Ethnic Groups in Burma

Development, Democracy and Human Rights

Martin Smith

in collaboration with Annie Allsebrook

A report by Anti-Slavery International

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Development, Democracy and Human Rights
by Martin Smith
in collaboration with Annie Allsebrook
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Contents

Boxes

INTERNATIONAL DEFINITIONS

From the Universal Declaration of Human Rights (1948):

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 4

From International Labour Convention (No. 29) concerning Forced or Compulsory Labour (1930):

... the term "forced or compulsory labour" shall mean all work or service which is exacted from any person under the menace of any penalty or for which the said person has not offered himself voluntarily.

Article 2

Only adult able-bodied males who are of an apparent age of not less than 18 and not more than 45 years may be called upon for forced or compulsory labour.

Article 11.1

From International Labour Convention (No. 169) concerning Indigenous and Tribal Peoples in Independent Countries (1991):

Indigenous and tribal peoples shall enjoy the full measure of human rights and fundamental freedoms without hindrance or discrimination.

Article 3.1

No form of force or coercion shall be used in violation of the human rights and fundamental freedoms of the peoples concerned...

Article 3.2

Introduction

For a generation Burma languished behind closed doors. Then suddenly, in the summer of 1988, the doors burst open as angry protests were violently put down by the security forces and the chilling scenes made headline news around the world. 'In-depth pieces' reported on the political and civil repression that had been going on for years. But there was little examination then, and there has been little since, of the targeted repression which had been going on, and is continuing, against whole groups of people - Burma's ethnic minority groups.

Burma is a country of proud cultural and historic traditions, and it is rich in natural resources. But nearly half a century of conflict has left Burma with a legacy of deep-rooted problems and weakened its ability to cope with a growing host of new ones: economic and social collapse; hundreds of thousands of refugees and displaced people; environmental degradation; narcotics; and AIDS. These problems touch on the lives of all Burmese citizens. But it is members of ethnic minority groups who have suffered the most, and who have had even less say over their lives and the destiny of their peoples than the majority 'Burmans'. Many minorities claim that a policy of 'Burmanisation' is manifest. Amidst the upheavals, gross human rights abuses have been committed, including the conscription, over the years, of millions into compulsory labour duties, the ill-treatment or extrajudicial executions of ethnic minority villagers in war-zones, and the forcible relocation of entire communities.

In 1985, Anti-Slavery International (ASI) was the first non-Burmese organisation to raise issues of concern to Burma's ethnic minorities at the United Nations (UN).[1] In March 1987, in response to growing reports of an alarming catalogue of human rights abuses by the Burma Socialist Programme Party (BSPP) government, ASI sponsored the visit to Europe of a delegation from the ethnic minority Karen National Union (KNU). This was the first time since Burma's independence in January 1948 that an ethnic minority delegation from one of Asia's most war-torn countries had entered such an international forum. While in Europe, the KNU delegation was able to meet with officials of the UN Commission on Human Rights in Geneva and the Foreign Affairs Committee of the British House of Commons.

Seven years on, the ethnic and political crisis in Burma has deepened rapidly to become a matter of worldwide international concern. The recent experiences of other multi-ethnic countries, such as Afghanistan, former Yugoslavia and Rwanda, show just how desperate these conflicts can become if left unresolved. Burma, with its destabilising cocktail of problems, could still slide into the nightmare of all-out civil war.

For many years now, since well before Burma caught the world's attention, ASI has sought to publicise the country's ongoing ethnic conflict and its human rights violations. The international focus on democracy in Burma since the house arrest of Daw Aung San Suu Kyi and the suppression of the 1990 election results has kept these issues in the public eye. However, in ASI's view, this debate has not always given sufficient emphasis to the complex social problems which have divided Burma since independence in 1948. In particular, the concerns of Burma's ethnic minorities have not always been addressed.

Martin Smith, a Burmese specialist and writer, has worked closely with ASI from the beginning. He has travelled constantly back and forth to Burma over the past decade in the course of television work and reporting for various media. In 1991, he published the most detailed study to date of Burma's long years of inter-ethnic conflict. He was subsequently commissioned by ASI to set the story of human rights violations in Burma, notably forced labour and the abuses against women and children, in the context of the country's diverse ethnic reality.

