

briefing

Burma

Visit to the Thai-Burmese Border

APRIL 19 - 26, 2006



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**“MY HOME, MY HOME,
WHEN SHALL I SEE MY HOME AGAIN?
MY HOME, MY HOME,
I NEVER FORGET MY HOME.
I DON'T KNOW ABOUT TOMORROW
IT MAY BRING POVERTY AND HUNGER
BUT THE ONE WHO FEEDS THE SPARROWS
WILL NOT FORGET ME.
MY HOME, MY HOME,
WHEN SHALL I SEE MY HOME AGAIN?
MY HOME, MY HOME,
I NEVER FORGET MY HOME”.**

(Song by Karenni orphans forced to flee to Camp in Thailand).

I. Summary

Brutal military offensives, accompanied by serious violations of human rights such as widespread, systematic rape, forced labour, use of human minesweepers, forced conscription of child soldiers, torture and forced relocation continue to be perpetrated by Burma's military regime, the State Peace and Development Council (SPDC), against the ethnic nationals, despite the junta's rhetoric about a 'roadmap to democracy'.

In a visit to both sides of the Thai-Burmese border, a delegation from Christian Solidarity Worldwide (CSW), including Caroline (Baroness) Cox, a member of the British House of Lords, accompanied by Mr. John Bercow, a Member of Parliament and Shadow Secretary of State for International Development, found evidence of continuing atrocities in eastern Burma. The delegation met representatives of the Karen, Karenni, Shan and Chin ethnic national groups, the National Council of the Union of Burma (NCUB), the United Nations High Commission for Refugees (UNHCR), the British Embassy and Department for International Development (DFID), the Burmese Border Consortium (BBC), and several Non-Governmental Organisations (NGOs). The unanimous view expressed by pro-democracy and ethnic national groups was that international pressure, including new economic sanctions, on the SPDC should be intensified until meaningful change takes place in Burma, and that the regime's proposed National Convention, for which the delegates will be hand-picked by the regime, is a cynical ploy to buy time and should be rejected as such. During the visit it was confirmed that the SPDC had withdrawn from the second round of the Bangkok Process, due to be held at the end of April, while it prepares to hold a National Convention on May 17, reportedly in a military camp outside Rangoon without media access and without the participation of democratic representatives of the Burmese people.

Our recommendations include requests to the British Government, as a matter of urgency, to:

- seek stronger European Union (EU) sanctions;
- consider ways of providing humanitarian aid to the thousands of internally displaced people (IDPs) trapped in the jungles of Burma, with little access to food, health care, shelter or education;
- propose a United Nations arms embargo on Burma;
- seek a response from the Association of South-East Asian Nations (ASEAN) to continuing reports of gross violations of human rights;
- urge the Kingdom of Thailand and the Governments of India and Bangladesh to desist from repatriating temporarily displaced Burmese people in their countries until security guarantees acceptable to those affected can be made;

- urge the SPDC to allow access for international human rights and humanitarian organisations to all parts of Burma; and access by independent monitors to prisons, especially to investigate allegations of torture;
- urge the SPDC to release all political prisoners (estimated to be 1,500) immediately;
- urge the SPDC to engage in tripartite talks with the National League for Democracy (NLD) and the ethnic national groups; and to implement a nation-wide cease-fire with conditions acceptable to all groups;
- raise with the SPDC serious concerns over the regime’s policies of forced labour, human minesweepers, child soldiers, rape, religious persecution, destruction of villages and crops (for a full list, see Recommendations).

One NGO told us, “for every year the SPDC stays in power, the damage they do increases exponentially. Only increased, intensified pressure on the regime will bring about change.”

2. Purposes

1. To obtain information on the human rights and humanitarian situation in Burma
2. To show solidarity with the persecuted and oppressed peoples of Burma
3. To assess humanitarian needs and provide assistance

3. Personnel

Caroline (Baroness) Cox	Honorary President, CSW-UK
John Bercow MP	Shadow Secretary of State for International Development
Dr. Martin Panter	International President, CSW; President, CSW-Australia
Anthony Peel FRCS	Surgeon; Deputy Chairman, CSW-UK
Benedict Rogers	Journalist; Advocacy Officer, CSW-UK

4. Itinerary

19 –26 April

Meetings in Bangkok, Chiang Mai, Mae Hong Son, and Mae Sot, and visits to Karen and Karenni people living in camps in the Thai-Burmese borderlands and Internally Displaced People (IDPs) cross-border in Burma.

