in Palawgone village where all the villagers are Burmese. The villagers do not have a lot of money but they were afraid of the troops. So they either borrowed money from other villagers or sold valuable possessions. There is systematic extortion by the military. (NCGUB 1999, p.133)

"The villagers at the relocation sites have no land there and paid day labour is difficult to find, so most of them try to return to their home fields to farm. This requires a pass which must be bought for varying amounts from the local SPDC military. When available, these passes are only valid for 3 days to a week, and they do not allow the villagers to spend the night; people are only allowed to leave the relocation site after 6 a.m. and must return by 6 p.m., and those in Kaw Tha Say relocation site are not even allowed to take a packet of cooked rice with them for lunch. Many people's home fields are 3 hours or more on foot from the relocation site, so these restrictions make it extremely difficult for them to farm properly, especially as they use labour-intensive farming methods which usually require them to sleep in their field huts through much of the planting and growing season. [...]

However, villagers have little option but to obey the restrictions, because many who have been caught with invalid passes have been seriously beaten or taken as porters, and several villagers have been killed simply for being found in farmfield huts after 6 p.m., particularly since the arrival of the *Sa Thon Lon* Guerrilla Retaliation units in the area. SPDC patrols also search for any evidence of food supplies in field huts or abandoned

villages, and take or destroy whatever they find. Any villagers caught together with a hidden supply of rice run a strong risk of being accused of 'feeding the rebels' and summarily executed.

[...]

Even people with passes to return to their villages are finding it more and more dangerous to do so, particularly with the *Sa Thon Lon* forces in the area. These special troops regularly stop villagers on the path and beat them for no apparent reason except simple harassment and to frighten them. According to a villager from xxxx, villagers in Yan Myo Aung relocation site have recently been told that they will no longer be allowed to return to their fields, and that the fine for anyone caught doing so will be 100,000 Kyat. This may also be an initiative of the *Sa Thon Lon* units. If this is enforced, it will make survival virtually impossible for the people in the relocation sites, and they will have no choice but to attempt to flee." (KHRG 24 May 1999, "Returning to the Old Villages")

IDPs in the Shan state face similar conditions in the relocation sites:

"Those in relocation sites must fear the violence of SPDC troops at all times. Villagers are terrified of leaving the site for fear of being beaten, raped, or killed. Across Shan State the testimonies of people living inside relocation sites echoes a palpable fear of soldiers, who have taken people off the streets of relocation sites and beaten them in surrounding forests. Many families, particularly the men, hide when they hear that soldiers are coming through the camps for fear that they will be captured for use as military porters. Forced labour is a constant burden for all villagers in the relocation sites; the SPDC has forced civilians to build military camps, roads, and railways across Shan State since the mass relocation operation began in 1996. The time required to work for the military is also a major factor preventing people from farming their own fields or earning money to feed their families." (KHRG 5 April 2000)

Inadequate protection both within and outside Karenni relocation sites (2000)

- State authorities have not responded when abuses in relocation sites have been reported
- Lack of safe sleeping quarters for unmarried women, female-headed households and unaccompanied children
- Leaving passes being issued but movements outside relocation sites involves high risk

"Interviews with refugees have shown that there have been attacks on both men and women including rapes, both in relocation sites, and just outside. Refugee accounts make it clear that while they may have been protected against non-State armies in the relocation sites, they were much more vulnerable to the abuses of State forces against which they could do very little. In one case, security was provided by the KNDA. Barbed wire fencing and the establishment by the State of civilian sentry guards in some sites provided no protection in this sense and when abuses were reported to State authorities, they were largely not taken up. In addition, there appears to have been little or no provision of safe sleeping quarters for unmarried women, female-headed households and unaccompanied children. Insufficient rations meant that many women were compelled to

supplement their food from forests or small farmed plots outside the camp, during which they were more vulnerable to attacks.

[...]

At each site, IDPs were able to leave the site with a leaving pass; in some places this was issued by the authorities responsible at the site, while in other cases the village headman issued it. Leaving passes brought by refugees to the Thai border were issued to the senior male member of each household with other members listed on the pass rather than being issued with their own passes. This would make non-household heads, particularly women more vulnerable to suspicion and reprisals if they were found alone outside the relocation site or separated from their families during the displacement process. The lack of individual passes, if practised on a large-scale basis, would handicap monitoring and protection efforts.

The leaving passes permit IDPs to stay out of the camp on a daily basis (in other cases on a weekly basis) to tend crops, collect forest products or do labouring on land in areas where the local population have not been relocated. However, in some cases people were ordered to provide forced labour for local army camps so frequently that they were unable to grow crops or work elsewhere. In addition, there were incidents of violence against IDPs outside the camp, or in some cases accusations that they had contacted armed groups when they returned to the camp." (BERG May 2000, pp. 56-57)

"The military also restricted Shadaw residents' [in the Karenni state] freedom of movement. Although they were allowed to leave the camp, they could only travel within a five mile radius or risk being shot on sight. A 50-year-old animist farmer who escaped from Shadaw in January 1999 told Amnesty International that one of his acquaintances had been shot in the shoulder when he returned to his old village to find food. He was completely deaf and could not speak so he was not aware of the five mile rule. Because his family paid for treatment at the clinic he survived his injury. Another former Shadaw resident, a 32-year-old Buddhist farmer, said that he was caught by the military in July 1998 when he had returned to his home village in Shadaw township, and was working on his farm. He was threatened with a knife and interrogated about KNPP troop movements. His wrists were tied behind his back for one and one half days before he escaped.

Another man from Shadaw township was arrested by Light Infantry Battalion 428 in July 1998 when he returned to his village for a traditional animist ceremony. He was beaten all over his body, put in stocks, and only freed the next day after his headman vouched for his innocence." (AI June 1999, "Kayah State")

IDPs in hiding risk attack by SPDC soldiers (1999-2000)

- Villagers hide in small groups of two or three families to minimize the chance of detection
- Reported that SPDC troops and militia search for villagers hiding
- IDP camp on the Thai border attacked by SPDC troops (September 1999)

- Intensified campaign by SPDC troops to locate hiding IDPs and burn hill villages since end of 1999

"The SPDC still sends patrols into the abandoned villages, area by area, seeking out Karenni forces or villagers in hiding. Many villagers stay together with groups of Karenni soldiers for some form of protection. The soldiers sometimes have limited supplies of medicine and some rations, both of which they share when possible with villagers who are particularly desperate. Villagers can only stay in small groups of two or three families to minimize the chance of detection. Those who are not staying with Karenni troops stay in small shelters in the forest, often taking turns as sentries to watch for any SPDC troops coming their way. Once in a while the patrols find their shelters and they must flee to another place, and once in a while they are seen and shot by SPDC patrols. Even if they are only wounded they are likely to end up dead, because the troops will either finish them off with a knife or leave them to die in the forest because of the impossibility of getting treatment or medicines. Despite all these difficulties, more and more villagers are choosing this way of life over the slow death offered by the relocation sites." (NCGUB 1999, pp. 127-128)

"Villagers in hiding live some distance from each other. They have built small huts to hide their paddy, food supplies, and other materials. The major concern is that the SPDC army will come and find them.

Between January and March 1998, the SPDC and militia searched for villagers hiding in Mi Chaung Theit stream area four times. Other areas have been searched. Houses, barns and plantations found have been burnt down. The SPDC accused the villagers who were hiding and supplying the KNLA with food, and being a KNLA village volunteer force. Villagers seen were arrested. Sometimes villagers were shot on sight, probably when they did not stop running away. Women arrested were taken to the battalion's camp. Most of the arrested male villagers were tortured, and later killed. The Burmese army used them first as guides to show the way to other hiding Internally Displaced Persons. If any IDPs were captured or surrendered to the SPDC army, other villagers nearby immediately moved." (NCGUB 1999, pp.133-134)

"In Papun and Nyaunglebin Districts and in Karenni (Kayah) State, the SPDC Army has stepped up activities to destroy villages and hunt out the internally displaced since November 1999, leading to new flows of refugees to Thailand from both regions. In northern Papun District alone, the Karen National Union (KNU) estimates that there are now 38 SPDC Battalions active in hunting internally displaced people, burning their shelters and landmining their villages. In Toungoo District, more hill villages are now being burned as the SPDC tries to force people out of the hills which they have difficulty controlling. Further south in Dooplaya District, the SPDC announced in November 1999 that all hill villages in Kya In township would be relocated and destroyed and their rice harvest confiscated, and these relocations are now ongoing." (KHRG June 2000, chapt. I)

"People continue to flee villages in eastern Pa'an District due to village destruction, forced relocation, and increasing forced labour as the SPDC increases its military

presence in the region. This particularly involves forced labour as porters for SPDC combat columns penetrating into heavily landmined areas, and the villagers are regularly taken as human minesweepers. Many of the villagers who have fled these abuses are displaced in the Dawna mountains, but many have also attempted to cross into Thailand. Since August 1999, they have had to play cat and mouse with the Thai Army, which regularly forces new arrivals back across the border. For this reason, over 5,000 of them have ended up in 'IDP camps' just on the Burma side of the border, most of them in the largest of these camps, Meh La Po Hta, which began in late 1998. In September 1999, the SPDC attacked one of these camps at Tee Ner Hta, causing hundreds of villagers to scatter into the forest or into Thailand. Then in March/April 2000, the SPDC attacked and destroyed Meh La Po Hta, which was sheltering approximately 4,500 internally displaced people, and Law Thay Hta, which was sheltering several hundred more. Most of these people have now fled into Thailand, where an uncertain future awaits them because Thai authorities do not want to accept any new arrivals to existing refugee camps." (KHRG June 2000, chapt. IV)

Increasingly, landmines become a threat to the civilian population (2001)

- Nine out of fourteen states and divisions in Burma are mine-affected, with a heavy concentration in eastern Burma
- At least eleven ethnic armed groups are believed to use antipersonnel mines and endanger the life of the civil population
- The use of anti-personnel mines is common in the Karen State, and has increased dramatically in recent years
- The landmine danger for internally displaced fleeing the Army is most acute in Papun district in Karen State and Nyaunglebin district in Bago Division
-

"Nine out of fourteen states and divisions in Burma are mine-affected, with a heavy concentration in eastern Burma. [...] See *Landmine Monitor Report 2000* for a description of mine-affected areas.

Mines have been laid between all military camps along a cross-state route in upper Karen State from Kyankkyi in the west to Hsawhta on the Salaween River at the Thai border in an attempt to cut passage by insurgents. Refugee passage is now also blocked by this action.

There are no reliable estimates of the number of mines planted in Burma, or the amount of land affected. A November 2000 report indicates that 25 to 30 different types of antipersonnel mines have been used in Burma.

[...]

A Karen military officer noted that the areas most heavily mined by the Tatmadaw are not producing many civilian casualties now, because people have fled those areas; when the refugees return home, casualties will increase." (*Landmine Monitor*, 12 September 2001)

"At least eleven ethnic armed groups are believed to use antipersonnel mines. All of those groups documented to be using antipersonnel landmines in their rebel activity during 2000 are believed to have continued to do so in 2001, including: the Karen National Liberation Army (KNLA); the Karenni Army (KA); the All Burma Students Democratic Front (ABSDF); Peoples Defense Forces (PDF); Myiek-Dawei United Front (MDUF); Rohingya Solidarity Organization (RSO); Shan State Army (SSA); Democratic Karen Buddhist Army; God's Army; and the Chin National Army (CNA). In addition, the United Wa State Army is using mines. " (Landmine Monitor 12 September 2001)

Landmines is particularly common in the Karen State - planted both by the Army and the KNU:

"Another threat to life which Karen civilians face in the northern Kayin State is the high number of anti-personnel landmines which are planted by both the *tatmadaw* and the KNU. Several of those interviewed by Amnesty International reported the deaths of relatives and associates after they had stepped on mines, many of whom bled to death after receiving no medical treatment. The use of anti-personnel mines is common in the Kayin State, and has increased dramatically in recent years. Amnesty International opposes the manufacture and planting of anti-personnel mines as indiscriminate weapons which all too frequently result in civilian casualties.

[...]

Currently there are over 97,000 Karen refugees living in camps which are located in Thailand near the Myanmar border. However there are in addition an unknown number of internally-displaced people remaining throughout the entire Kayin State, who are either unable to flee or unwilling to leave their ancestral lands and so remain in the jungle. Because of an increasing number of Burmese troops and landmines there, those who wish to escape find it difficult to do so, either because of potential attacks by the *tatmadaw* or anti-personnel mine detonations. The situation of displacement, landmines, and extrajudicial killings is most acute in Papun district in Kayin State and Nyaunglebin district in Bago Division. Many of those interviewed by Amnesty International said that there were some KNU soldiers in their vicinity, but these soldiers usually moved through areas and did not maintain any fixed bases. The KNU occasionally asked for rice, but in general did not harass Karen civilians and sometimes acted as guides or provided intelligence about the *tatmadaw's* movements to villagers. However the KNU is essentially unable to protect Karen civilians in Papun and Nyaunglebin districts from the wide variety of human rights violations which the SPDC inflicts on them. Karen civilians, particularly those in "black" areas, are considered as enemies by the *tatmadaw* and suffer disproportionately compared to the KNU troops.

[...]

Several refugees from Papun and Nyaunglebin Districts described deaths of fellow villagers after accidentally stepping on anti-personnel mines. In recent years the use of landmines by the KNU and the SPDC has reportedly dramatically increased, and unmarked and uncleared minefields have become a grave concern. However there are no mine clearance programs in Myanmar, nor any known mine awareness campaigns.

[...]

Amnesty International calls on the KNU not to kill civilians or troops who have laid down their arms or are otherwise *hors de combat* and to strictly abide by international humanitarian law governing internal armed conflicts. The organization also urges the KNU to cease the practice of planting anti-personnel mines and to remove mines in areas where the KNU troops have planted them. (AI 13 June 2001)

Women and children terrorised by army soldiers in emergency zones and relocation sites (2000-2001)

- Reports of rape by Myanmar soldiers in emergency zones or in the relocation sites

"There have been reports of the beatings, rape and killing of women who have remained in villages after relocation deadlines have expired. Relocated villagers have been moved to relocation sites with inadequate provisions and medical care, and labour sites where they are made to participate in labour projects for the military, and are required to provide their own food." (AI 17 July 2001)

"Forced relocation is not a practice directly at women because of their gender. Nonetheless, the impact of forced relocation is often more deleterious to women because frequently women bear the brunt of relocating and caring for the family under difficult and changing circumstances."(NCGUB 2000, p.267)

"Many of the displaced, in particular women and children, reported that they had been terrorized and subjected to inhuman treatment before taking refuge in Thailand. It was reported that Myanmar soldiers raped and abused women during incursions into the emergency zones or in the relocation sites. In some areas, women who work in the fields still face significant risks of being targeted and victimized.