ASI believes that it is only by examining, explaining and facing up to the complex social issues which underlie the human rights violations in Burma that solutions will eventually be found. For far too long, Burma's minorities have been kept suppressed behind an inner door. None the less, although the military government is still deeply entrenched, there have been recent signs of change. Hopefully the door to real reform can be opened without a full-scale explosion. This book attempts to help push it further ajar.

Chapter one begins with an outline of factors working against ethnic minority groups. It then gives a brief history of Burma, which fades out on a new phase of cease-fires between armed opposition groups and the government, which started in 1989 and accelerated in 1993.

Chapter two looks at the main ethnic minority groups, showing just how important they are numerically and what a tragic loss it is to Burma that they have been marginalised: there is a great richness in diversity waiting to be realised. Examples are given of some of the abuses the groups have faced.

The military has had a firm hand on all life in Burma since 1962, but the grip tightened further after 1988 when the State Law and Order Restoration Council (SLORC) took control. Chapters three and four go on to describe the draconian powers of the military and how they impact on all people in Burma, but most especially on members of ethnic minority groups. Political, civil, cultural, educational and religious rights are being systematically denied; of particular concern to ASI, many people have been driven from their homes in 'forced relocations', and forced labour is extensive. Women and children are the most vulnerable and the extent and nature of abuses against them is described.

All is not lost, however. By October 1994, cease-fires had been signed between the SLORC and 13 different armed ethnic opposition groups. On the basis of such accords, optimists believe that there is now a chance for peace and reconciliation. The SLORC has slowly loosened its policy of isolation - economically and geopolitically - and is courting international approval and investment. Considerable external pressure is also being exerted on the SLORC and opposition groups to find a way forward, and throughout the country there is a genuine wish to end the long-running civil conflicts.

In September 1994, the SLORC leaders, General Than Shwe and Lieutenant-General Khin Nyunt, had their first official meeting with the *de facto* leader of the democracy movement, Daw Aung San Suu Kyi, who had been held for over five years under house arrest in Rangoon. Another meeting followed in October, where more substantive issues were reportedly discussed.

Grave doubts, however, still remain. There is no sign of the regime preparing to involve her party, the National League for Democracy, in the political process. Occasional political arrests and trials are continuing. And in the National Convention which began to draw up Burma's new constitution in January 1993, the SLORC has continued to insist on the military having the leading role in national political life.

Finally, after summarising the various political positions, chapter five sets out measures concerned outsiders should be calling on the Burmese authorities to take. Given that, after three decades of international isolation, the SLORC has started to allow foreign companies and aid agencies into Burma, attention is drawn to some critical points which those wanting 'constructive engagement' should consider. Rather than simply reinforcing the position of the SLORC, the actions of outsiders should be designed to support efforts to address the grave human rights abuses and questions of democracy and ethnic injustice outlined in this book.

Tragically, until now compromise has not been the way of Burmese politics. But Burma - a multi-ethnic country located at the crossroads of Asia - could yet provide an important model of political reform and ethnic harmony to the world.

ASI
London, November 1994

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1. ASI was formerly the Anti-Slavery Society; working for the rights of indigenous peoples has been part of the organisation's mandate since the Society merged with the Aborigines Protection Society in 1909. ASI has made a number of reports on Burma to the UN, most recently in 1992, and has also helped representatives of Burma's ethnic organisations to attend UN meetings.

Author's Acknowledgements

The list is too long to thank all the many people who have helped in the research and writing of this book. Testimony has been gathered over the course of a decade during which both the pattern and scale of human rights abuses in Burma have sadly become all too apparent. While Burma's crisis continues, many individual names must remain anonymous. But first thoughts must go to the victims, many of whom went to considerable lengths, sometimes walking for many days through dangerous war-zones, to describe personal sufferings that were frequently painful to recall. All, however, wanted their stories to be known in the hope that, by greater publicity and better understanding, solutions to Burma's complex problems would one day be found.