5. Military Offensives and Human Rights Violations Against Ethnic Nationals

Despite its rhetoric about implementing a roadmap to democracy, and its current cease-fire talks with the Karen National Union (KNU)/Karen National Liberation Army (KNLA), Burma’s military State Peace and Development Council (SPDC) regime continues to conduct military offensives against Karen, Karenni, Shan and other ethnic minority civilians, and to inflict brutal violations of human rights on unarmed civilians. These include extrajudicial killings, rape, torture, forced labour, forced relocation and the use of child soldiers.

For example, from December 2003 until early April 2004, the SPDC engaged in severe military offensives in Karenni State. The SPDC has also crossed into Thailand to attack Karenni targets. For example, on April 19 2004 at 9.45 p.m. the SPDC and its associated militia, numbering 20, attacked the home of a Karenni leader based in Mae Ngwat village, Khum Yun district in Thailand with Rocket Propelled Grenades and rifles, killing one man and injuring another.

Since 1996, over 2,500 villages in eastern Burma have been destroyed, at least one million people displaced, 365,000 moved to relocation sites and 268,000 trapped in the jungle.¹

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¹ Burmese Border Consortium

5.1. Rape

Allegations of widespread, systematic rape have been documented in several human rights reports, including *License to Rape* (Shan Human Rights Foundation/Shan Women's Action Network, 2002), *No Safe Place* (Refugees International, 2003) and most recently *Shattering Silences* (Karen Women's Organisation, 2004). The U.S State Department verified the conclusions of *License to Rape* and confirmed the report's findings.

It is clear that since these reports were published, rape has continued to be used by the SPDC as a weapon of war, making the regime liable for prosecution for war crimes under international law. Since the publication of *License to Rape*, which documented 625 cases of rape in Shan State, a further 150 cases over the past two years have been reported in Shan State. As recently as April 16, 2004 a Shan woman was reportedly gang raped by SPDC soldiers at a location 10km from the Thai border.

5.2. Forced Labour/Forced Relocation

For more than 13 years, the International Labour Organisation (ILO), the International Confederation of Free Trade Unions (ICFTU) and the Federation of Trade Unions of Burma have reported the continuing use of forced labour in Burma. This practice has not ceased, and thousands of Burmese citizens are forced to work for the military on construction projects and as porters.

The SPDC continues forcibly to relocate villagers in eastern Burma. For example, on December 25, 2003, a meeting was held in Maw Chi, chaired by the Commander of the 55th Division. Villagers were told to move to a relocation site at Mahntahlaying within ten days and were warned that anyone who failed to move to the relocation site would be shot. However, three days later the SPDC soldiers came to villages and ordered people to move immediately. Some villagers escaped, and over 3,000 IDPs are hiding in the jungle. Villagers who went to Mahntahlaying relocation site were forced to repair the road, and provide their own food. No access to health care or education is provided in the relocation sites. Those who escape are constantly on the move. "They have to run, in order to stay alive," said one Karenni spokesman. "They are fed up with moving all the time. They have no homes, no health care, no food and no education – if this is not ethnic cleansing, what is?"

In the relocation camps, forced labour on construction projects is closely controlled by SPDC soldiers. On average one soldier watches over 10-15 forced labourers, beating them if they stop working. Villagers have to provide their own tools, building materials and food, and are forced to work from 6a.m until dusk, making it difficult to find food supplies.

Porters are forced to carry heavy loads for long distances, allowed little food, water or rest. In one case, a man was reportedly ordered to carry 100 kilos of rice. In order to comply, he had to involve his children. Porters are forced to walk through areas with landmines, often walking ahead of the SPDC soldiers in order to clear the landmines, sometimes losing their limbs and lives. In Karen and Karenni States, it is common practice for SPDC soldiers to form a column. They divide the porters into groups of three, interspersing them among the soldiers, protecting the soldiers from ambush.