The Special Rapporteur has noted the serious psychological problems facing women and children affected by the crisis. Abuses against women, especially in the course of violent events, reportedly ranged from having seen their children or husband killed to being raped and losing their home and means of subsistence. Interviews held in the course of a short visit to a village revealed that many had suffered from such abuses. It should be mentioned that cultural inhibitions linked to subjects such as sex and the serious social implications of rape and assaults on women compound the problem of lack of outlets for expression and foment deep hatreds." (UN 22 January 1999, paras.67-68)

Amnesty International's report (May 2000) on the plight of women in Myanmar also includes information on human rights violations against ethnic minority women.

Lack of protection for returning refugees

Concerns raised about human rights situation facing returning Rohingyas in the Rakhine (Arakan) State (1999-2000)

- International observers concerned about security of Rohingya refugees returning from Bangladesh as human rights situation is difficult to monitor
- More than 212,000 returned to Burma under a controversial UNHCR supported repatriation program during 1992-1995
- Forced labour, portering and forcible relocations under harsh conditions continue to be reported

According to UNHCR, 231,000 of the 250,000 Rohingya who fled the Northern Rakhine State to Bangladesh had returned as of September 2000. While UNHCR has established a reintegration programme, UNDP will from mid 2001 lead a multi-sectoral integrated development plan for the area. (UNHCR 2001 Global Appeal, p. 166) However, there are still concerns about the human rights situation in the Arakan State:

"About 250,000 Rohingya refugees fled to Bangladesh during 1991-1992. More than 212,000 returned to Burma under a controversial UNHCR supported repatriation program during 1992-1995, which USCR and many other observers did not consider truly voluntary.

[...]

During 1997-1998, almost 30,000 new Rohingya fled to Bangladesh. Bangladesh did not recognize them as refugees." (USCR 1999)

"At year's end, there were still 21,000 Rohingya Muslims remaining in refugee camps in Bangladesh. The UN High Commissioner for Refugees (UNHCR) repatriation program, which since 1992 had succeeded in returning approximately 238,000 refugees to Burma and originally had been scheduled to end on August 15, 1997, halted prematurely when the Rohingyas as a group rejected repatriation and demanded resettlement in Bangladesh. While the Government agreed to resume repatriation of those remaining, this repatriation is proceeding extremely slowly.

The Rohingyas refused to return because they feared human rights abuses, including religious persecution and other government restrictions. The UNHCR reported that the Government cooperated in investigating isolated incidents of renewed abuse of repatriated citizens. However, returnees face severe and increasing restrictions imposed by the Government on their ability to travel and to engage in economic activity." (US DOS 25 February 2000, sect. 2d)

"The United Nations High Commissioner for Refugees supplied a note dated 29 April 1999 on compulsory labour practices in Northern Rakhine State, Myanmar, where UNHCR has been operational since 1994 around the areas of Maungdaw, Rathedaung and Buthidaung. According to this note:

It is UNHCR's observation that, due in part to its advocacy efforts, there has been a decreasing trend in compulsory labour practices over the past year. There has been improvement to the situation in terms of the frequency of labour calls, the number of

labourers required as well as the number of days of labour. There also appears to have been more attempts made to pay labourers for their work in money or in kind, although the amounts paid are usually meagre and far below market rate.

Nonetheless, compulsory labour practices have continued to occur. The following are some observations:

- Compulsory labour practices are found to vary from areas to areas according to the local personalities of the authorities in charge. In some areas, the authorities do not permit compulsory labour or impose a temporary halt to the use of compulsory labour, while in some others, recourse is often made to compulsory labour to undertake menial jobs.
- Compulsory labour is usually exacted by the border immigration authorities (NASAKA), by the local civil authorities (the "Village Peace and Development Council" also known as the "VPDC" and the "District Peace and Development Council" also known as the "DPDC") and the military.
- It appears that compulsory labour practices are particularly common in remote areas, such as in Buthidaung North, as well as in areas near military establishments/camps.
- Compulsory labour is commonly used for crop harvesting in farms belonging to the authorities, for domestic work in the compounds of the authorities and in portering for the military. On a few occasions recently, there have also been calls for labour in the construction of agricultural dams.

It is reported that while labourers are usually not harassed or ill-treated during work, nonetheless, they are not provided with food and, in some instances, supervised by armed personnel. It has also been reported recently, that on one occasion, failure by some villagers to abide by labour calls have resulted in their arrest by the authorities." (ILO 21 May 1999, para 21)

Appendix VII of the 1998 ILO report on forced labour contains numerous summaries of testimonies from individuals who describe the use of forced labour as well as the human rights situation in general.

Mon refugees who return from Thailand lack protection (1998)

- Returned refugees do not return to their villages of origin because of fear and remain close to the Thai border

"On July 21 [1994], Burmese soldiers attacked Halockhani camp, near the Thai border, which was home to some 5,000 former refugees whom Thailand had forced back into Burma in January. The soldiers abducted about 16 male residents and burned a number of houses to the ground. Halockhani's 5,000 residents fled back into Thailand, but within weeks the Thai authorities again forced them back into Burma [...]. (USCR 1995, p.86)

"It has been pointed out by a Mon human rights group that 'despite the [1995] NMSP-SLORC cease-fire agreement the SLORC army has not abstained from forcible relocation

and displacement of the Mon villages in the region.' The 10,000 Mon who, under Thai military pressure, 'spontaneously repatriates' in 1996 did so with no UNHCR assistance or monitoring. These 'returnees' moved to designated sites only a few kilometres inside Myanmar, due in part to fear of returning to their villages of origin. No international agency with a mandate for protection has access to these areas." (Harris 1998, p.133)

Human Rights Watch warns against repatriation of Burmese refugees in Thailand (2000)

- Human Rights Watch concerned about security for Burmese refugees returning from Thailand

“Although the Thai government has said privately and publicly that it will not pursue repatriation of refugees under unsafe conditions, the Thai National Security Council (NSC) since July 1999 has publicly announced that the government plans to repatriate all Burmese refugees within the next three years. The public messages may in part be rhetoric aimed at the Thai public, but there have been some worrisome developments that give the impression that the government may be laying the groundwork for repatriation or that some local officials have misinterpreted the intent of the national government.

Action on the subject of repatriation has over the past two months taken two directions. First, the NSC has asked UNHCR to approach Burma's ruling State Peace and Development Council (SPDC) to propose setting up sites in Burma to protect and assist displaced Burmese so that they will not have to cross the border. UNHCR has requested access to these areas. The Burmese government has denied access thus far but has indicated that UNHCR could be allowed access at an undefined later date. Any return of Burmese refugees at this time would unequivocally expose them to manipulation or attack by the Burmese army. The Thai government needs to issue a clear directive to provincial authorities that any repatriation must be voluntary and accompanied by protection monitoring by UNHCR in Thailand and Burma.

In early 1999, the Thai Ninth Infantry Division proposed a similar plan for areas across the border from its jurisdiction. It then advocated the establishment of "peace villages." These would be camps on the Burmese side of the border which would receive assistance delivered from Thailand. The Burmese army would promise not to attack these camps. Ninth Infantry Division officers reportedly discussed the concept with their Burmese counterparts from the Coastal Command and had intended to proceed with the establishment of a camp at Meh Phya just across the border from Thailand's Ratchaburi province. The plan had proceeded to the point where refugees at Tham Hin camp were told to produce one hundred "volunteers" to relocate to the new site. The idea was abandoned after the Burmese army attacked near Mae Phya, propelling refugees into Thailand.

In January 1995, Mon refugees returned to three camps inside Burma following a cease-fire agreement between the New Mon State Party (NMSP) and the Burmese government. The KNU and KNPP differ from the NMSP in that the KNU has not yet entered a cease-

fire with the government and though the KNPP once had one, it was broken within just months. Illustrating the vulnerability of sites in areas where no cease-fire exists, one camp of Karen internally displaced persons (IDPs) at Mae La Pho Hta was attacked and razed to the ground by a mixed contingent of Burmese army regulars and DKBA troops on April 1 and 2, 2000. KNU soldiers had been stationed near the camp to provide protection to the IDPs. The near 5000 IDPs resident in the camp fled across the border and are waiting for their cases to be reviewed by the Tak provincial admission board. The Burmese soldiers have now reportedly mined the area of Mae La Pho Hta.

There is also evidence that refugees in camps in Thailand in some isolated incidents have come under increased pressure to repatriate. In February, a district official in Mae Hong Son province reported that some 10,000 Karen refugees in Mae Khong Kha camp wanted to repatriate. The camp leader rebutted the district officer's report, saying that though the refugees ultimately wanted to return one day, they would only do so in a safe environment. The district office ignored the response and it proceeded to pass around a list for people to sign up for voluntary repatriation. No one signed and the camp commander eventually convened a camp meeting with Thai authorities present. During the meeting, the population clearly stated that they did not wish to return under the current conditions. Thai authorities had also in early 2000 discussed the return of Nu Pho camp. This idea too was later abandoned.

The proposition of creating safe areas in Burma (an internal flight alternative) or advocating repatriation is clearly premature. Hundreds of new refugees have continued to cross the border in each month this year. Villagers continue to face gross violations of human rights at the hands of the Burmese army. Forced labor, forced relocation of villages, destruction of food crops, arbitrary taxation and arbitrary executions persist in Burma's zones of conflict." (HRW June 2000)

SUBSISTENCE NEEDS (HEALTH NUTRITION AND SHELTER)

Health

No public health facilities available for IDPs from the Shan State (1999)

- Relocation sites lack sanitation facilities
- Sparse living conditions in the jungle and the lack of food have adversely affected the health of the IDPs in hiding
- Psychological damage inflicted by forced relocation

"Most of the relocated villagers interviewed [in the Shan State] had no health facilities in their original villages. They simply used traditional herbal medicine, or the services of quack doctors. Following the relocation, the situation was exactly the same. There were no public health facilities set up in any of the relocation sites.

Similarly, no assistance was given with sanitation in any of the relocation sites. Of all the villagers interviewed, most had used individual latrines at their original homes. On moving to relocation sites, many were able to [construct] individual latrines, but some used communal latrines, and some had no latrines at all.

Most of the villagers interviewed stated that they themselves or family members had become sick after the relocation. Common diseases were malaria and diarrhoea. In one of the relocation sites (Wan Lao), 20 people died of diarrhoea, in another, (Lai Kha) 30 people died, following the relocation.

[...]

The sparse living conditions in the jungle and the lack of food have clearly adversely affected the health of the IDPs in hiding. Malaria is very common among those in hiding, since there are more mosquitoes in the jungle than in the plains. Anaemia is also common, particularly among women. Many are malnourished.

Many of the children have worms, partly as a result of being left alone playing in the dirt while their parents are busy farming or cooking, and partly because meat is often not properly cooked by the busy mothers.

With no health facilities available, most of the IDPs in hiding have to use herbal remedies to cure themselves.

Apart [from] physical illnesses, the forced relocations are also inflicting psychological damage on the IDPs in hiding, who are constantly having to live in fear of Burma Army patrols.

A medic working on the Shan-Thai border noted that many children who had been in hiding displayed abnormal behaviour: unable to concentrate and constantly looking around them in fear. Furthermore, women who had been in hiding seemed to be easily upset, with rapid heartbeat at the slightest noise." (SHRF April 1999, pp. 29-30)

Information about the Shan Human Rights Foundation (SHRF) can be found on their web page: <http://www.shanland.org>

Health service system within the Karen state collapsed after fall of KNU headquarters to junta forces (1998)

- Health workers used to be able to manage health care units in their own districts with support from NGOs based in Thailand
- Mobile medical trips has been the mainstay of health care for Karen IDPs since the 1997 offensive

"Prior to the fall of Manerplaw when the KNU still maintained district administrative structures to deal with health and welfare, various international NGOs working alongside the Karen managed to set up training for health workers. Many of these health workers were then able to manage health care units in their own districts with support from NGOs based in Thailand. Even large hospitals like at Htee Hta in Mergui-Tavoy district could be supported and used to build capacity for local staff. However, the focal point of most of this work was, naturally, in stable KNU-held areas since security and transport of supplies had to be carefully managed.

The Health and Welfare Department [of the KNU] had a mandate to carry out relief for refugees and displaced persons. Some training was occasionally given in community development and monitoring. With the fall of Manerplaw, and then the massive assault culminating in the capture of the two southern districts, much of this assistance to the indigenous population cross-border had to stop. With whole areas displaced from their homes, and people seeking sanctuary at the Thai border, the need became much more to help the IDPs who were by now in all seven districts.

Medical care in the form of mobile medical trips has been the mainstay of health care for Karen IDPs since the 1997 offensive. Two channels have been used -- that of a border-based clinic for Burmese and the KNU health department. A typical trip would last for six to eight weeks and be provided with a standard allocation of medicines. Funds came through Thai based NGOs.

In 1997, the two operations mounted 22 separate trips reaching on average 800 persons per trip. The KNU health department reported that at least one trip has reached every district; though of course no one area can receive continuous care, care being provided only when a team passes through the location." (BERG April 1998, p.50)

Karenni relocation camps are closing down - Internally displaced live a precarious existence in the rain forests near the Thai border (2000)

"[...] most of the Relocation Camps in Karenni State, apart from the two largest in Shadow and Mawchi, have been closed down, due to the inability of the SPDC to supply them. Most of those who had been forced to live in these Relocation Camps have been forbidden to return to their villages (most of which have been destroyed). They therefore swell the numbers of nomadic IDPs living a precarious hand-to-mouth existence in the rain forests near the Thailand border.

[...]

A leader of a team who had returned from taking aid to IDPs inside Karenni State says the following about the situation:

"[...] the conditions of the IDPs were most severe. Many have little food, no access to medical care, and malnutrition is widespread amongst the children. The people driven from the Relocation Camps are allowed neither torches nor any hunting weapons. A few have returned to their villages in an attempt to rebuild their homes and dislocated lives. Some have been injured by land mines placed around the village. Some have rebuilt their homes, only to have them wrecked again by SPDC units as soon as they have been rebuilt. In the south part of Karenni state, bordering with Karen territory, some areas are under KNU control, and IDPs have been able to buy a little food and some have found work with Burmese traders, herding buffalo or cattle into Thailand (these mostly originate in India and are herded for weeks across Burma into Thailand where they are sold). (CSW November 2000)

IDPs in Karenni/Kayah relocation sites extremely vulnerable to malnutrition and treatable diseases (2000)

- Lack of sanitation, food and medical care leading to scores of deaths from malaria and other diseases
- Hospital facilities are virtually non-existent in the relocation sites
- The burden for sheltering and caring for the displaced at relocation sites is often placed on the local community

“Deaths from basic dehydration due to diarrhea and vomiting are commonplace. In the area in and around the southwestern relocation site of Mawchi, it would seem that the majority of the people are dying from this, which would normally be easily treatable. Most of these deaths are among those hiding in the forest around Mawchi, but many have also died in the relocation site itself. This is in combination with malaria, dysentery and infection from a host of parasites that can normally be found in the jungle have already killed more than half of the people who were living in the jungle of the Mawchi area. Villagers from the Mawchi area and most other areas say that before they fled there was always at least one member of their family who was sick and that family members and friends have already died of minor diseases. The villagers in the jungle fear going very far from their hiding places because they may be killed if seen, so they resort to burying the dead in and around their small settlements, and this can lead to even further spread of

the disease. The villagers in the Mawchi area have virtually no access to medical supplies and the journey to flee the area is too long for those in poor health.