The same heartfelt wish was often expressed by ethnic leaders, from many different backgrounds, who always tried to open doors in one of the world's most forbidden countries, even though the information gathered might not be favourable to their individual parties. Five veteran leaders, Saw Than Aung (Karen), Nai Non Lar (Mon), A Z Phizo (Naga), Saw Maw Reh (Karenni) and Maran Brang Seng (Kachin) have all lately died, but it was fitting testimony to their longtime dreams of peace and justice for all the peoples of Burma that they should have redoubled their efforts after the traumatic events of 1988 when thousands of students and young Burmans from the cities of central Burma came to take sanctuary in ethnic minority lands.

The bulk of the information for this book was assembled during 1993, the UN's Year of Indigenous Peoples. More recently, however, I have been allowed access, as part of the SLORC's gradual openness, to several formerly war-torn areas and been able to witness the conflict from the government side as probably the first ever Western journalist. Such a change of government policy towards international journalists and non-governmental organisations is welcome. Certainly, it is far easier to understand the many complexities of the deep-rooted climate of fear and uncertainty, which has long paralysed the political process in Burma, with access to all sides. After nearly 50 years of independence from colonial rule, Burma's modern social and political problems are nothing if not complicated.

Solutions, however, will not be found by trying to rewrite the past but by facing up to long-standing grievances and sufferings in a new spirit of understanding and reconciliation. The offer and agreement of cease-fires is only the first important step, but it is to be hoped that from this beginning a dialogue will spread throughout the country in which all Burmese citizens can sit around the same table without the threat of coercion from any armed group.

In particular, new studies on Burma's many grave problems, especially by ethnic minority and other Burmese writers, must urgently be stepped up. A selected bibliography of books and texts is included, which I trust the reader will find useful, but in far too many areas of the country's life there are still great voids in the published literature that is available.

Finally, my many grateful thanks to everyone at Anti-Slavery International for their support in bringing this project to fruition; especially Lesley Roberts for her encouragement and advice; Annie Allsebrook for her help in fashioning a (tragically) vast quantity of detail and information into publishable form; and Anne-Marie Sharman for her skill and constant patience in the arduous task of editing.

PART I

A Rich Tapestry of Peoples

CHAPTER ONE

The Ravages of History

The greatest threats to global security today come not from the economic deficiencies of the poorest nations but from religious, racial (or tribal) and political dissensions raging in those regions where principles and practices which could reconcile the diverse instincts and aspirations of mankind have been ignored, repressed or distorted.... Diversity and dissent need not inhibit the emergence of strong, stable societies, but inflexibility, narrowness and unadulterated materialism can prevent healthy growth.

Daw Aung San Suu Kyi,
1991 Nobel Peace Prize winner[1]

Burma is one of the most ethnically diverse countries in the world. This reflects its strategic position between the borders of modern-day Bangladesh, India, Tibet, China, Laos and Thailand. Throughout history settlers from many different ethnic backgrounds have migrated across the great horseshoe of mountains which surround the central Irrawaddy river-plain. Today ethnic minority groups are estimated to make up at least one third of Burma's population of 45 million and to inhabit half the land area.

Territorial borders and population statistics are keenly disputed.[2] Quite consciously, there has been no attempt to take an accurate ethnic survey since the last British census in 1931, which itself contained many errors. This uncertainty over population statistics has been compounded by the massive disruption caused by both the Second World War and the civil wars which broke out in 1948.

The 1974 constitution (which is now being revised) demarcated seven ethnic minority states - the Chin, Kachin, Karen, Kayah (formerly Karenni), Mon, Rakhine (or Arakan) and Shan - and seven divisions, which are largely inhabited by the majority Burman population. Such a map, however, is a political simplification. Over 100 different dialects and languages have been identified in Burma, and many unique ethnic cultures have survived late into the 20th century. These vary from the Kayan (Padaung) on the Shan/Karenni borders, where the 'long-necked' women wear extraordinary brass necklaces, to the Salum sea-gypsies of sub-tropical Tenasserim and the once head-hunting Naga along the India frontier.