5.3. Child soldiers

Burma has the largest number of child soldiers in the world. It is estimated that at least 70,000 child soldiers are forcibly conscripted into the SPDC military, making up 20 per cent of the troops. This has been documented in previous CSW reports, and in *My Gun Was As Tall As Me* (Human Rights Watch, 2003). The SPDC grabs children from bus stations, trains,

cars and from the street, or sends letters to villages demanding the provision of child soldiers.

6. Case Studies

During our visit we interviewed six Karenni and two Karen civilians, who gave first-hand accounts of forced relocation, forced labour, torture and religious persecution.

6.1. Interviews with Karenni people:

(i) A 17 year-old Buddhist man from Wan Khun, Loikaw Township, Karenni State fled his village and came to the Thai-Burmese border on March 6. He had been working in his fields when the SPDC troops arrived. He was forced to work as a porter for the military, carrying heavy bags of rice for two days to the battalion headquarters. He was released after he arrived at the headquarters, but he was afraid to continue living in his village. He was under suspicion by the SPDC of assisting the Karenni resistance. He walked for six days to the border, leaving his parents and three sisters behind. He has had no contact with them since. His uncle had previously been taken by the SPDC and died in prison.

(ii) A 48 year-old Buddhist man from Pakye village, Loikaw Township, Karenni State came to the Thai-Burmese border in January. His entire village, over 1,000 people, had been forcibly relocated in May 2002. Villagers were forced to cut down trees and bamboo to provide materials to build houses for the military, and to carry packs of rice. Some were accused of feeding the Karenni National Progressive Party (KNPP), and were threatened, sometimes beaten with gun butts.

At 8p.m one night, SPDC troops came to the relocation site and arrested all the villagers. They were taken to the headquarters of Light Infantry Brigade (LIB) 250, where they were beaten and forced to work as porters. They were also forced to dig trenches for the army headquarters, and to work from 8a.m until 4p.m each day, with only a half-hour break. They were forced to speak Burmese, and to provide their own food. He was beaten on his back by a soldier with a gun butt. The villagers were tied by their hands together in groups of three or four. He spent one year in the relocation site before he escaped. During that time, he saw at least 10 soldiers who were aged about 16, and he heard reports of rape in the nearby Nwar La Poe relocation site. For example, in August last year, five girls were reportedly raped by seven soldiers.

(iii) A 31 year-old Buddhist man from Daw Peh village, Pruso Township, Karenni State fled to the border in February 2004, leaving behind his wife and four children. He had been severely beaten by SPDC soldiers based in Deemawso, and had no money to buy medicine. He was tied up and beaten all over his body with sticks and guns, and stabbed with a bayonet. In June 2003 he was held captive and tortured for 10 days. The most intense period of torture was one day when from 11a.m until 6p.m soldiers rolled a log up and down his legs, sometimes stamping on the log with their boots. As a result he was unable to walk for five months. That night, he was forced to lie down and soldiers poured large quantities of water into his mouth until his stomach swelled. The soldiers then stamped on his stomach, causing him to vomit. They then smothered his mouth with a piece of cloth, and continued to roll a log up and down his legs. *"I thought I was going to die,"* he said. He did not know why the SPDC had done this to him. When the soldiers arrived at his house and took him away, they questioned him in Burmese. *"But I do not understand Burmese very well, so the soldiers got angry,"* he said. Two other villagers, including the headman, were tortured in a similar way. After this period of torture he went to the hospital for treatment. Five months later, when he was able to walk again, he was taken by the SPDC and forced to work as a porter.

Soldiers took all his clothing, stole and ate his chickens, and killed any remaining chickens. He saw two child soldiers aged approximately 15.

(iv) A 17-year-old Christian (Baptist) girl from the village of Koh To Da, District 2 in Karenni state arrived at the border camp on April 9 2004. She fled because “she was tired of having to undertake forced portering”. She came with her mother. Her older brother and sister remain in a Relocation Camp in Karenni State. Her father, a farmer, died on 30th August 2003, because he was unable to obtain medicine in the Relocation Camp. One brother aged 26 was shot and killed by SPDC soldiers when trying to obtain food for the family.