Hospital facilities are virtually unheard of in the relocation sites. One exception to this rule is in Shadaw, where the hospital is understaffed and the medicine is very expensive if available at all. Refugees who have come from Shadaw are reporting that the doctors who are meant to be working in the hospital in the relocation site are only going once every two or three months and spending the rest of their time in Loikaw, presumably because they find life more comfortable there. This is consistent with reports from other areas of Burma such as Shan and Karen States, where recently graduated doctors are posted to remote places but choose to stay in nearby towns instead.” (NCGUB August 2000, pp.143 – 144)

"Health services in the many relocation sites throughout the state have fallen under the Housing Construction Work sub-committee of MPBANRDA and the Department of Human Settlements and Housing Development. These projects are difficult to appraise since very limited information is available. In general though, the 12 large relocation sites in the state [...] started off as empty areas of land where shelter, facilities or sanitation arrangements were either insufficient or non-existent. According to refugees this resulted in high morbidity and mortality with significant numbers of deaths during the initial resettlement period in certain sites, particularly Shadaw. Moreover, the burden for sheltering and caring for the displaced at relocation sites was often placed on the local community.

At each of the large sites, there is evidence of an intention to provide health care to IDPs, either at a health facility inside the site or at a nearby health centre. In practice, however, given the general constraints to the public health system, services were not utilised well. With facilities both under-equipped and under-supplied, health care providers were often left to do the best they could. In some of the other sites, such as Htee Poh Kloh and Mar Kraw Shay, refugees said there were no health facilities at the site.

Access to water varied at each site. In addition to streams and lakes at the sites, wells were dug. In some areas this appears to have been sufficient, but in others such as Shadaw, the lack of potable water appears to have continued to cause problems long after the camps were set up. Several IDPs from this site have alleged that in an attempt to solve the problem, chemicals were added to water sources which was said to have led to cases of sickness and even death." (BERG May 2000, p.79)

AIDS is said to particularly affect the displaced population (2001)

- The HIV endemic area is mainly in armed conflict zones with the internally displaced persons being the most vulnerable to the disease

"HIV/AIDS infection has reached epidemic proportions in Burma today and reports by UN agencies as well as independent health professionals unanimously confirm this fact.

Estimates suggest at least five percent of the population is infected. The alarming situation has become a national emergency that affects all groups, including non-Burman ethnic nationalities and the military.

[...]

Given the fact that HIV endemic area is mainly in armed conflict zones with 2 million internally displaced persons (IDPs) in non-Burman ethnic areas being the most vulnerable to the disease, a nationwide humanitarian cease-fire should be declared and a peace corridor created so that UN agencies and international NGOs can initiate an effective operation. (NCGUB 25 June 2001)

Nutrition and food

In the Shan State, lack of food forces many people to leave the relocation sites (1999-2000)

- Interviewed families state that fields and paddies were burned when discovered by army and as a result they could not cultivate their crops safely
- Relocated villagers are not provided with any food by the authorities
- After moving to the relocation sites, they were usually forbidden to return and work on their fields
- IDP in hiding tries cultivate small new plots of land on hill slopes among trees, away from their original fields

“The number of internally displaced people grows exponentially, as villagers are finding it increasingly difficult to survive in relocation sites. Lack of food is the all-consuming concern for uprooted villagers. Those in relocation sites must compete for work on land owned by other villagers, or farm fields at great distances from the relocation sites. They are issued one day travel passes which are only good from dawn to dusk, leaving them no time to work a distant field which may take hours to reach on foot. As a result their harvest never yields enough to sustain their families. Some farmers have been allowed to return to their villages on a temporary basis, usually during key phases in the rice growing cycle. Most often permission has been granted to villagers who own fields close to the relocation sites in town or along main roads. (NCGUB 2000, pp.131-2)

A detailed report about the situation of IDPs in the Shan state further elaborates the food situation:

"In the relocation sites

With one exception, none of the relocated villagers interviewed for this report were at any time provided with any food by the authorities. Sometimes rice they had brought with them to relocation sites was even confiscated from them, and the SPDC troops forbade members of the local community in nearby towns from donating any food to the relocated villagers.

[...]

Since they were mostly forbidden to go farther than a small radius from the relocation sites, this meant that they often could grow no food for themselves. Thus they were forced to become wage labourers, usually on other people's fields. In some areas, no wage labour was available at all and some villagers even starved to death.

[...]

IDPs in hiding

As for the villagers who have not gone to the relocation sites, but are hiding out in the jungles, the food situation is even more precarious. These IDPs often do not dare to tend their original fields since they are afraid of Burma Army patrols. They therefore have to cultivate small new plots of land on hill slopes among trees, away from their original fields on the plains. Although they may have hidden their old stocks of rice in the jungle, they have to ration this sparingly, and often eat only rice soup, or rice mixed with corn or dried jack fruit.

Some of the villagers interviewed for this report who had been in hiding mentioned that they had to be careful even when cooking their food in case the smoke of their fires gave away their positions to patrolling Burma Army troops. They would choose to cook at midday, when the smoke would not be visible, or else at night if it was moonless.

The IDPs try and supplement their food by taking any remaining livestock to sell in the nearest towns, and then purchasing food supplies to take back to the jungle, but this is clearly extremely dangerous. Some of the IDPs in hiding also try and earn a living by catching wild animals or fish, and then selling them in towns." (SHRF April 1999, pp. 25-27)

Karen internally displaced is reported to die from starvation (2001)

"In addition Karen internally displaced people (IDPs) often die from starvation or treatable diseases, as there is no medical treatment or adequate food in their hiding places in the mountainous jungles of northern Kayin State and eastern Bago Division. The *tatmadaw* usually steals rice and livestock and burns rice barns when they force civilians off their land, so that they have very little food after their displacement. Some IDPs manage to salvage some of their rice store, and grow a very small amount of rice in hiding, but such supplies are clearly not sufficient. Children and the elderly are particularly vulnerable, as it is more difficult for them to resist disease when they do not receive enough nourishment. Although the SPDC claims that its actions are taken to stop food supplies from reaching the KNU, it is the civilians who are being systematically deprived of their right to food. The vast majority of those interviewed said that they had fled because they could no longer survive in the jungle." (AI 13 June 2001)

Karenni IDPs in relocation sites have inadequate access to food (1999-2000)

- IDPs leave relocation sites because of lack of food
- Reports of troops forcing villagers to hand over their rice but also that some rice distribution has found place

- Army distributes less than half of food needs to people in the displacement camps

"In the relocation sites, there seems to have been little attempt to mobilise or re-organise resources to support new arrivals. The inability or unwillingness to consider issues such as the availability of water, food supplies, cultivatable land and employment is largely a reason why communities who were relocated to these sites were not able to settle there. It is of course possible that the permanent resettlement of IDPs was neither intended nor planned for. At many sites, the unpreparedness of the site authorities and the insufficient services (such as the lack of household latrines and water) provided within them have forced IDPs to adopt ad-hoc approaches that may significantly compromise and endanger women's safety. The displacements [in 1996] occurred during a critical phase in the rice planting calendar, when rice seedlings were being transferred into the paddy fields. Because IDPs were not allowed back to their villages in the first few months after displacement except to collect stored rice, the rice crops in these areas failed. This led to an increased dependency on rice distributions in the following years, at a time when the delivery of rice rations had stopped in almost every site and there was a lack of viable employment for IDPs who are mostly farmers. Moreover, the splitting of communities and the displacement process — either into relocation sites or into hiding — may well have curtailed or changed access to the informal market sector further undermining income earning opportunities, which are operated largely by women.

[...]

Distribution of rice appears to have taken place in some camps at the beginning of the resettlement process. Two 'pysis' (about eight milk tins) worth per month seems to have been given out in most camps, although at some camps only half this amount was provided. In almost every case, the rations were stopped after a few months. In the relocation site at Nwa La Boe, which is the site closest to Loikaw city, rations were given out for a longer period. At this site, rations were given out free for the first year, although these were reportedly insufficient. For the second year, the authorities sold rice at subsidised prices. It seems that salt was also given out in this camp. A refugee who came from the relocation site at Mawchi maintained that rice intended for the IDPs was diverted and sold by local township authorities. Access to Shadaw relocation site was severely restricted and during 1996 transporting rice into the area was extremely difficult. There was also a lack of other essential foods, particularly protein foods which do not appear to have been distributed and it is not known how the diet of the IDPs was supplemented. " (BERG May 2000, pp.56, 80)

"Upon arriving at the relocation sites, the villagers were provided very little in the way of food or land and nothing in the way of materials for constructing their new homes. In several of the sites, [...] villagers report that they were given some rice during the first three months, though it was much less than what they required, and after nothing else.

[...]

Those in the jungle can produce little or no food because of the SPDC patrols and must rely mainly on what they can forage in the forest, and for those in the relocation sites, those who have been allowed to grow food must either do it outside the site, which requires them getting a pass, or grow things such as corn in small gardens next to their houses, which is the case in the Shadaw relocation site. Villagers can pay the SPDC to

obtain a plot of land to farm near the relocation site, though often part of their crop is taken by SPDC troops. Those who have arrived as refugees in Thailand have reported that the military is taking half of the rice produced by villagers.

[...]

Another source of food for the villagers in the relocation sites was rice they had managed to hide in the jungle before their villages were destroyed. However, leaving the relocation site to retrieve the hidden rice was a dangerous proposition and could only result in small amounts of rice being brought back each time. By now all of that rice has either been used up by the villagers themselves, found and destroyed by the SPDC troops or taken by villagers hiding in the jungle who can't find food elsewhere. The food shortage problems have been exacerbated in 1998-99 by widespread crop failures that are affecting not only the majority of Burma but other Southeast Asian nations as well. %The erratic climate during this period has alternating droughts and floods, causing much lower yields in most of the region.”(NCGUB 2000, p.143)

"In the relocation sites the situation started off badly and has only deteriorated over time. In the beginning the troops at many of the sites forced the villagers to hand over whatever rice they had brought, then rationed it out to everyone. This rice only lasted a short time, then most of the villagers received nothing. When more began to starve, the troops began issuing rations consisting of rice and sometimes salt. At first each person received one *pyi* [about 2 kg] of rice each three days, but this was soon cut back to one *pyi* per week, less than half what a person needs to survive. Currently, villagers in the relocation sites only receive this, or even less. Aid organizations and the Catholic Church (many Karenni villagers are Catholic) have attempted to provide food and other aid for the people in the relocation sites, but the SPDC will not allow them into the sites and usually insists that any aid must be given to the army, which can then distribute it; generally when this is done in Burma the army simply keeps the aid. It is not clear where the rice currently being issued to the villagers is coming from; it may be from the Church, or it may be from the rice which the SPDC is now forcing all farmers in Karenni to hand over for nothing. Farmers in areas which have not been forced to relocate now have to hand over at least one third of their crop to the army, while others have been ordered to grow a second crop in the dry season (which requires irrigation, is harmful to the land and threatens the main wet season crop because it prolongs the life of insects and parasites). All of this dry season crop has to be given to the army. It is almost certain that the SPDC is either being given or stealing the rice from somewhere, because it goes against its normal practice ever to give anything to villagers in relocation sites." (NCGUB 1999, p.126)

Shelter

Dismal shelter conditions in Shan relocation sites reported in 1999

- Most relocation sites are simply empty areas of land
- Reported that some villagers have been forced to buy land in the relocations sites

"Most of the relocation sites were simply empty areas of land near roads or existing villages or towns. Each of the relocated villages was usually designated a specific area to stay in.

In no cases were the villagers provided with any housing at all by the authorities in their relocation sites. Most people just built huts out of bamboo, sometimes in the relocation sites designated by the military, and sometimes near to a relative's house in a village or town. Some people sheltered in field huts belonging to others. Sometimes up to 4 families would stay together in one hut.

Some people did not even have huts to stay in: In Lai Kha people who have relocated there are living all over the place. Many are just living in their ox-carts, including my old parents." (SHRF interview with male refugee, aged 17, from Si Sor Ye Khe May 30,98)

Some villagers were forced to buy land in the relocation sites. According to one villager from Koong Kao, Loilem township, some of the relocated villagers had to pay 100 kyats each for a patch of land in a site near Parng Long to build a house on. This money was paid to the local Burmese military (LIB 5 13), after which they received written permission to stay at the site.

Some villagers who did not want to stay in the relocation sites, and had enough money, ended up buying houses in the villages near which they had been relocated. One farmer from Bang Hoo relocated to Pang Long related how he had ended up buying a piece of land in a village Wan Long, which cost him 40,000 kyats." (SHRF April 1999, p. 28)

Minimal preparations made in advance of the arrival of IDPs in relocation sites (1998)

- IDPs required to build makeshift huts at relocation sites
- No particular arrangements are made by the authorities to receive the new forced arrivals at relocation sites

"According to testimonies received, relocation sites, as well as the living conditions in the sites, may vary from one place to another. Displaced persons in refugee camps in Thailand describe the sites as either a large, empty stretch of land surrounded by fences or barbed wire and near a military camp or as the centre of a large village where the army has forced villagers to congregate. The military outpost is normally in the centre of the village.

No particular arrangements are made by the authorities to receive the new forced arrivals. There seems to be a food and a health crisis and a general lack of adequate housing and basic services. Villagers have to build their own makeshift huts and provide their own food. Family members living in the relocation sites are often requested to do various tasks for the army. Each family also has to provide one person to work for the army. They perform various duties such as building the fences, cleaning the compound or guarding

the site. The interviews did not make clear to what extent facilities for education and access to health care, especially for children, are available. Unemployment is a major problem in the relocation sites. The displaced are used to working their own land and it is difficult to start any sort of work to generate income. When they are able to find work, they are easily exploited. According to testimonies received, many displaced persons, including children, work as daily workers (porters), whose salaries are around US\$ 2 per week, for 12-hour working days. Others work in construction. Those who find such jobs are considered to be fortunate, since they have an income." (UN 22 January 1999, paras.64-65)

"Inside Burma [in 1996], as the fighting again died down with the start of the rains, the SLORC switched tactics to target the civilian [Karenni] population more directly. Some 25,000 people were reported to have been forcibly relocated by the end of the year. Most of the relocations took place during the rainy season, compounding the difficulties for families forced to walk for days to reach the new sites. Once there, they had to find whatever shelter they could, and when the schools and churches were full, people had to build makeshift shelters." (HRW September 1998, "The Karenni")

ACCESS TO EDUCATION

General

Long-term conflict has caused generations of girls being without education (2000)

- SPDC rarely offers government schools in relocation camps
- Claimed that SPDC frequently uses education as a tool of Burmanization in conflict areas
- Mon language schools closed down after cease fire

"Every aspect of human existence for civilians is rendered more difficult in Burma's conflict zones. Education for girls is no exception.

At best, some schools manage to function in these conflict areas: either schools run by the SPDC, with government-sanctioned teachers seeking to inculcate "Burman" values in their students; or local community schools which must rely on self-help measures to survive. At worst, there are no schools whatsoever.

The SPDC frequently uses education as a tool of Burmanization in conflict areas. In these cases, non-Burman schools (that is, where school is conducted in an ethnic language other than Burmese) are forced to close while only schools employing state-sanctioned teachers are allowed to remain open. The practice of Burmanization through the education system is evident in many cease-fire zones, where some primary schools have been allowed to open under the joint guardianship of the government authority and local ethnic party. For example, following the cease-fire agreement in Mon State, the government shut down Mon language schools. As many as 6000 Mon students lost their opportunities to learn their native languages and literature as a result. Likewise, it has been reported that in Shan State, Buddhist temple schools have been ordered to close and forced to remain so through enforcement of the State Security Act that forbids more than five people from gathering without government permission.

...The lack of full technical and financial support by the government results in acute shortages of trained teachers and teaching materials as well as increased educational costs. Under the extreme conditions imposed by long-term conflict, generations of girls have lost their chance to be educated. By denying girls the education they deserve now, the SPDC is stealing their future from them.

Educational opportunities for girls in relocated sites are extremely limited, as the SPDC rarely offers government schools in relocation camps. On the rare occasions when government teachers are sent to relocation camps, the camp residents are required to provide the building materials for the school, build the school, pay the teacher, and buy teaching supplies.

Similarly, education for the huge numbers of internally displaced (IDP) and transient peoples is almost impossible. Because internally displaced people are focused on survival, and because they have to change their location so frequently, they simply cannot dedicate themselves to education." (Burma Project 2000, No.4 p.35)

Displaced children have limited access to education (1998-2000)

- Children of ethnic groups have to restart their schooling upon arrival in the relocation sites because they are prevented from learning in their own language
- Impoverishment of the villagers caused by their loss of livelihood and the repeated relocation has disrupted both the formal and non-formal systems of education in the areas affected
- Forced relocation has disrupted both the formal and non-formal systems of education in the areas affected
- In the Karenni State, children have very limited access to schools

"Rather than attending school, many displaced children have had to help support their families. In any event, many schools are reported to have been destroyed or closed. Public education is officially free; however, many schools are under funded and parents have to pay tuition so that the school can operate. Many displaced children do not speak Burmese and have difficulties in communicating with their teachers. Many children who used to go to school in their native village and learned their native language have to restart their schooling upon arrival in the relocation sites because they are prevented from learning in their own language. This is not only a negation of sound pedagogical principles but a violation of the right to freedom of expression which includes the right to receive and impart information so necessary in the educational field." (UN 22 January 1999, para. 72)

"Educational opportunities are very limited in rural an areas. Although there are Burmese government schools in the main towns and in some of the bigger villages, there are many remote villages where the local villagers have had to set up their own schools, and in some villages there are no schools at all. Even in the Burmese government schools, the government may provide nothing more than the salary for teachers. And in some 'government' schools, the government has sometimes done nothing more than ordered the villagers to set up a school, and have not even provided a teacher.

Even where schools exist, many Shans simply cannot afford to let their children study there, since they cannot afford the cost of school books, the contribution to the teaching materials and the teachers` salary.

Thus, many rural Shans who want their sons to have an education use the traditional method of sending them to ordain as novices at the village temple, where they can be supported by donations from the local community. At the temple, the novices are taught by the monks to read and write Shan, as well as Pali and Dharmma.

The forced relocation has disrupted both the formal and non-formal systems of education in the areas affected. The major factor in this has been the impoverishment of the villagers caused by their loss of livelihood and the repeated relocation.

As one villager, repeatedly relocated (first in March 1996 to Wan Zing, then in June 1997 to Mak Kork, then March 1998 to Wan Sarng, then again in April 1998 to Lai Kha) explained:

'In my old village, before the relocation, there was a school. It was a government school, so they taught in Burmese. There were 150 children. When we were relocated to Wan Zing, the children could go to school there. But after we were relocated again to Mak Kork, the villagers couldn't afford to send their children to school any more, even though there was one there, because they had become so poor with all the moving around. It's the same in Lai I.Cha. There are schools there, but the relocated people cannot afford to send their children there.' [...].

Villagers who had formerly managed to support a school in their old villages, could no longer afford to support a school in the relocation sites. Thus, several villagers interviewed explained that no school had been set up in the relocation sites [...].

Even if there was an existing school in a larger village or town to which villagers had been relocated, many villagers explained that they could not afford to send their children there.

Similarly, with the lack of support for the temples in the relocation sites [...], parents could no longer send their children to become novices to study.

IDPs in hiding

Obviously, for those children hiding out with their parents in the jungle, there is absolutely no chance for them to attend school." (SHRF April 1999, pp. 35 - 36)

The Karenni children face a similar situation:

“Basic education is also lacking in the relocation sites. Most of the relocation sites have no schools whatsoever. Space at the Shadaw School is limited and for the most part only Shadaw townspeople can send their children there. People in the relocation site must pay the full cost of schooling. Very few of them have money to do this, so very few of their children go to school. Even if children are able to get into one of the small number of schools that are available they are only permitted to study Burmese. Study of the Karenni language and culture are forbidden.” (NCGUB 2000, p.144)

ISSUES OF SELF-RELIANCE AND PUBLIC PARTICIPATION

Livelihood opportunities for the displaced

Forced labour undermines livelihood opportunities for the displaced (2000)

- Portering involves a prolonged absence from wage earning
- People in smaller relocation sites more exploited than those in larger sites where the work load can be shared

"The other factor preventing people from earning a living at relocation sites [in the Shan state] is the forced labour they are required to do for the Army, whose officers see the relocated villagers as a convenient pool of forced labourers. Villagers living at Hwe Mark Pun site are constantly called to work, mainly to build military camps in the township. Standard practice is to force civilians to go to villages that have already been relocated, dismantle people's homes and fences, and then use those materials to build the camps. People complain of having to work for the SPDC Army twice as much as they are able to work for themselves, and no one is spared from duty. While typically the men go as military porters, women and children have to fulfil the Army's demands for other forms of forced labour, which usually include building and maintaining Army camps, doing unarmed sentry duty on motor roads, clearing scrub from the roadsides (to make it difficult for resistance forces to ambush SPDC columns), and maintaining roads. In the past, villagers in relocation sites have also been used to build railways, such as the track from Shwe Nyaung to Nam Zang, from Nam Zang southward to Murg Nai and from Shwe Nyaung up the hills to Taunggyi. Portering, however, is generally the most feared form of forced labour, because porters are often severely abused and a shift involves a prolonged absence from wage earning; for these reasons, men and sometimes even women and children hide in the forests surrounding relocation sites when they hear that SPDC troops are collecting porters. Villagers living in smaller relocation sites like Hwe Mark Pun are called on for forced labour and portering more often than in larger sites, where the work load can be rotated among a larger population. It is extremely difficult for these villagers to earn enough to survive under such constraints." (KHRG 5 April 2000, "Life in Relocation Sites")

The armed forces are seen as directly responsible for food scarcity and subsequent displacement (1999-2001)

- Myanmar's armed forces continue to be directly responsible for the most severe violations of the right to food
- Military operations in the civil war zones target the rural food supply
- Widespread dislocation is resulting in serious and long-term structural food scarcity

“Myanmar's armed forces continue to be directly responsible for the most severe violations of the right to food. Counter-insurgency operations randomly destroy food stocks and crops, relocate civilian communities, and expropriate cash and materials. Reports indicate that in some areas military operations directly target rural food supplies and crops without distinction, displace people from villages, scatter them into hills and jungles or force them into relocation sites. Standing between these people and starvation is nothing more than their extraordinary tenacity. Widespread dislocation is resulting in serious and long-term structural food scarcity, not mere seasonal hunger due to occasional military incursions.” (CHR 6 February 2001)

"The military displaces people from their villages, sometimes scattering them in the hills and jungles, sometimes forcing them into relocation sites. Those pushed into the jungles are deprived of regular food supply. They face the severest food scarcity, including starvation and death. The Special Rapporteur made observations to this effect in paragraphs 62 and 63 of his January 1999 report. Even larger numbers are forcibly relocated into military-supervised concentration camps. This “strategic hamleting” programme is not new to Myanmar; however, the last few years have seen a rapid expansion of the practice in some regions, particularly in the Shan and Karenni States, with the result being enormous disruption to regional rural economies. Again, the Special Rapporteur referred to these circumstances in paragraphs 39, 49, 50 and 64 to 66 of his January 1999 report. As farmers are dislocated from their lands without compensation or provision for new lands, they end up serving merely as a taxable labour pool for local military units. Widespread dislocation is therefore resulting in serious and long-term structural food scarcity, not mere seasonal hunger due to occasional military incursions.

Forced relocation or not, people must provide local military authorities with cash, goods and services. These demands are usually arbitrary and unannounced. Fines are collected from village communities or households seen as having breached their obligations to the military. The result is a net reduction in the resources and capital that people have to live on." (CHR 8 February 2000, paras. 9-10")

"Because of the massive displacement of the population, farming has apparently been drastically reduced. This has led to food shortages among the rural population generally and has provoked voluntary displacement to other areas in search of assistance and security." (UN 22 January 1999, para.49)

Another report details the food security situation facing the displaced as follows:

"The People's Tribunal finds that indeed food scarcity is widespread and serious in Burma today. Provisionally, we find Burma to be militarized, and that a causal nexus links militarization to food scarcity.

[...]

Military operations in the civil war zones target the rural food supply. Apparently, the army's justification is that this food, or some portion of it, is in fact being supplied to insurgent forces, and therefore must be withheld. The army does attempt to distinguish between food intended for civilian consumption and food allegedly destined for the rebels. Instead, the army targets crops which provide the local food supply, in fear that if

harvested, this rice would feed guerrillas. Tilling the soil, planting, tending fields, harvesting—all phases of agriculture are subject to attack.

[...]

Arbitrary and severe violence has destroyed countless rural villages, scattering people throughout the jungles. Where the army conducts intermittent raids but has no permanent bases, civilians may choose to remain in or near their villages, hiding when soldiers approach. Familiar with the local terrain, hunting conditions and edible plants, native inhabitants attempt to survive despite the loss of their homes and farms. The Four Cuts have thus created a phenomenon of internally displaced people (IDPs), living with perpetual food scarcity.

The Tribunal finds that the severest cases of food scarcity, including reports of starvation, occur among IDPs made homeless by the military strategy. Furthermore, this sector of Burmese society has the fewest alternatives when facing a food crisis. The army's presence makes travel hazardous, even when people cross the border into Thailand as refugees.

[...]

We find that relocation has profound effects on food security. Moving people cuts them off from their land and natural resource base, subsistence farmers' lifeline. The military neither compensates people for these losses nor designates new land. In the words of a Tatmadaw officer explaining relocation to villagers, "This is military rule... you stay where we tell you to stay."

Furthermore, food is tightly restricted in relocation centers, depending on the army's perception of insurgent threat and whether rations actually exist. Relocation creates serious long-term food scarcity, rather than seasonal hunger arising from military incursions or heavy taxes at harvest time. A relocated family has lost its land, and with it the children's future security in the rural economy. Economically, they must begin again, often starting from zero." (AHRC October 1999, pp. 59-62)

The statement by the Myanmar Government (SPDC) during the Commission on Human Rights in April 2000 contrasts sharply to the above description:

"Mr. Lallah refers to the incidents of hunger and food scarcity in Kayin, Kayini and Shan States, and the Delta region of Myanmar. It is well-known that, far from having a shortage of food, Myanmar has been a traditional exporter of rice. Myanmar is exporting rice, ranging from hundreds of thousands of tons to one million tons per year. In fact, countries in South-East Asia are looking upon Myanmar as a potential major source of food security in the region." (Myanmar Government, 30 March 2000)

Local farmers forced to grow crops for the troops (1999-2000)

- SPDC in Rangoon stopped to supply troops with full rations
- Reports that SPDC troops are not only taking food from the villagers, but they are also taking their land and forcing them to work to grow food for the Army
- Reports from areas in the Karen State that the combination of the crop failures and the increased taxation and demands for food have made it impossible to survive

"The army is reported to be increasingly placing restrictions on the kinds of crops grown by the local farmers, forcing them to grow crops for the troops which they will either consume themselves or sell. On 4 May 1998, in Murng Pan, IB 66 [army unit] is reported to have ordered farmers to grow no more than a small amount of garlic, whereas farmers had traditionally grown this crop for export to Thailand. They were told they had to grow soya beans for the army instead. On 23 June, IB 286 [army unit] in Kaesee told villagers from Murng Nawng and Murng Nang (who had been forcibly relocated) that they needed licences to grow rice and if licensed, they had to give half their rice crop to the army. If they had no licence, their rice fields would be confiscated. [...]" (UN 22 January 1999, para. 50)

A report from the Karen State give further details about this practice:

"At the same time, something is happening which has never occurred to such a large extent before: an increasing number of villagers native to the Sittaung River plains, both Karen and Burman, are fleeing eastward into the hills, and some are fleeing southward along the main road through Pegu and Kyaikto, then eastward to the Thai border. In the past the prosperity of the Sittaung valley villages has always made it possible for them to survive even under the burden of SLORC/SPDC demands for extortion money and forced labour, but things have changed in the past two years. The SPDC has increased its military presence in the area in an attempt to increase its control in the hills to the east, and these troops are placing ever-increasing demands for extortion money, crop quotas and forced labour on the civilians. The SPDC in Rangoon is no longer sending them full rations and has ordered them to grow their own food or take it from the villagers; as a result, not only are they taking food from the villagers, but they are also taking their land and forcing them to work to grow food for the Army. At the same time, crop quotas which all farmers must hand over to the SPDC have increased and the corruption of the civilian authorities who collect the crop quotas has grown worse. The farmers might be able to survive this in good years, but most of them have suffered partial or complete crop failures for the past two years running due to droughts when they need rain, followed by floods once the crop is planted. The combination of the crop failures and the increased demands has made it impossible to survive. As though this were not enough, many have found they have to flee a new SPDC force which has been introduced in the area: the *Sa Thon Lon* Guerrilla Retaliation death squads." (KHRG 24 May 1999)

A similar situation has been described in the Shan state:

"The number of internally displaced grows exponentially, as villagers are finding it increasingly difficult to survive in relocation sites. Lack of food is the all-consuming concern for uprooted villagers. Those in relocation sites must compete for work on land owned by other villagers, or farm fields at great distances from the relocation sites. They are issued one day travel passes which are only good from dawn to dusk, leaving them no time to work a distant field which may take hours to reach on foot. As a result their harvest never yields enough to sustain their families. Some farmers have been allowed to return to their villages on a temporary basis, usually during key phases in the rice growing cycle. Most often permission has been granted to villagers who own fields close to the relocation sites in town or along main roads. The SPDC usually has an alternative

motive for sending people back; a case in point is Wan Lao village in Kun Hing township, where even non-native villagers were allowed to repopulate the area after the forced relocations had resulted in the SPDC Army being unable to confiscate sufficient rice from the villagers. The military distributed leaflets encouraging people to return, but when they did they were bound by the same limitations and restrictions that had applied in the relocation sites, with the additional burden of taxes and rice quotas to hand over to the SPDC at harvest time." (KHRG 5 April 2000, "Introduction")

DOCUMENTATION NEEDS AND CITIZENSHIP

Legal status of ethnic minorities

Restricted freedom of movement for minority groups (2000)

- Provisions of the citizenship law requires minority groups to obtain prior permission to travel
- Rohingyas have apply for a license even to go beyond their township

"Those residents unable to meet the restrictive provisions of the citizenship law, such as ethnic Chinese, Arakanese, Muslims, and others must obtain prior permission to travel. Some Arakanese Muslims must obtain permission from the security forces to travel to the next town. The Government also prohibits foreign diplomats and foreign employees of U.N. agencies based in Rangoon from travelling outside the capital without advance permission, which sometimes was not granted or rescinded after travel had begun."(US DOS 25 February 2000, sect. 2d

"The stipulations of the Burma Citizenship Law governing the right to one of the three types of Burmese citizenship effectively deny to the Rohingya the possibility of acquiring a nationality. Despite being able to trace Rohingya history to the eighth century, Burmese law does not recognize the ethnic minority as one of the national races. Many Rohingya families migrated to and settled in Arakan during the British colonial period which would immediately exclude them from citizenship. Even for those Rohingya whose families settled in the region before 1823, moreover, the onerous burden of proof has made it nearly impossible for all but a handful to secure citizenship. Rohingya who cannot provide "conclusive evidence" of their lineage or history of residence find themselves ineligible for any class of citizenship. And because of their formal legal status as resident foreigners, Rohingya are subject to restrictions on their freedom of movement, are denied access to higher education, and are restricted from holding public office.
(HRW May 2000, chapt.III)

"In 1999, Rohingyas still had no citizenship and were still subject to the restrictions affecting the foreigners of the country, notably the lack of the freedom of movement.

[...]

As a direct consequence of the 1982 Law and the Foreigners' Act (1940), whether they have a TRC or not, the Rohingyas do not enjoy any freedom of movement outside their own villages. In order to leave their village, they have to ask for a license (section 10, Foreigners' Act) and "every such license shall state the name of the person to whom the license is granted, the nation to which he belongs, the district or districts through which he is authorized to travel, and the period, if any, during which the license is intended to have effect" (section 11).

In order to move around in their township, the Rohingyas have to ask the VPDC for a license. In order to go beyond their township, they have to apply to the TPDC and, outside the district, to the DPDC. Lastly, in order to get out of Arakan and go to the rest of the Union, they need an SPDC license. On the VPDC local level as well as beyond, the demand is always passed on to the different administrations in charge of the control of the population (Nasaka, Military Intelligence, police, IPD...) each one of which has to give its agreement." (FIDH April 2000, p.19)

No reports of ID cards being permanently confiscated when villagers were relocated in the Shan state (1999)

- Many Shans villagers do not possess an ID card required for travel within the country
- The forced relocations have made the process of obtaining a card far more difficult
- Relocated villagers without ID cards have difficulty travelling to Thailand

"All citizens of Burma have the right to be issued with identity cards by their local authorities. These cards are necessary for travel throughout the country, and you are subject to arrest if you do not carry one.

However, many Shans who live in remote villages do not actually possess an ID card. This may either be because they have not got around to going to the township office to go through the procedure to get the card, or else because the procedure can cost too much money.

Although in no cases do ID cards appear to have been permanently confiscated when villagers were relocated, one villager (from Koong Kao, Loilem township) said that his identity card had been confiscated temporarily together with those of the other villagers during relocation and only returned once they went to the relocation site. In other words, the ID cards were used to force people to obey the military.

Whether or not the villagers had an ID card in the first place, the forced relocations have made the process of obtaining a card far more difficult, whether to replace an old one or to get a new one.

Several of the villagers said that they had lost their identity cards during the relocation. One man whose card had expired after he had been relocated to Kunhing said that he had tried to apply for a new ID card, but had been told that he would have to wait to get a new one, because he was not from the town of Kunhing itself

The relocated villagers who did not have ID cards had difficulty travelling to Thailand, and had to request travel passes from the local township authorities, pretending they were going to visit relatives in another part of Shan State.

In October 1998, there was a report that authorities in Murg Nai (one of the townships where forced relocations have taken place) were starting to check household registration

lists and crossing out the names of people who are not present. This is extremely worrying, as this means that both the internally displaced who are not in the relocation sites, or those displaced to Thailand may have lost their legal identity as a result of the relocation." (SHRF April 1999, p.30)

ISSUES OF FAMILY UNITY, IDENTITY AND CULTURE

General

IDPs in relocation sites not allowed to build churches (1999)

"Some of the relocation sites have basic schools and Buddhist monasteries, but there appears to be a policy of forbidding the construction of Christian churches. Villagers have repeatedly been denied permission to build churches in the sites, even though a large proportion of the Karenni population is Christian, primarily Roman Catholics followed by Baptists. When the forced relocations first occurred, some of the Catholic priests and lay preachers from the villages were told to go to Loikaw and stay among the church representatives there rather than go to the relocation sites with the other villagers." (NCGUB 1999, p.127)

For further information about the status of religious freedom in Burma, see U.S.Department of State (25 February 2000, sect. 2c)

Many communities remain together after being displaced (1999-2000)

- Female-headed households in particular need of assistance (1998)
- Local families or other displaced persons take care of separated children

"Another problem affecting the displaced is the disintegration of families and communities. The Special Rapporteur noticed a large number of widows and orphans among the displaced in camps in Thailand. However, numerous communities have remained more or less together in spite of displacement and have maintained many of their cultural traditions. This helps to alleviate to some extent the acute problems of displacement and would no doubt facilitate the process of return to the areas of origin. However, very few returns to areas of origin seem to be taking place. Continued insecurity coupled with destroyed infrastructure suggest that displaced persons had compelling reasons for wanting to remain in the camps in Thailand.

[...]

Female-headed households were less able to become self-reliant and were therefore more in need of assistance. In some cases, they were assisted by other families, for example, in setting up shelters. The numerous children who had been orphaned or separated from their families constituted a particularly vulnerable group. In general, there was a willingness on the part of local families or other displaced persons to adopt the children, at least until their parents could be traced if they were still alive." (UN 22 January 1999, paras. 58 & 69)

A report on displacement in the Karenni state suggest that villages are allowed to stay together at relocation sites:

"Once in the sites, IDPs were organised into sections according to village of origin, with each section represented by a village headman. In most sites, each household was registered by the authorities according to the system used throughout Burma — a household registration that includes the names of every person living in the house; this is checked periodically. Guests staying overnight are expected to register with the local authorities. Those who fail to comply can expect a fine or short prison sentence. Refugees who had come from Mawchi relocation sites said that the fine was 500 kyats for the guest and 50 kyats for the host." (BERG May 2000, p.59)

PROPERTY ISSUES

General

Warfare in the border areas is closely linked to the issue of gaining control over strategic resources (1999-2000)

- Very few legal titles to land exist, so the military confiscates the land that traditionally belonged to peasants and farmers living in Karenni, Karen and Shan States
- Confiscation of land, of either agricultural land or 'real estate' has become common and widespread

"A further concern about the link between strategic resources and warfare which has had a crucial impact on many groups displaced in border states, is that counter-insurgency campaigns and continued turmoil have led to the confiscation of traditional and ancestral lands from many members of ethnic minorities. The Special Rapporteur's 1998 report on Burma commented:

very few legal titles to land exist. This permits the military to confiscate the land that had traditionally belonged to peasants and farmers living in Karenni, Karen and Shan States and to redistribute it to military officials and soldiers.

While the extent of these confiscations remains undocumented, in one township in Karenni State it was estimated that at least 2,400 acres of farmland had been confiscated in 1993 alone. In some cases families whose traditional lands had been confiscated were compelled to work as unpaid labourers on that same land. This then contributed to further displacement, as in such circumstances it is very difficult for families to earn even a subsistence wage.

The arbitrariness of the confiscation of farmland without compensation of any kind has been also been described by the Mon Information Service:

confiscation of land, of either agricultural land or 'real estate' has become common and widespread. There are no instances of the authorities' provision of compensation for any confiscation of farmland or real estate ... according to the 1954 Agricultural Land Nationalization Act, all cultivated lands of the country are owned by the State, and can be repossessed by the State (1998).

[...]

The lack of any rule of law or independent judiciary offers opportunities - in logging, mining, fishing, road building, construction or the beautification of tourist sites - to make money for anyone involved. The land laws offer little protection to the rural farmer who in any case often fears taking any action against the military in case of reprisals.

Without the rule of law, or an independent judiciary free from interference by political or military personnel, displacement of this type is likely to continue both in rural and urban areas.” (BERG September 2000)

Houses burned to obstruct IDPs returning to their villages (1999)

- Claims that SPDC by the late 1990s became more systematic in its village destruction campaigns
- After destroying the houses, the SPDC troops seek out and destroy the food supplies
- Villagers in the relocation sites ordered to return to their villages to cut down all of the trees in and around the village

"Since late 1998, regular SPDC and *Sa Thon Lon* Guerrilla Retaliation units have begun taking some additional steps to ensure that people cannot go back to stay in their home villages [in the Karen State]and that resistance forces cannot take cover there. In some villages they have burned whatever remains of the houses. For example, in December 1998 they burned all the remaining houses in Twa Ni Gone village of Mone township, which has been forced to Yan Myo Aung relocation site and is abandoned. However, some Twa Ni Gone villagers were nearby with passes to farm their fields and saw it happen. When Kya Plaw and Leh Wain Gyi villages in Kyauk Kyi township were forced to relocate in January 1999, the villagers stripped their houses of building materials so that they could build huts in the relocation site, and then as soon as they were gone SPDC troops burned what remained of their houses. In addition to burning the remains of villages, they have begun ordering villagers in the relocation sites to return to their villages to cut down all of the trees in and around the village. *Sa Thon Lon* Guerrilla Retaliation troops forced villagers in Thit Cha Seik and Weh Gyi relocation sites to return and cut down all except the coconut trees in Ter Bpaw, Lu Ah and other villages. According to a villager from xxxx, people from his village who have been forced to Kaw Tha Say now have to return to cut down "all the trees between Sweh Dtee and Kyun Gyi", a distance of several kilometres.." (KHRG 24 May 1999, "Returning to the Old Villages")

"The destruction of villages and their forced relocation to military-controlled sites has long been a tactic of the Burmese Army in its efforts to bring the civilian population under control. However, in the past 3 to 4 years the regime has become much more systematic in its village destruction campaigns, in several cases declaring entire areas to be harbouring ‘insurgents’ and proceeding to destroy hundreds of villages at a time. In Shan State approximately 1,500 villages have been ordered to relocate and destroyed since 1996 in an attempt to undermine the Shan State Army; in Karenni (Kayah) State about 200 villages covering most of the state have been destroyed; in the hills of northern Papun District and eastern Nyaunglebin District, the regime’s troops can seldom catch the villagers to force them to relocate, so they have gone from village to village, shelling villages from the hilltops without warning and then burning every house and shed. In the process, another 200 villages have been destroyed since 1997. These attacks are carried out with the sole purpose of forcing the villagers out, and there are very seldom any

opposition soldiers in the villages when the attacks occur. Many of the destroyed villages do not even have more than rare and sporadic contact with opposition forces.

Some of the villagers are forced by written orders to go to SPDC relocation sites, after which the Army columns destroy their villages, but most villagers know that they will receive nothing at the relocation sites so when they are ordered to relocate or their village is attacked they simply flee into hiding in the surrounding hills. After destroying the houses, the SPDC troops seek out and destroy the food supplies by finding and burning the paddy storage barns where the villagers keep their rice stocks, and in some areas trampling, uprooting or burning crops they find in the fields." (KHRG June 2000, chapt. I)

Government troops reported to have appropriated property left behind by IDPs (1998)

- Property reported to have been stolen or confiscated by the army after forced relocation
- People forced to leave their land, their crops and most of their animals

"Cases of forced evictions seem to occur with great frequency and as a matter of policy. All the people interviewed by the Special Rapporteur stated that they were given at most one week's notice to move and were told that they would be shot if they did not comply. They were forced to leave their land, their crops and most of their animals. Much of the property was reportedly immediately stolen or confiscated by the army. In some cases, there was adequate time to prepare for departure, so that families or even entire communities could leave together. If not, or if attacked, they had to flee in a disorderly manner, sometimes with husband, wife and children going in different directions." (UN 22 January 1999, para.56)

"The fact that most of the relocated [Shan] villagers were only given 3-5 days in which to move, meant they were unable to take all their possessions with them. A further factor in forcing them to leave behind certain possessions, particularly livestock, was that they did not know where they could keep them and how they would feed them at the relocation site.

Most of the villagers interviewed about which possessions they were able to carry with them listed the following items: ox-carts, baskets of rice paddy, clothes, blankets, cooking pots.

Some of the villagers managed to bring up to 120 baskets of rice paddy with them, but some villagers could only bring a few tins of rice, and left behind up to 80 baskets of paddy.

The important possessions that villagers listed that they had to leave behind, apart from their houses and fields, included: cheroot leaves (their cash crop), cattle, buffalo, horses, rice paddy (up to 80 baskets).

Although Principle 21 [of the UN Guiding Principles on Internal Displacement] states that the property and possessions left behind by internally displaced persons should be protected against destruction and arbitrary and illegal appropriation, occupation or use, many of the villagers said that the livestock they had left was killed and eaten by Burmese soldiers.