The family was forced to leave their village and to move to a Relocation Camp at Mawchi in April 1996. They lost most of their possessions, including their goats and rice. They escaped after 5 months, because there was no food available in the Camp and subsequently went into hiding in the jungle.

They then moved to a village where they were subjected to constant harassment and regularly made to work as porters for up to one month at a time. They had to carry heavy loads from 6am to dusk. Their loads weighed 30 kg and included a generator, solar panels, cement, bullets, milk and sugar for the SPDC troops. They had to sleep in groups which were surrounded by SPDC soldiers to prevent their escape. They saw men and boys being used as human minesweepers. The girl was unable to go to school.

The flight to freedom across the border took 2 weeks, during which she became ill with abdominal pain and diarrhoea and had to be carried by her mother and a friend. At night they were very cold, because they were not able to light fires for fear of detection by SPDC soldiers who would kill them. They had no guide.

(v) A 24-year-old Christian girl (Baptist) who lived with her family in the village of Plo Ti in Karenni District 2. The village was destroyed in 1996 and the family went into hiding for 7 years, during which time her father died. 2 brothers aged 28 and 26 and her sister aged 17 remain with their mother hiding in the jungle.

In 1996, they were forcibly relocated to a Relocation Camp in Mawchi but they fled because of abuse and the absence of food. The group who escaped included 20 families. One entire family was caught and killed by SPDC soldiers who tied the father to a tree and beat him to death with a rice pounder.

This girl was one of 10 villagers who were escorted by Karenni soldiers. They walked for 3 weeks to the border and safety. Because of the way in which they were forced to live, she had been denied a proper education and had only reached Standard 4, which amounts to a very basic level of reading, writing and numeracy. She could not, for example, write a simple sentence with appropriate grammar.

6.2. b) Interviews with Karen people:

(i) A 53-year-old Christian woman from xxx village in Karen State. She is a widow who has lived in Mae La Camp (Thailand) for some time but she had recently returned to her village in Karen State to visit her mother and sister. She stayed there for 2 months.

During this time, she observed the effects of the SPDC and Democratic Karen Buddhist Army (DKBA) troops on village life. Under instruction from the DKBA on March 25 2004 a

space in front of the church was cleared for the construction of a Buddhist pagoda. The church itself, which had been burnt by the DKBA, was rebuilt and rededicated in April 2003.

Materials for building the pagoda were delivered on March 27 2004. Using a loud-speaker, the DKBA ordered Christians to build a pagoda, forbade them to build a cross and confiscated the materials which were subsequently used for the pagoda. They threatened to kill the pastor, who had to flee for his life. During the Christian worship, the loud-speakers would blare Buddhist propaganda, urging them to convert to Buddhism. The noise was deafening, drowning the voice of the preacher.

Threats were made that, on completion of the construction of the pagoda, all Christians would be forced to leave the village.

The DKBA regularly made the villagers dig trenches and undertake forced portering. Any interference with construction work prompted threats to burn their homes and crops.

There was a primary school but no secondary school. Parents had to pay the teachers and children were instructed in 3 languages: Burmese, English and Karen. There was no health clinic and those who were ill had to walk or be carried for 2 hours to Tah Reh where they have to pay for any medical care.

(ii) An elderly Buddhist woman (she did not know her age) arrived on March 10 2004 with 3 other families after walking for 3 days and 2 nights.

In her home village, all the people had been forbidden to leave their houses and 10 families were moved from their dwellings into one house. DKBA soldiers then surrounded this home with landmines. They were then deprived of food, as they could not return to their own plots of land to obtain supplies. The DKBA had promised to provide food, but did not do so. Instead, they forced the people to work as porters. Due to the lack of food, 3 families decided to escape at night, despite the danger from the landmines. They see no possibility of returning to their village due to DKBA policies.

(iii) Interview with a member of one of the medical teams describing the fate of a 17-year-old Karen man who stepped on a mine. His leg was shattered below the knee; he was carried over the mountains for 3 hours to a location where the wound was cleaned; he was then carried for another 8 hours to a clinic where an amputation was performed; he was then carried for another 10 hours to the border. He thus had to endure the pain of being carried over rough terrain for 21 hours, despite the fact that the medical teams worked in shifts in order to minimise the time involved. (Photograph available)

7. Health Status of Internally Displaced Persons (IDPs) in Karen, Karenni and Shan States

In the past 7 years, 2,500 villages have been evacuated in Karen and Karenni States, with one million people displaced and Relocation Camps created.

According to the UN Human Development Report 2003, Burma ranks 131 out of 175 on the Human Development Index. The SPDC invests less than 1% of the Annual Budget on Health, compared with approximately 50% on military expenditure. This amounts to expenditure on health of less than US\$1 per person per annum.

Community health facilities are totally lacking in many areas in Burma, with no supporting infrastructure. For example, hospitals and health centres have insufficient staff, equipment or

medicines to deliver even the most basic health care. Many IDPs are unable to afford any treatment and access may be impossible due to the danger of coming out of hiding in the jungle.

7.1. Health problems amongst IDPs.

Health status varies greatly from one village to another. Those which are more stable and static (e.g. those protected by Karen National Liberation Army soldiers – KNLA) are considerably better than those near to SPDC battalions, where villagers have to move frequently for fear of being caught, subjected to forced labour or killed on sight.

For the latter, malnutrition is common: rice yields are low due to the 'slash and burn' method. The former are able to maintain paddy fields. In SPDC-controlled areas, food demands by SPDC soldiers deplete villagers' stocks. People living in Relocation Camps have no provision of food by SPDC soldiers and due to long hours of forced labour (portering) have no time to cultivate crops.

Landmining often prevents villagers from tending their paddy fields. The burning of crops by SPDC and DKBA forces and the raiding of rice barns further deplete the availability of food.

Diet may be restricted to rice, and extraneous factors, such as taboos, can exacerbate poor nutritional status (e.g. it is the custom in some groups for pregnant women not to eat vegetables, leading to vitamin deficiency).

Standards of living amongst IDPs are usually very low: inadequate clothing (often one set of garments which is rarely washed) provides no protection against the cold nights. Fires are avoided as smoke may result in detection by SPDC soldiers. Hygiene is poor due to limited washing opportunities; skin disease, particularly scabies and extensive fungal infection are frequently complicated by bacterial super-infection which causes weeping sores and spreading infection (cellulitis).

Malaria is frequent and villagers have neither protection nor available treatment. Many therefore suffer chronic ill health and weakness. Anaemia is a frequent cause of death.

Upper respiratory tract infection is widespread, especially in the rainy season and may in part be associated with the temporary bamboo housing. In these shelters it is common practice to use a central fire with a drying shelf with no outlet for the smoke, causing prolonged smoke inhalation and respiratory problems.

Many people suffer injuries caused by gunshot and torture inflicted by SPDC soldiers. Many IDPs sustain simple and compound fractures, foot wounds from treading on sharp objects such as bamboo, and burns – especially children rolling near fire embers at night.

Treatment is non-existent unless medical back-pack teams are in the vicinity. Communicable diseases are becoming increasingly frequent. The incidence of tuberculosis is rising and multiple antibiotic-resistant forms are appearing. This is partly related to HIV infection and AIDS and compounded by uncontrolled drug-prescribing and administration. Some anti-tuberculous medication is provided by China at Primary Health Care Centres (PHCs) but these Centres are few and far between.

International assistance to counter the spreading HIV and AIDS, currently affecting more than 2% of the population as assessed by HIV testing in pregnancy, is at an early stage and needs careful and thorough monitoring. This programme is confined to a very small area of

Burma and is not available to the internally displaced people in remote areas of the Ethnic National States. The SPDC blame the IDPs for the spread of AIDS but there is no evidence for this allegation. Conversely, there are reports that in Karenni State, the SPDC have infiltrated HIV-infected individuals in order to infect the local population.

The health of IDPs is further endangered by the absence of standard medication and, at best, irregular availability of essential medicines. At times, dosage and duration of the course of treatment may be incorrect. This may cause complications such as overdose for children, or insufficient treatment which fails to eradicate an infection and which may lead to antibiotic resistance.