'I did not take much with me when I was ordered to move. I thought maybe I would be allowed back soon. But when the troops came on the seventh day to drive us out, they burned down 10 houses in the village, including mine. They looted all my things before they burned my house. Then they shot and killed our 15 cattle.' (SHRF interview with woman refugee aged 28 from Wan Na, Murng Kerng, Sept 30 98)' " (SHRF April 1999, p.31)

When forcing people to relocate government ignores property rights (1998)

- Residents have rarely been offered compensation for properties or homes lost, or the necessary assistance for building their new homes

"As a means of facilitating urban development and 'cleansing' the cities of 'squatters' the practice of forced relocation typically requires residents of city centre settlements to vacate their existing homes and move to newly established satellite 'towns' on very short notice. That some residents actually have title to the land on which they live is simply ignored by government. To ensure compliance, the authorities often first disconnect the electricity and water supplies at the old settlements and then raze them to the ground. Residents have rarely been offered compensation for properties or homes lost, or the necessary assistance for building their new homes. When resettlement sites are offered, they lack the infrastructure to support large-scale relocation of people, having been flooded, lacking proper sewage facilities with little health care provision or sources of clean water, rendering many of those who move there vulnerable to diseases such as malaria and diarrhoea. Once relocated, residents are prohibited from moving again to an area of their choice. "(COHRE September 1998, p. 21)

PATTERNS OF RETURN AND RESETTLEMENT

General

Reports of some return from relocations sites (1998-99)

- Large number of IDPs left relocation sites in the Karenni state during 1998-99
- Reports of some return by Karenni IDPs from relocation sites to their villages or other more "accessible" villages
- Suggested that cease fire between SPDC and Karenni rebel groups facilitate return
- Relocation strictly enforced in the Shan state but some IDPs ordered back to their villages for strategic reasons

"Although there is little information available, it seems as if many IDPs are moving out of the relocation sites and back to their villages [...]. In some cases, these IDPs have subsequently migrated to the refugee camps in Thailand.

[...]

In the dry season of 1998-1999, there was a large, and as yet unexplained, population movement from the relocation sites to the Thai border. A large proportion of those who arrived at refugee camps appears to have come from Shadaw relocation site. Evidence suggests that they were able to travel in large groups; on 1 February 1999, a group of 400 arrived in Camp 2 at the same time. Since then, refugees have indicated that the numbers left inside the relocation sites are very small, some estimating that there were only 300-500 people remaining in the Shadaw relocation site. Other sites, such as Htee Poh Kloh and Daw Tama Gyi are known to have closed down. However, not all the villages from these areas have been able to move back to their original villages; in some cases they have been displaced a second time and relocated to more accessible villages in the area.

In July 1998, IDPs who had come to the border from relocation sites at Nwa La Boe, Mawchi and Pasaung had been ordered to leave the relocation sites and return to their villages. At Nwa La Boe, many of the resettled families had come from villages in the Shadaw area, where villagers were still unable to return to their home villages. IDPs from Nwa La Boe reportedly refused to return — most likely for this reason. According to one refugee, at Mawchi and Pasaung, families who were told to go back to their village by the SPDC column commander later received orders from the Regional Control Command to remain at the site.

It is not clear why IDPs are moving back to their villages. In some cases the return appears to be voluntary, while in others people are being ordered back. However, the lessening of the conflict between the *Tatmadaw* and the KNPP appears to be a factor; and where pro-government or cease-fire groups operating in the locality have taken responsibility for security, IDPs have been allowed back to their villages." (BERG May 2000, pp. 61-62)

"In most of the areas [in the Shan state] relocated since 1996 the relocation orders are still being strictly enforced, and the relocated villagers are still forbidden from going to farm outside of about 3 miles from the sites, and are at risk of being shot on sight if they return to their old villages. However, since August 1998, in several townships including Kunhing, Namzarng and Laikha, some villagers have been ordered back to their villages if these villages are on the main road, and within 10 km from the towns. This seems to be a strategy by the SPDC to ensure greater protection for their troops when traveling on the roads, since they can post agents in the villages to watch resistance troop movements. However, most of the villagers are too scared of the SPDC troops to return to their villages, and many have even fled to Thailand as a result. SHRF only knows of 2 villages about 4 km from Namzarng where the villagers have agreed to return." (SHRF April 1999, pp.5-6)

Lack of security and destroyed infrastructure discourage return (1999)

- Maintenance of community ties may facilitate process of return
- Infrastructure of entire villages had been destroyed and many homes levelled by warfare and looting
- Reports of villages being landmined to prevent resettlement

"Another problem affecting the displaced is the disintegration of families and communities. The Special Rapporteur noticed a large number of widows and orphans among the displaced in camps in Thailand. However, numerous communities have remained more or less together in spite of displacement and have maintained many of their cultural traditions. This helps to alleviate to some extent the acute problems of displacement and would no doubt facilitate the process of return to the areas of origin. However, very few returns to areas of origin seem to be taking place. Continued insecurity coupled with destroyed infrastructure suggest that displaced persons had compelling reasons for wanting to remain in the camps in Thailand.

As far as the security situation in the areas of return are concerned, reports continuously reaching the camps speak of, for example, forced labour and portering, arbitrary arrests, detentions and executions by the Myanmar military of persons suspected of sympathizing with insurgents, with no recourse to formal judicial proceedings. In addition, returnees were finding their homes destroyed and their land either burnt or occupied by the army. In such cases, the returnees had no recourse to justice, either because the judicial system did not exist or because it was not functioning independently. The displaced, moreover, had very few resources and means by which to return home. The infrastructure of entire villages had been destroyed and many homes levelled by warfare and looting. Finally, it would seem that the local authorities had no intention of dealing with the assistance and protection problems of the returnees.

The Special Rapporteur was told that, for the peasants who had lost their land, either because they had to sell it very cheaply before they fled or because it was destroyed or

taken by the army, return is not possible. Where the armed conflict is continuing, return is also not an option. "(UN 22 January 1999, paras.58-61)

A recent report about Karen IDPs demonstrates how the continued presence of government troops frustrates return:

"It has always been the way of Karen villagers to sit out an offensive in the forest and return to their homes after the soldiers have left. The present situation is however quite unlike anything before. All the KNU districts report that the reason villagers are unable to return home is the continuing presence of Burma army troops in the area. Burma army troops have now occupied the whole of Kawthoolei and most of the length of the border separating Thailand and Burma. The troops have this time- moved in as an occupying force building bunkers, barracks and supply roads." (BERG April 1998, p.38)

"Landmine Monitor researchers have come across repeated examples of mine use by the Tatmawdaw (government troops) directed against the civilian, non-combatant population- notably in the mining of villages to prevent resettlement and mining of border areas to prevent refugee flows. In these cases landmines are apparently being used as a tool in a carefully planned campaign of terror against the civilian population. In other instances, civilians are being used as a mine removal tool--human mine-sweepers.

The Tatmawdaw is engaged in a massive operation in the central part of the Shan State in which it is forcibly removing the domestic population from an area of several hundred square kilometers. To prevent people from returning to their home villages, the Tatmawdaw has mined several of the villages. Similar actions have occurred in Karen and Karenni states where villages have been burned and mines laid in the ashes to prevent villagers from returning to their homes." (Landmine Monitor 1999)

"In addition, it is believed SPDC military engineers actively maintain minefields along the border with Bangladesh, replacing old or exploded mines with new mines. Originally laid in 1993, the minefields, which run nearly the entire length of the border, now serve to prevent cross-border economic activities like woodcutting and smuggling, to deter further flight by refugees from the interior of Burma, and to interdict cross-border movement by armed ethnic militias." (Landmine Monitor 2000)

HUMANITARIAN ACCESS

General limitations for international organisations to work inside Myanmar

The government continues to impose restrictions on access to the internally displaced (2000-2001)

- The Government denies that there is a problem of internal displacement and impedes all efforts to collect or investigate information about human rights abuses
- The only assistance the internally displaced get is what can be delivered by the ethnic groups themselves

"There is currently still little that can be done to resolve the IDP problem. The SPDC denies that it exists and there is virtually no access to the affected areas from inside the country. The only assistance being provided is whatever the ethnic groups themselves are able to deliver. This amounts to very little compared with overall needs.

[...]

The major obstacle to addressing the IDP problem is that the situation is largely hidden and inaccessible to independent observers." (BBC July 2001, p.8)

"Although the ICRC was allowed to commence prison visits, the government continued to impose restrictions on access to the country by international human rights organizations and foreign journalists. However in July and October [2000], AI delegates held meetings with Myanmar diplomats outside the country." (AI July 2000)

"[...]the only NGO to be granted access to Karenni State is the ICRC (International Committee of the Red Cross). So far, however, no visits have been made, apart from a small team visiting Loikaw (Karenni capital)." (CSW November 2000, p. 4)

"The Government does not allow domestic human rights organizations to exist, and it remains generally hostile to outside scrutiny of its human rights records. Approximately 15 nonpolitical, humanitarian, international NGO's continued project work. A few others established a provisional presence while undertaking the protracted negotiations necessary to set up permanent operations in the country.

[...]

The Government's restriction on travel by foreign journalists, NGO staff, U.N. agency staff, and diplomats; its monitoring of the movements of such foreigners; its frequent interrogation of citizens about contacts with foreigners; its restrictions on the freedom of expression and association of citizens; and its practice of arresting citizens who passed information about government human rights abuses to foreigners all impeded efforts to collect or investigate information about human rights abuses. Reports of abuses, especially those committed in prisons or ethnic minority areas, often emerged months or

years after the abuses allegedly were committed and seldom could be verified with certainty.” (U.S. Department of State February 2001, Section 4)

Report suggest that some local military commanders allow NGO assistance to the displaced (2000)

"In some cases, however, local military commanders have facilitated assistance to the displaced. According to an NGO worker in Rangoon, the personal contacts that develop between NGO staff and local SLORC/SPDC official are crucial. These contacts are often made through family or political relationships, he said. Because of some personal connections, his agency, which focuses on health services, is given access to remote areas otherwise off limits to NGOs. The Burmese staff of his agency have been allowed to provide services in the 'new villages' to which persons have been relocated, as well as in some areas under rebel control. 'We're not the only ones with such success,' he notes, 'but it's not the norm.'

The worker noted another factor: 'Our agency doesn't employ many expatriates, unlike other NGOs, many of which tend to be very 'Asian' in their ways of doing things.'

For these reasons, many international NGOs have failed to negotiate service contracts with the Burmese government. Some agencies work without such contracts, but that can be risky. 'Right now,' says the worker, 'there are perhaps 15 of us, mostly with government agreement and others trying to get them. There are things the government is paranoid about in terms of what we do, but for most part things operate rather loosely.' The local contacts, he reiterates, are key: 'the fact that we're on the ground and have the kind of connections we do allows us to do things informally – things we wouldn't want publicized.' (USCR April 2000, pp.23-24)

Some IDPs reached by backpack health workers organised by local medical groups and ethnic organizations (1999-2001)

- Estimated 50 backpack health workers serving IDPs by 1999

"Throughout the 1990s, crossing the Thailand-Burma border became increasingly difficult, with the Burmese army attempting to seal the border on one side, and a growing unwillingness from Thai officials to allow entry on the other. In partnership with two KNU-related welfare organisations, the Karen Organisation for Relief and Development (KORD) and the Committee for Internally Displaced Karen People (CIDKP), aid agencies have managed to supply rice, or cash to buy rice from lowland Burma, to displaced communities deep inside Burma's civil war zones. Such aid, however, is only available in some situations, depending on the people's location, condition and ability to communicate their needs to the intermediate organisation. Furthermore, to send either significant quantities of rice or money through the mountains from Thailand is a complicated and dangerous logistical feat." (Cusano, September 2001, p.160)

"An indigenous program to provide services to these groups [IDPs in the border areas] has been under development since 1995, using a mobile medical team approach. These teams, with several medics, were eventually found to be too large, and had difficulty reaching many isolated IDP areas. To respond to these needs, local medical groups, in collaboration with several ethnic organizations, developed a new model and program based on backpack health workers. There are currently 50 such backpack health workers serving IDPs, with a target service population of 100,000 persons. Training for 60 more such workers will begin this year.

[...]

Morbidity and mortality are extremely high. With the exception of indigenous healers, the backpack teams are currently the only health care providers available to these populations. SPDC health services have little or no penetration in most areas and are widely feared by locals. In a few cases IDP areas do have SPDC supported health workers, however, they appear to have no supplies or medications and have, on several occasions, come to the backpack teams requesting essential drugs." (Beyrer 1999, p.10)

"Very few agencies are able to respond to health concerns in Karenni. No international NGOs working in Burma have thus far been able to negotiate access and provide humanitarian assistance into the state. Only public health services, a number of local religiously affiliated agencies and UNICEF have developed health care activities. Although the International Committee of the Red Cross (ICRC) has been able to visit the state, no humanitarian assistance program has been initiated. In areas where non-State armed groups still operate, services are provided by the occasional visit of a mobile health team organised by agencies in Thailand." (BERG May 2000)

A report on the IDP situation in the Karen state claims that the international community has failed to negotiate access:

"Responses within Burma to issues regarding IDPs have remained largely peripheral. The main constraint facing the international community is inadequate access to displaced persons, mainly as the present government views international intervention negatively. Responses to redress the problem of access have, however, been very modest. In part this is due to the fact that UN agencies and other international interests have pursued a policy of engaging the government at its highest levels to work with UN agencies and international NGOs to address the needs of displaced groups, which has up till now not met with any positive response from the military government. Nor has it resulted in the international community developing the necessary mechanisms to establish the facts of the IDP situation in detail, including an assessment of the magnitude of the problem and the level of assistance needed. An example of the present malaise has been the recent failure of UNHCR in mid-1997 to negotiate for the establishment of a field office in Moulmein in Mon State so as to be in a better position to access developments along the Thai-Burma border.

At present none of the UN agencies, UNDP, UNICEF, UNHCR, WFP, UNESCO and WHO, have developed a reporting capacity regarding IDPs and channels of information

are ad hoc and uncoordinated. Approaches within existing UN programmes to effectively assist and protect displaced persons remain weak." (BERG April 1998, p. 47)

For further information about NGOs inside Myanmar, see "International NGOs operating inside Myanmar focus their work on health issues", a draft report by the Australian Council for Overseas Aid.

NATIONAL AND INTERNATIONAL RESPONSES

International political initiatives

International actors deplore the continuing violations of human rights in Myanmar (2001)

- The Special Rapporteur on Myanmar states the need for increased protection and assistance to internally displaced women and children
- The Human Rights Commission deplores continued violations of the human rights of, and widespread discriminatory practices against, persons belonging to minorities
- Call to end the enforced displacement of persons and other causes of internal displacement and refugee flows to neighbouring countries and to create conditions conducive to their voluntary return and full reintegration in safety and dignity
- The General Assembly urges the Government of Myanmar to end the systematic enforced displacement of persons and other causes of refugee flows to neighbouring countries

In the report to the General Assembly, the Special Rapporteur on Myanmar states the need for increased protection and assistance to the internally displaced women and children:

"Protection and assistance concerns as a result of armed conflict should [...] include, in the first place, reaching vulnerable groups such as internally displaced women and children. In practice this will be possible when there is a humanitarian space, that is to say, a ceasefire for humanitarian purposes or, ideally, a nationwide ceasefire which will then also contribute to the process of national reconciliation." (UNGA August 2001)

The UN Commission on Human Rights deplores the continuing violations of human rights in Myanmar (April 2001):

"[The Commission on Human Rights Deplores:]

(a) The deterioration of the human rights situation and the continuing pattern of gross and systematic violations of human rights in Myanmar, including extrajudicial, summary or arbitrary executions, enforced disappearances, rape, torture, inhuman treatment, mass arrests, forced labour, forced relocation and denial of freedom of assembly, association, expression and movement;

[...]

(c) The continued violations of the human rights of, and widespread discriminatory practices against, persons belonging to minorities, including extrajudicial executions, rape, torture, ill-treatment and the systematic programmes of forced relocation directed against ethnic minorities, notably in Karen, Karenni, Rakhine Chin and Shan States and in Tenneserim Division, use of anti-personnel land mines, destruction of crops and fields, and dispossession of land and property, which deprive these persons of all means

of subsistence and result in large-scale displacement of persons and flows of refugees to neighbouring countries, and an increasing number of internally displaced persons;

(d) The continuing violations of the human rights of women, in particular forced labour, trafficking, sexual violence and exploitation, often committed by military personnel, and especially directed towards women who are returning refugees, internally displaced or belong to ethnic minorities or the political opposition;

[Strongly urges the Government of Myanmar:]

(l) To implement fully concrete legislative, executive and administrative measures to eradicate the practice of forced labour, in conformity with the relevant recommendations of the Commission of Inquiry and to re-enter into a dialogue with the International Labour Organization and invite the organization to establish a presence in Myanmar in order to enable it to verify that such measures are taken;

(m) To cease the laying of landmines, in particular as a means of ensuring forced relocation, and to desist from the forced conscription of civilians to serve as human minesweepers, as indicated in the report of the Commission of Inquiry;

(n) To end the enforced displacement of persons and other causes of internal displacement and refugee flows to neighbouring countries and to create conditions conducive to their voluntary return and full reintegration in safety and dignity, including returnees who have not been granted rights of full citizenship, in close cooperation with the international community, through the United Nations system and its specialized agencies, governmental and intergovernmental organizations, as well as non-governmental organizations;” (CHR 18 April 2001)

The UN General Assembly deplores the continued violations of human rights in Myanmar (From 81st plenary meeting 4 December 2000)

“[The General Assembly]

14. Deplores the continued violations of human rights, in particular those directed against persons belonging to ethnic and religious minorities, including summary executions, rape, torture, forced labour, forced portering, forced relocations, use of anti-personnel land mines, destruction of crops and fields, and dispossession of land and property, which deprives these persons of all means of subsistence and results in large-scale displacement of persons and flows of refugees to neighbouring countries, thus causing negative effects for these countries, and an increasing number of internally displaced persons;

15. Urges the Government of Myanmar to end the systematic enforced displacement of persons and other causes of refugee flows to neighbouring countries and to create conditions conducive to their voluntary return and their full reintegration in conditions of safety and dignity, and to allow the safe and unhindered access of humanitarian personnel to assist in the return and reintegration process.

16. Deplores the continuing violations of the human rights of women, especially women who are refugees, are internally displaced or belonging to ethnic minorities or the political opposition, in particular forced labour, trafficking, sexual violence and exploitation, including rape, as reported by the Special Rapporteur;”(UN 1 March 2001)

The European Parliament recently adopted a resolution on Burma where it urges SPDC to improve the human rights situation :

"11. Urges the SPDC to take steps to improve the human rights situation and to put an end to the widespread practice of torture, extra-judicial executions, the repression of ethnic minorities, as well as to massive forced relocations and civilian abuse; strongly condemns the violation of the rights of the Shan, Karenni and Karen people;" (European Parliament 4 October 2001)

The ILO Conference resolution on Myanmar on 14 June 2000 came into effect by the end of the year

Based on the findings of an ILO technical cooperation mission to Myanmar in May 2000, a great majority of the International Labour Conference in June 2000 expressed that there had not been any satisfactory follow up on the recommendations in the 1998 report. A resolution was adopted to implement the recommendations of the 1998 Commission of Inquiry. The Governing Body decided that the resolution should come into effect after an ILO mission to Burma in October 2000 concluded that progress had not been satisfactory:

"In an unprecedented resolution under the never-before invoked article 33 of the ILO Constitution, the Conference - by a vote of 257 in favour, 41 against, and 31 abstentions - called upon Myanmar to "take concrete action" to implement the recommendations of a 1998 Commission of Inquiry, which found that resort to forced labour in the country was "widespread and systematic".

In a letter dated 27 May 2000 and delivered to the members of an ILO technical cooperation mission to Myanmar [see appendix 2 in "Report of the ILO mission"], the country's Minister of Labour, Major General Tin Ngwe, informed the Director-General of the ILO "that we have taken and are taking the necessary measures to ensure that there are no instances of forced labour in Myanmar". He also wrote that Myanmar "would take into consideration appropriate measures, including administrative, executive and legislative measures, to ensure the prevention of such occurrences in the future".

While recognizing that the Minister's letter "contains aspects which seem to reflect a welcome intention on the part of the Myanmar authorities to take measures to give effect to the Recommendations of the Commission of Inquiry", the Conference considered that "the factual situation (had) nevertheless remained unchanged to date". By a vote of 52 in favour, 242 against and 27 abstentions the Conference rejected amendments designed to postpone a decision at this year's session of the ILC.

Under the terms of the resolution adopted today, a series of measures will take effect on 30 November 2000 unless, before that date, the Governing Body of the ILO is satisfied

that the intentions expressed by the Minister of Labour have been translated into a framework of legislative, executive and administrative measures that are "sufficiently concrete and detailed to demonstrate that the recommendations of the Commission of Inquiry have been satisfied." (ILO 14 June 2000)

For the resolution by the International Labour Conference on 14 June 2000, look at the section "fourth report" in the ["Resolution submitted to the Conference."](#)

"Effect given by the Government of Myanmar to the recommendations of the Commission of Inquiry established to examine the observance of the Forced Labour Convention, 1930 ([No. 29](#))"

8. The Governing Body examined the report of the ILO mission that visited Myanmar in October 2000 and the communications by the Government of Myanmar. The GB considered that the conditions set out in paragraph 2 of the Conference resolution had not been met and that effect should accordingly be given to the provisions of paragraph 1 of the resolution. In the light of the discussion, it was however noted that the Director-General should continue to extend cooperation to the Government of Myanmar in order to promote full implementation by that Government of the recommendations of the Commission of Inquiry and that he was expected to report to the Governing Body on this matter at its 280th Session (March 2001)." (November 2000)

Calls for a more thorough international response to the situation of internal displacement in Burma (1999-2000)

- There is presently no common authoritative policy regarding the problems of IDPs in Burma
- International agencies concerned with the protection of the internally displaced need to offer their services to all parties
- Suggested that the Office for the Coordination of Humanitarian Affairs (OCHA) should take the lead in pressing for an inter-agency needs assessment mission
- Too little priority has been given to date to providing food and medicines to IDPs
- Opportunities to strengthening cross-border programmes to reach displaced persons through indigenous organizations
-

“There is however an urgent need for a more thorough examination of the implications of displacement and conflict on the civilian population in many of the areas affected by displacement. As the implications of displacement have moved beyond the political and human rights arenas and seriously threaten rural development opportunities and cross-border relations, it is imperative that better and more data be collected, shared, analysed and acted upon.

So far most humanitarian interventions both from within the country and from outside have focused on relief strategies and short-term physical inputs. While indispensable and significant, this assistance does little to protect the rights of the internally displaced. In the present context, where the conflict is both protracted and complex, much more needs

to be done. In addition to provision of humanitarian assistance, more needs to be done to develop effective strategies for protection, resettlement and reintegration rather than the present response, which aims at containment.

The present environment in which the cease-fire agreements between the state and various non-state actors have been signed are not binding agreements. They offer no recourse to the civil legal system or any other form of non-partisan arbitration. International agencies concerned with the protection of the internally displaced need to offer their services to all parties. In doing so, organisations and other appropriate actors should respect relevant international law, standards and codes of conduct.

Several options which should be implemented immediately include advocating for transparent humanitarian assessment missions and protection assessment missions which integrate the immediate concerns of populations with protection issues. While the recent access of ICRC facilitates this process, it is important that these concerns move beyond the mandate of the ICRC. More resources and money need to be set aside or allocated to address the needs of the internally displaced populations. Thus far only very limited funding is provided for internal displacement and much of this is for relief goods and services. There should also be a clearly defined lead agency, at present there is no inter-governmental agency or other international agency taking the lead in regard to IDPs. UNHCR has taken on numerous responsibilities in this area but is not mandated to take the lead. It is also significant that there is presently no common authoritative policy regarding the problems of IDPs in Burma. Action by various agencies are not clearly defined and this has serious repercussions not only on the implementation of activities but also on the use of international links and how international laws, conventions and standards are adhered to.”(BERG September 2000)

"Lack of access to the displaced also stems, in part, from lack of international interest. The 'great powers' – with the exception of China – have, until recently, shown little interest in Burma. When attention has shifted to Burma, it has focused on the democracy issues. Displacement, if considered at all, is viewed as a byproduct, to be resolved when the system of government changes. For these reasons, the junta's denial of access to the displaced and its insistence on defending its internal affairs from outside scrutiny have met with little resistance." (USCR April 2000, p.4)

"Meanwhile, UN agencies in Burma, such as UNHCR, UNICEF, UNDP and WHO, could make a more vigorous effort, through the programmes they do conduct, to find out about the humanitarian relief needs of IDPs. Indeed, the Office for the Coordination of Humanitarian Affairs (OCHA) should take the lead in pressing for an inter-agency needs assessment mission. Too little priority has been given to date to providing food and medicines to IDPs. Apart from the obstacle of access, there is the fear that aid will be diverted to the military and profit the government. There is also, however, the tunnel vision of donors, which focuses on long-range democratization goals - the restoration of Aung San Suu Kyi and the NLD to power - but overlooks the immediate humanitarian needs of the displaced.

In particular, strengthening cross-border programmes to reach displaced persons could help address humanitarian needs. The record shows that indigenous organizations have been able to bring food and health services cross-border to isolated IDPs. Another promising development is the government's recent agreement to allow ICRC to maintain "a permanent presence in various border states". This could offer an opportunity to collect information on IDPs and provide them with assistance. Greater presence for UN agencies in border areas is something the Secretary-General should advocate in his talks with the regime and opposition.

Governments in the region, like Japan, could be pressed to raise humanitarian concerns. In 1998 Japan provided quasi-development aid for the first time in ten years but attached no explicit conditions. Lobbying the Japanese government should become a regular feature of human rights and humanitarian strategy. Governments in the Association of SouthEast Asian Nations (ASEAN), which approved Burmese membership in 1997, should likewise be urged to raise humanitarian issues. The 'flexible engagement' policy, proposed by Thailand and the Philippines, calls for discussion of human rights and democracy issues but should extend to forced relocation practices and the need for humanitarian access." (Cohen R. December 1999)

Call for protection and humanitarian assistance to Karenni IDPs (May 2000)

- Call for international community to make a serious commitment to conflict reduction
- Concern that existing humanitarian assistance is too closely linked to fighting parties

"So far most humanitarian interventions in Karenni have focussed on relief strategies and short-term physical inputs. While indispensable and significant, this assistance does little to protect the rights of the internally displaced. In the present context where the conflict is both protracted and complex, much more needs to be done. In addition to provision of humanitarian assistance, the international community needs to make a serious commitment to conflict reduction and resolution rather than the present response which aims at containment.

Relatively little information is available about the effectiveness of current humanitarian inputs, or how programs could be designed more appropriately. Assistance should be carried out, as stated in Principle 24 of the Guiding Principles on Internal Displacement, in accordance with the principles of humanity and impartiality and without discrimination. Humanitarian assistance to internally displaced persons should not be diverted for political or military reasons. Two mechanisms have currently been developed for giving assistance; one is delivered through or in support of government structures (despite the fact that local populations view the State's military involvement in the conflict as significant and negative); while the other relies on cross-border assistance delivered through non-State structures. Both mechanisms rely on partisans to the conflict to deliver aid, who can use the assistance to strengthen their support bases, exacerbate local insecurity, intensify group hostilities and reaffirm authority and leadership of such groups in the eyes of the recipients.

The focus of much of the assistance so far has been to target one or more specific groups. This is not always successful in delivering the benefits in a way that discriminates in favour of the most vulnerable or reaches all those with needs. In such situations it is difficult to avoid pitfalls where resources are diverted or manipulated. An approach which seeks to assess both humanitarian needs and delivery, as well as the political impact of the assistance is needed.

The challenge is to find ways to de-link the delivery of humanitarian aid, locating it away from warring parties in a way that is impartial and works with all groups. One way of doing this would be to coordinate and relocate aid distribution points away from warring parties. NGOs might also usefully initiate a process of consultation between opposing groups over issues relating to aid. This may increase transparency and replicate confidence building measures in an environment where impartial observers are denied access.

As Principles 25, 26 and 27 of the Guiding Principles go on to point out, national authorities and other appropriate actors have the right to offer their services in support of the internally displaced. These offers need to be seen in good faith and should solicit a response, particularly from the State. The authorities concerned should also grant and facilitate free passage of humanitarian assistance and allow those engaged in the provision of assistance rapid and unimpeded access.

Moreover assistance needs to be protection oriented and should seek to insure and restore the rights of the displaced. The present environment in which the cease-fire agreements between the State and various non-State actors have been signed are not binding agreements. They offer no recourse to the civil legal system or any other form of non-partisan arbitration. International agencies mandated to protect the internally displaced need to offer their services to all parties concerned. In doing this, organisations and other appropriate actors should respect relevant international standards and codes of conduct. " (BERG May 2000, pp.99-100)

International operational activities

The international response to the issues of displacement in Burma has remained limited and uncoordinated (2000)

- International agencies have not confronted the government over rights of access and NGOs have not gained unimpeded access to the displaced in contested areas
- Cross-border initiatives to reach internally displaced people from neighbouring countries have proved effective and significant in terms of relief assistance

"Some UN agencies and international nongovernmental organizations (NGOs) are present in Burma, but the Burmese regime restricts their activities, which limits their

ability to serve internally displaced persons. Nevertheless, these agencies, along with local NGOs and ethnic-based groups, succeed in providing some assistance. Some critics charged that the government siphons off much of the aid." (USCR 2000)

“On the whole international response to the issues of displacement in Burma has remained limited and has not influenced the government either to recognise or address the problems of displacement. Within the country, international agencies - such as UNDP, UNICEF, FAO, WHO or UNDCP - have not confronted the government over rights of access and NGOs have not gained unimpeded access to the displaced in contested areas. In some cases intergovernmental agencies have inadvertently supported the relocation of populations and in particular ethnic-minority ones.