7.2. Illustrative Case Study.

A 53-year old woman from the village of Koh To Da in Karenni State recounted how 7 of her 12 children had died: one was still-born; a 1-month old son “cried and died”; and 4 other children aged 6, 10, 13 and 26 all perished in the jungle, most of them from malaria. She had taken one son to a Burmese hospital and despite having found the money to be able to pay the exorbitant fee, she was turned away because they were “dirty”.

7.3. The Backpack Health Worker Teams.

This invaluable work was initiated by Dr Cynthia Maung in Mae Sot (Thailand). In addition to running a busy clinic, she provides training (18 months) and shorter refresher courses at 6-monthly intervals for established “medics” (health care workers). These are dedicated individuals who, when trained, risk their lives to return to their own communities to provide health care to the surrounding area. Approximately 60 people per year receive the full training.

70 teams work in the Ethnic States, mainly Karen, Karenni and Mon States, as well as some in Shan State. Each team comprises 2-3 Medics and serves a population of approximately 2,000. They live among the villagers, delivering Primary Health Care which focuses on the treatment of disease, mainly infections; the improvement of hygiene, sanitation and nutrition; the delivery of midwifery services and health education, especially for women and children. The Medics are resupplied with medicines at 6-monthly intervals.

In Chin State there are 9 teams operating in areas near the Indian border. They provide the only medical care available to Chin civilians in these areas.

Immunization: few of the displaced villagers in ethnic areas have access to immunization programmes. More complex health problems may be referred to the Treatment Centres but the Back-packers are able to perform minor surgical and gynaecological procedures. Several Medics have been injured by the SPDC and DKBA soldiers and some have lost their lives in the service of their people.

7.4. Conclusion.

SPDC policies cause the ethnic national civilians widespread suffering and high mortality rates from untreated disease and injuries. The IDPs living in conditions of acute deprivation, hiding in the jungle, have no medical care other than that which is provided sporadically by the back-pack Medical teams. Civilians living in Relocation Camps or in villages under SPDC control are often denied medical care or are unable to afford such treatment as may be available.

In our Recommendations we therefore urge the international community to put pressure on the SPDC to grant access by independent international humanitarian organisations to all parts of Burma.

8. Political Developments

8.1. The “Roadmap to Democracy” and the National Convention.

Since the May 30th 2003 attack on and detention of Nobel Laureate Daw Aung San Suu Kyi, leader of the National League for Democracy (NLD), in Depayin, the SPDC has talked of a ‘Roadmap to democracy’, including the reconvening of a National Convention to draft a constitution. However, the unanimous view of pro-democracy and ethnic groups is that the Roadmap and the National Convention are simply tactics to placate the international community and create the impression of reform. As Colonel Yawd Serk, leader of the Shan State Army (SSA-South), told us: *“the roadmap is only a ploy to buy time and mislead the international community.”* There is still no timetable for this Roadmap.

The National Convention, due to commence on May 17, is deeply flawed in terms of fundamental democratic principles. For example, it will consist only of delegates handpicked by the regime, with no media access, in a location outside Rangoon, rumoured to be a military camp. Representatives of the Karen, Karenni, Shan and Chin ethnic nationalities have not been invited to attend the National Convention. The leaders of the Karen National Union (KNU) told us: *“The Convention is unacceptable. We cannot participate. We need tripartite dialogue instead.”*

They argue that their refusal to attend the National Convention is *“because it is not free and fair”*. It is simply a continuation of the previous National Convention, which failed in 1996 due to a lack of respect by the SPDC for democratic principles of freedom of speech and association. It is also cause for deep concern that citizens have been warned not to discuss the new Constitution outside the National Convention, under penalty of between seven and 20 years imprisonment.

8.2. Political Prisoners.

Furthermore, meaningful political reform cannot take place while an estimated 1,500 political prisoners remain behind bars.

Daw Aung San Suu Kyi continues to be held under house arrest; Min Ko Naing, whose sentence was completed in 1999, continues to be held in jail; 31 year-old Thet Win Aung, sentenced to 60 years in 1998 (a 52-year sentence, to which two further terms of seven years and one year were added), remains in prison²; and at least 120 Karen political prisoners remain in detention³.