The government's Urban and Border Area Development Programmes, which began in 1989, attempted to relocate populations within the country. This was to some degree supported by UN agencies. UNHCS was involved in projects for urban areas while UNDP undertook projects in the Wa and Kokang areas, and UNDCP (UN Drugs Control Programme) had projects in the Wa and eastern Shan State areas. Although these projects officially ended in 1992, UNDCP continues to support projects in eastern Shan State which have relocation and resettlement components. The populations targeted for relocation by these programmes are often ethnic minority groups.

Cross-border initiatives to reach internally displaced people from neighbouring countries have succeeded in gaining access to many internally displaced populations. Although these initiatives remain modest and are provided through discrete channels along the various borders, they have been effective and significant in terms of relief assistance.” (BERG September 2000)

ECHO targets aid to internally displaced persons in Burma and ICRC provides some assistance to internally displaced in the Karen State (2001)

- The ECHO funded aid will benefit both Karen and Rohingya ethnic Internally Displaced People (IDPs) in border zones as well as extremely vulnerable IDPs in Rangoon/Yangon Township areas
- ICRC distributed agricultural tools, vegetable seed and other material assistance to internally displaced in Karen State in 2000

"The European Union is donating 2,000,000 euros in humanitarian aid through its European Community Humanitarian Office (ECHO) to help vulnerable populations in Burma/Myanmar.

The actions will be carried out over a period of 12 months by a number of NGOs in the fields of water and sanitation, healthcare as well as support for prisoners. In all, some half a million people stand to benefit.

People and regions covered will be Karen and Rohingya ethnic Internally Displaced People (IDPs) in border zones as well as extremely vulnerable IDPs in Rangoon/Yangon Township areas. Empowerment of the intended beneficiaries is also an important part of the humanitarian action.

With regards to water and sanitation, NGOs Save the Children and Action Contre la Faim will carry out projects in Rakhine and Kayin states. These will increase sustainable access to safe water in order to lower the prevalence of water-borne diseases and improve the management of wastewater to minimise faecal contamination. The actions should benefit some 66,000 people.

These objectives will be met through the installation of 3,000 sanitary latrines and the rehabilitation of 59 hand dug wells. Also to be constructed are 95 new shallow tube wells, 22 village ponds, four combined wells and two spring catchments. Village committees will be created, 1,722 hygiene education sessions held and wells chlorinated.

The objective of health actions funded will be to reduce the mortality and morbidity of populations living in programme areas by supporting health services and focussing on malarial management.

Four NGOs - Médecins Sans Frontières (France), Médecins Sans Frontières (Holland), Malteser Hilfsdienst and Aide Médicale Internationale - will target some 20,000 beneficiaries in Mon State and 415,000 in Rangoon/Yangon Township.

Activities to be carried out are the feeding for 360 children; family planning for 4,000 women; 15,000 consultations for children, ante natal clinics for 3,500 pregnant women; screening and treatment of 3,500 women and their partners for sexually transmitted diseases; distribution of 42,000 condoms; AIDS education campaigns, counselling and testing for 50,000; healthcare training for health workers, nurses and doctors; the construction, equipping and running of health centres as well as malaria control, prevention, awareness raising and curative treatment." (EU News Release 21 September 2001)

"In Myanmar, the ICRC makes regular visits to persons deprived of their freedom. It also supports prosthetic/orthotic programmes for mine casualties and other disabled persons. In Shan, Kayin and Mon states, where weakened infrastructure, isolation and the security situation make the population particularly vulnerable, it addresses basic health and sanitation needs in selected villages." (ICRC 2001)

"In Kayin state, displaced families received agricultural tools, vegetable seed and other material assistance. Work was carried out to give some villages along the Thai border improved access to safe drinking water." (ICRC Annual Report 2000)

Response by Non Governmental Organisations

Limited assistance provided by NGOs and individual groups to IDPs across the border from Thailand (1998-2000)

- Unofficial nature of cross border assistance makes planning, targeting and monitoring difficult

- Areas distant from the Thai border are difficult to reach for the groups and individuals providing "unofficial assistance"
- Attempts have been made to reach distant IDP groups through mobile medical trips

"The cross-border activities are very small, but they also can get into areas where it's very difficult for anybody but local people who speak the languages, and who can go in undercover, to go. They are having some impact and they're delivering what little health care is there. For example, right now there are about 50 such people with one program who try and cover 2000 people each during cross-border interventions, and that reaches about 100,000, which they estimate in the area where they work is perhaps a third of the pocket. So, for the relatively small programs there are many things that can be done, but coming from the other side into those IDP areas, nobody's done it in a very long time. The security situation is worse now than it's been in a long time." (Burma Project 1999, "In their own words" p.23)

"As assistance to IDPs [in the Karen state] is unofficial, delivered through a variety of channels, planning and targeting to the most needy is difficult. Districts without access to the Thai border cannot easily be helped since the area between them and the border is no longer under the control of the KNU. Toungoo district reports having received no assistance from anywhere. Doo The Htoo district, Thaton township, cannot easily be assisted due to the large number of Burma army troops in the area. KORD was never set up in Mergui-Tavoy district, choosing to rely upon the structures of the KNU Health and Welfare Department.

Groups or individuals involved in delivering aid across the border are reluctant to openly discuss the extent or effectiveness of their work. Certain parts of Kawthoolei have always had more contact with NGOs, missionary groups, or sympathetic individuals; it is these areas that are able to exploit their relationships to attract aid to their particular area. Districts far away from the border have had little contact with the 'aid and relief community' and therefore are less well organised to know who to approach. With the disintegration of the KNU social welfare structures in the field of health and education after the 1997 offensive, it became more and more left up to individuals to find ways to help in their own areas. Mergui-Tavoy district, being furthest from the former KNU headquarters, had always had to rely on its own contacts for help from outside and individuals were sent out to Thailand with the brief to organise help for both refugees and IDPs.

Undoubtedly, with the disintegration of the KNU structures for health and education and the difficulties faced by the remaining KNLA soldiers, the IDPs have been, to a large degree, left to fend for themselves. Registered NGOs in Thailand, with a mandate to look after the refugees in camps, have avoided getting involved in sending aid across the border, especially where it cannot be monitored by their expatriate staff. NGOs with funds tied to the USAID are restricted from using any of their funds inside the boundaries of Burma.

Accepting the reality, some NGOs have tried to channel assistance in the form of cash to purchase rice and to supply mobile medical teams through KORD to areas not accessible to the NGOs themselves.

The amount of assistance reaching the various clusters of IDPs varies according to:

- distance from the border of Thailand;
- strength of remaining KNU forces in the area;
- numbers of Burma army, Burma army/DKBA troops stationed in the area.

Kler Lwee Htoo and Toungoo districts are too far from the border to have been able to receive sustained assistance. In the mountains of Taungoo, the people, though hiding in the forest, try to plant and harvest their crop of rice, but the yield is very poor. Often they cannot plant at the right time of the year but only when the security is stable. The IDPs face a lot of food shortages and have to travel as far as Mutraw district to ask for food from other villages. On one occasion, an NGO was able to send a mobile team with medicines to Ler Doh township, in Kler Lwee Htoo district, finding measles, malaria and chest infections prevalent. The trip was never repeated and the other townships in the district have received no assistance.

Being closer to the border, most of the IDP clusters in Pa.an and Mutraw districts have been able to get a certain amount of assistance. Mobile medical teams have been arranged to provide basic minimum cover and KORD has been able to give some assistance in the form of rice for two months at a time.

Since the 1997 offensive, the IDP groups in Bilin township in Doo The Htoo have also received some rice assistance from KORD. However, in the flat lands around Thaton township the situation is worse; the people here have no place to hide and they live under the close control of the Slorc. They cannot be reached easily by the KNU Health department/ KORD mobile teams as they are far from the border in the midst of DKBA-controlled territory. They are close to towns but have no money for medicines.

The groups of IDPs on the borders of Dooplaya district have generally been without assistance. However, the largest group, that at Htee Wah Doh, has been able to receive some food and medical assistance through the Mon resettlement site at Halockani.

In Mergui-Tavoy district, assistance to the various groups of IDPs has been planned by the KNU administration in the area. Groups at the border, and many of the smaller groups in the forest, have been reached with food and medicine, depending on where they are. However, there remain many groups far from the border, where it would be too dangerous to send a team of young and inexperienced Karen health workers.

Medical help was initially arranged for all three large groups close to the border without any help from the major NGOs in Thailand. With donated money, medicines, rice and plastic sheets were bought and delivered by the KNU. In the far south, adjacent to Hua Hin, at the site known as Huay Satu (known to the Karen as Htee Yob Kee), a basic health care service was set up with help from two relief agencies previously not active in

the border area. For groups further away, mobile medical trips have been conducted three times up to December 1997." (BERG April 1998, pp. 51-52)

International NGOs operating inside Myanmar focus their work on health issues (1997)

- Debate within the NGO community about appropriateness of operating inside Myanmar
- Health needs of relocated urban communities addressed by NGOs
- International NGO projects are monitored by military intelligence

Except for the excerpt below, the Global IDP Project has not found recent information about presence of international NGOs in Myanmar. Readers of this profile are encouraged to share any relevant information on this topic with the Project.

"Christian Aid works through five partner organisations to respond to the needs of Burma's ethnic minorities, who are particularly disadvantaged. Partners provide basic necessities for refugees in Thailand and internally displaced people in Burma, and basic healthcare for the Kachin minority group in northern Burma. Christian Aid supports the Burma Campaign, which is based in the UK.

[...]

Christian Aid's church partners have taken up HIV/AIDS as a priority issue. HIV/AIDS is becoming a major issue in Burma, which has the second highest rate of HIV infection in East Asia, after Cambodia." (Christian Aid, September 2001)

"The issue of how International Non Governmental Organisations (INGOs) should approach operating in Burma is a thorny one. This was particularly so in the early 1990s. Many development workers and the expatriate democracy movement felt that an NGO presence would provide the State Law and Order Restoration Council (SLORC), with a much needed legitimacy. Warnings were sounded: INGOs would fall prey to the SLORC's manipulation, aid would be stolen and sold to profit the government, INGOs would be used in SLORC propaganda and meaningful development would not reach those it was intended for. They would become 'willing minions' executing the SLORC's agendas. INGOs were urged that their priority should be the large refugee populations in neighbouring countries who were the most visible and accessible victims of the SLORC's misrule.

Despite the heat of the debate in 1993, some fifteen INGOs have entered Burma and more continue to arrive to explore the environment (and some have subsequently withdrawn)." (ACOA 1997, p. 1)

"The program focuses of INGOs are varied but often originate in a response to the health situation and a snapshot of a few of the activities of just five INGOS gives a sense of the health need in Burma. Many have focused on maternal and child health and HIV/AIDS programming. For example, WVM [World Vision Myanmar] has worked with the Ministry of Health in an Urban Integrated Health Project, assessing needs in urban community (Hlaingtaya Myothit) which was forcibly relocated in the late 1980s. WVM claims success in developing community outreach services through the Myanmar

Maternal Child Welfare Association (MMCWA) for children under five. This type of assessment is important in building up a picture of needs in communities that hitherto have been undocumented. WVM utilise Participatory Learning and Action survey techniques to build a community map of knowledge and needs. WVM has focused on HIV/AIDS counselling and prevention awareness building and works with communities, township medical officers and MMCWA in targeting high risk groups like commercial sex workers, truck drivers and fishermen in areas such as urban relocated communities, and cross border trading routes to Thailand: Kwathaung/Ranong in Southern Burma, Tachilek/Mai Sai, Myawaddy/Mae Sot and a new project in Kengtund in Shan state which will develop strategies and networks to assist vulnerable communities to avoid entering sex work, and assist communities affected by HIV/AIDS.

The identification of the satellite town communities was also made by MSF Holland who run their own health clinics outside the government system in Rangoon, Arakan, Chin and Kachin state. MSF Holland focus on Primary health care, HIV/AIDS and STD education, Malaria control, treatment and research and tuberculosis control. MSF Holland rejects working with GONGOs ['Governmental Non-Governmental Organisation'].

The US based World Concern, is focusing on maternal and child health care in forty villages around Myitkyina and Waing Maw townships in Kachin state. World Concern works closely with the Kachin Baptist Convention as a partner and has local staff under a foreign director with a great deal of local knowledge. World Concern believe that their presence provides Kachin professional with much needed resources and latitude to work. World Concern, organises and distributes its own supplies without restriction. It aims at rural grass roots development with villages, which it believes is achievable with an emphasis on health education, childhood immunisations, early diagnosis and basic treatment. Many INGOs, like World Concern, found that Military Intelligence, District and Village Law and Order Restoration Council (DLORC and VLORC respectively) monitoring of their projects, while close at first, has decreased (but not disappeared) as time progressed.

CARE Australia established a presence in 1993 and has a small staff overseen by an expatriate manager. CARE's focus has been on HIV/AIDS in conjunction with the UNDP, the National Aids Program and local NGOs. Additional projects have been research on the sexual behaviour of street children and youths in Rangoon and a Community Forest Project, under UNHCR mandate in Arakan State. CARE will focus in future in developing what it calls 'micro integrated development', village level interventions based on community priorities which take in variety of health strategies, agro-forestry, pest management, income generation activities, watershed management, management of natural forests. CARE is interested in working with local NGOs and building their capacity and funds several local NGO projects such as the YWCA street kids drop-in centre in Dawpon. It does not feel that the government encourages such contact except with the CONGOs, MMCWA and Myanmar Red Cross - with both of whom CARE also works." (ACOA 1997, pp. 13-15)

ABBREVIATIONS AND ACRONYMS

BSPP	Burma Socialist Programme Party
CBOs	Community-based organizations
DHA	U.N. Department of Humanitarian Affairs
DKBA	Democratic Karen Buddhist Army
DLORC	District Law and Order Restoration Council
EVI	Extremely Vulnerable Individuals
GONGOS	'Governmental Non-Governmental Organisation'
HDI	Human Development Initiative
ICFTU	International Confederation of Free Trade Unions
ICRC	International Committee of the Red Cross
INGOs	International Non Governmental Organisations
KNLA	Karen National Liberation Army
KNPLF	Karenni Nationalities People's Liberation Front
KNPP	Karenni National Progressive Party
KNU	Karen National Union
KORD	Karen Office for Relief and Development
MMCWA	Myanmar Maternal Child Welfare Association
MNRC	Mon National Relief Committee
MOU	Memorandum of Understanding
MSF	Medecins Sans Frontieres
MTA	Mong Tai Army
NIDs	National Immunisation Days
NLD	National League for Democracy
NMSP	New Mon State Party
NPMHR	Naga Peoples Movement for Human Rights
NSF	Naga Student Federation
SHRF	Shan Human Rights Foundation
SLORC	State law and Order Restoration Council
SPDC	State Peace and Development Council
USCR	U.S. Committee for Refugee
VLORC	Village Law and Order Restoration Council
WVM	World Vision Myanmar

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