At least 20 Burmese citizens have recently been sentenced to life imprisonment, and the Editor of a sports magazine and nine Burmese workers have been sentenced to death. The nine workers’ only “crime” was to contact the International Labour Organisation (ILO). One of them had in his possession an ILO report and an ILO official’s business card. In the last six years, the KNU claims, 75 Karen political prisoners have died in Myin Gyan jail, near

² Assistance Association for Political Prisoners (Burma)

³ Karen National Union

Mandalay, due to lack of proper medical treatment, and malnutrition. *“Political prisoners are held in a deplorable situation, and are treated worse than ordinary criminals,”* the KNU said.

8.3. The Bangkok Process.

The SPDC has withdrawn from the second round of the Bangkok Process to discuss political reform in Burma, convened by Thailand and involving 17 countries (including France, Germany, Italy, Norway, Switzerland and Australia, but excluding the UK and Ireland). The SPDC is seeking a postponement of the process⁴, which is further evidence that it is not sincere about reform.

8.4. Cease-fire Talks.

The SPDC’s cease-fire talks with the KNU were due to resume this month, but have been postponed until June. Two rounds of talks have been held so far, one in January and one in February. According to the KNU, progress has not been made in regard to the terms of a permanent cease-fire.

For a cease-fire to be viable, the KNU argues it must be monitored by independent, international organisations and there must be a complete withdrawal of SPDC troops from Karen areas. The SPDC rejects these terms, and wants the KNU’s armed resistance, the KNLA, to stop military training and recruiting. The KNU argue that *“We must go on training, even during a cease-fire, until there is a political agreement. The dice are all loaded on their side.”*

For example, during the cease-fires, the SPDC troops take advantage of the Karen soldiers’ inaction to undertake raids on villages which are denied the protection by their own forces. Moreover, the SPDC used the cease-fire in Karen State to pursue military advances against Karenni State.

When General Bo Mya, Vice-President of the KNU, visited Rangoon in January, his request to meet with Daw Aung San Suu Kyi was rejected by the SPDC.

8.5. The Role of the Kingdom of Thailand.

Thailand’s willingness to offer safe havens to the many thousands of ethnic nationals forced to flee from Burma is greatly appreciated. However, it would also be appreciated if Thailand would use its relationship with the SPDC to promote democracy and respect for human rights in Burma.

There are, however, some concerns about Thailand’s current relationship with the SPDC. For example, the Thai Prime Minister Thaksin Shinawatra started the Pagan Process, and the Pagan Declaration was signed by Thailand and Burma in November 2003, for economic development of the border areas. Thailand has offered Burma a loan of 1.9 million Baht for development projects in Burma, including road projects such as the Asia Highway which cut through Karen territory. Factories are being constructed by Thai companies on the Burma side of the border, without consultation with the ethnic groups. Contracts have been signed by Thailand and the SPDC for commercial enterprises, such as the construction of a Thai-owned pineapple canning factory. This involves forced labour from the ethnic nationalities

⁴ “Junta to give meeting a miss”, *The Nation*, April 23, 2004

and exacerbates the displacement and marginalisation of the ethnic groups. The Karen have been warned by the Thais not to interrupt these commercial ventures.

It would help the cause of democratisation if Thailand desisted from investment until respect for human rights, justice and the rule of law are established in Burma.

8.6. Targeted Economic Sanctions.

Without exception, all Burmese pro-democracy and ethnic national groups urge the international community to adopt tougher sanctions against the SPDC. The National Council of the Union of Burma (NCUB), the umbrella pro-democracy organisation, said *“a concerted, better co-ordinated effort involving more pressure from the international community is required. Sanctions is the only word the SPDC understands. The United States is the only country that has really adopted sanctions”*.

Many of those whom we met argue that the European Union (EU), which currently has a visa ban on SPDC officials, an asset freeze and an arms embargo, should follow the US example and impose targeted trade and investment sanctions, particularly on those sectors of the economy which provide the regime with a significant revenue source, such as timber, marine products and oil exploration and production.

9. Recommendations

In view of the unanimous expressions of concern over the SPDC’s continuing policies of gross and systematic violations of human rights and of widespread rejection of the SPDC’s proposals for a National Convention, we make the following recommendations and requests - endorsed by all members of pro-democracy and ethnic national groups whom we met - to Her Majesty’s Government.

1. To urge the European Union to impose targeted economic sanctions which would penalise the regime, without having adverse effects on the majority of the population. We suggest, as examples, prohibition of capital investment, trade in timber and marine products and investment in oil exploration and production.
2. To urge the United Nations Security Council to impose an arms embargo, in view of the fact that the SPDC devotes approximately one half of its national budget to military expenditure, used in offensives against its own civilians.
3. To urge the Kingdom of Thailand and the Governments of India and Bangladesh to desist from repatriation of temporarily displaced Burmese civilians without adequate security guarantees acceptable to those liable to repatriation.
4. To request a response from ASEAN nations to the issues raised in this report and those in many other reports, including *Licence to Rape* (The Shan Women’s Action Network and the Shan Human Rights Foundation, 2002); *No Safe Place*, (Refugees International, 2003); *Shattering Silences*, (Karen Women’s Organisation, 2004). The need for such a response is urgent in view of Burma’s impending Presidency of ASEAN in 2006.
5. To urge the SPDC to open all of Burma to access by international humanitarian and human rights organisations.
6. To urge the SPDC to release all political prisoners, currently estimated at approximately 1500 - see reports by Assistance Association for Political Prisoners (Burma).

7. To urge the SPDC to allow inspections of its prisons by independent monitors, including experts such as Physicians for Human Rights, to assess allegations of maltreatment and torture.
8. To urge the SPDC to adopt a policy of tripartite talks involving the National League for Democracy (NLD) and the ethnic national groups and to adopt a nation-wide cease-fire. This cease-fire should be based on principles equally applicable to all parties to the conflicts.
9. To impress upon the SPDC that its current proposals for the National Convention, which include limiting participation to those invited by the SPDC, censoring contributions and denying media access, violate the fundamental principles of freedom of association and of speech.
10. To raise with the SPDC the widely held concerns over violations of religious liberty, including compulsory contributions by non-Buddhists to the construction of pagodas, the closure of Christian churches and the persecution of Muslims. (See *Easy Targets: The Persecution of Muslims in Burma*, Karen Human Rights Group, May 2002).
11. To urge the International Labour Organisation (ILO) to intervene as a matter of urgency. For at least 13 years, the ILO, the International Confederation of Free Trade Unions and the Federation of Trade Unions of Burma have raised concerns relating to forced labour in Burma; and there are many sources of evidence that this practice is continuing today.
12. To consider initiating proceedings for bringing the SPDC to account for war crimes, including the widespread use of rape (see *Licence to Rape, No Safe Place and Shattering Silences*).
13. To raise with the SPDC, as a matter of urgency, reports of widespread violations of the rights of children, including forced conscription of child soldiers (estimated at approximately 70,000). Another cause for acute concern is the use of children as porters who are forced to carry heavy loads for long hours. Both policies are in violation of the Convention on the Rights of the Child.
14. To consider the establishment of an Eminent Persons' Group comprising Nobel Laureates and experts in human rights.
15. To consider more sympathetically support by the Department for International Development (DFID) for cross-border humanitarian aid to the many thousands of internally displaced people (IDPs) in Burma, who are currently denied health care, adequate food supplies, shelter and education. We draw attention to the fact that other national governments provide such assistance. We also emphasise that personnel currently providing cross-border aid adequately fulfil criteria of accountability, transparency, impartiality and professional effectiveness. Furthermore, we suggest that these criteria may be better fulfilled by many of these personnel than by aid organisations operating inside Burma under constraints imposed by SPDC.
16. To ensure that DFID's impending policy review includes consultations with all relevant organisations, including representatives of the ethnic national groups.
17. To raise with the UN Security Council concerns over the SPDC's involvement in the international drugs trade and expropriation of related funds.
18. To provide information on the extent to which DFID's HIV/AIDS programme in Burma is effective in terms of preventive measures, population education, detection of the virus and treatment of overt disease.

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 Anthony Peel FRCS, Benedict Rogers,
 Dr. Martin Panter,
 Bangkok, 26 April, 2004

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