The State Law and Order Restoration Council, which has ruled Burma since 1988, itself refers to the '135 national races' of Burma, but has produced no reliable data or list of names. In general, the different ethnic sub-groups in Burma have been loosely simplified by anthropologists and linguists into four main families: the Tibeto-Burmese, Mon-Khmer, Shan (or Tai) and Karen.

To try and generate a spirit of a national 'Burmese' identity, successive governments have concentrated on the common historical and religious experiences of Burma's different ethnic groups. Much public emphasis has been placed on Theravadha Buddhism which over 80 per cent of the population practise. Former prime minister U Nu even attempted to make Buddhism Burma's official state religion in the 1950s and early 60s, until thwarted by ethnic minority protests.

What's in a name?

The use of different ethnic terms, in Burma is often contentious. For example, the renaming of 'Burma' as 'Myanmar' in June 1989 has yet to become standard international usage. In particular, 'Myanmar' is rejected by many ethnic minority parties as the historic ethnic 'Burman' name for their country. The terms 'Burman' and 'Burmese' (or the new SLORC word 'Bamar') are especially confusing and are often used interchangeably. But a general distinction can be made: in English 'Burman' is for the most part used to refer to the majority ethnic group and 'Burmese' to citizenship or language. For example, someone can be an ethnic Shan or Kachin but, at the same time, a Burmese citizen.

Since 1988, many other geographic or ethnic words have been transliterated by the government. Some changes are an improvement, for example 'Yangon' for 'Rangoon', which is closer to standard pronunciation, but others are unfamiliar, politically sensitive or rejected by different ethnic groups and parties. In this account, therefore, more traditional spellings are retained for consistency.

Under General Ne Win's Burma Socialist Programme Party government (1962-1988), ethnic minority languages were openly downgraded and a tacit policy of ethnic, cultural and religious assimilation was instituted by the state. A theory was developed of the 'Burmese family of races' - a family sharing one blood and historic origin. This view still continues and was summarised by the SLORC chairman, General Than Shwe, on the 46th anniversary of Burma's Union Day on 12 February 1993:

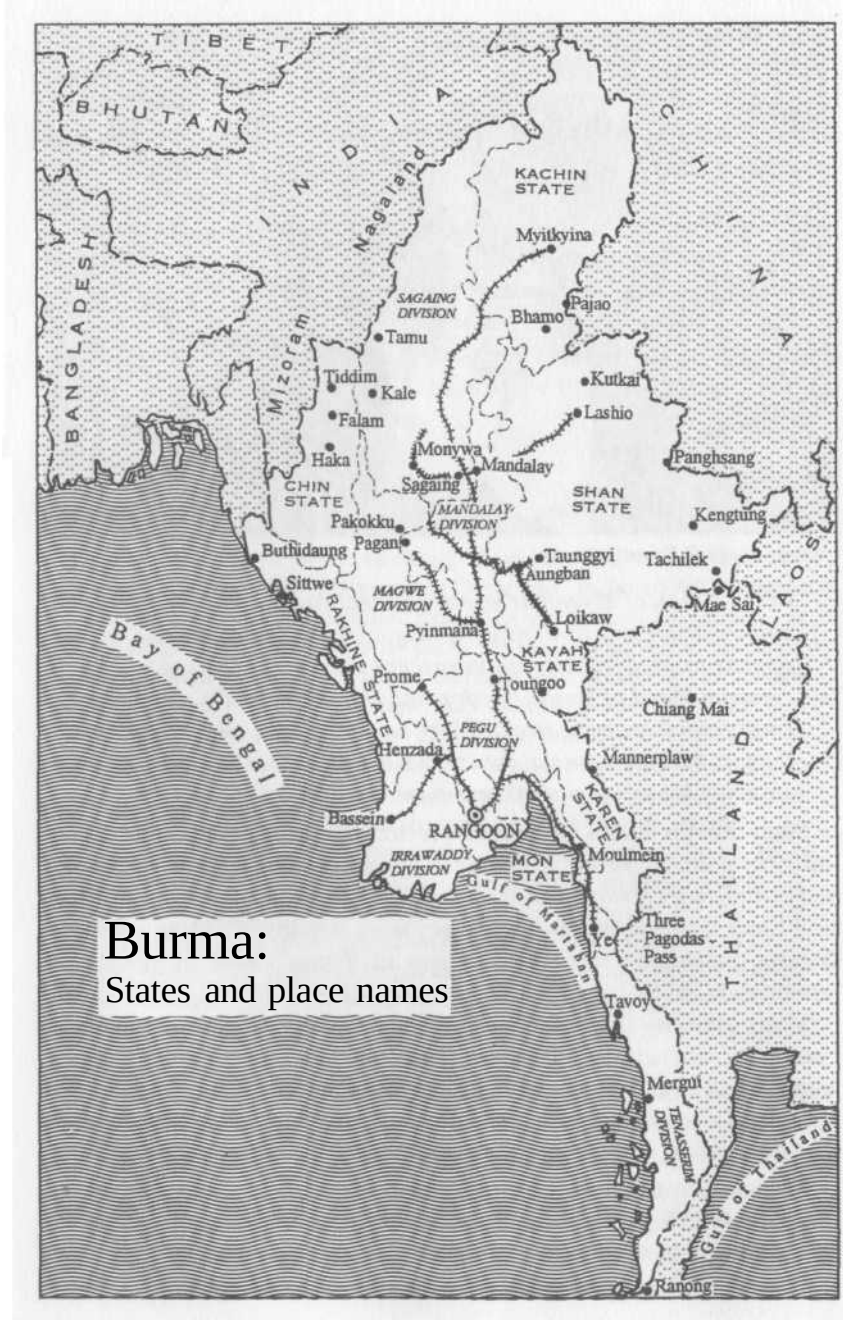
'Long-necked' Kayan woman

> *In the Union of Myanmar where national races are residing, the culture, traditions and customs, language and social systems may appear to be different, but in essence they are all based on the common blood of Union Kinship and Union Spirit like a hundred fruits from a common stem... There can be no doubt whatsoever of the fact that our national races have lived together unitedly in the Union of Myanmar since time immemorial.*

Such interpretations of Burma's history are rejected by most ethnic minority political parties, a number of which first took up arms to demand the complete secession of their territories. For the inhabitants of the Shan and Karenni States this meant that they were asserting a right to secession legally guaranteed to both territories in Burma's first independence constitution in 1947.

Many minority organisations still refer to their peoples and lands as 'colonies' or 'nations'. The government at independence, they argue, simply took over the colonial machinery and never acted on the promises of equality and autonomy that had been made. According to the Karen National Union, all governments have followed the same policies:

> *Clinging firmly to the policy of Burman chauvinism, they muffle the basic birth rights of the indigenous races and absorb them of their cultures and traditions. Despite their shoutings of national unity, they ignore the equality of races, and they are systematically trying*



Burma:
States and place names

to make the whole country become Burman through their wily, unscrupulous absorption and assimilation schemes '

Many historians have also raised serious doubts over the unitary claims of those in power in Rangoon. The present Burmese state is of relatively recent creation. As a result, many ethnic groups reject the notion that before the British annexation in the 19th century they had ever been brought under the direct rule of any 'Burman' government.

The international perspective, too, raises further questions over the historic sovereignty or separation of Burma. Several neighbouring governments have laid claim to substantial ethnic minority regions of the country in the past. Even after Burma's independence in 1948, for example, both the communist government of China in Beijing and the Kuomintang government in Taiwan continued to claim a 77,000-square-mile region of north-east Burma, largely in the Kachin State.

In the present political climate, any substantial redrawing of Burma's borders is unlikely. But several ethnic groups are found on both sides of the land frontiers surrounding Burma: notably, the Chin (Mizo) and Naga are also present in India; the Kachin, Wa and Shan in China; the Karen, Mon and Shan in Thailand; and the Rakhine and 'Rohingya' Muslims in Bangladesh. The smaller hill communities of the Lahu, Akha and Lisu are even divided across four modern-day borders, being split between Burma, China, Laos and Thailand.

Only the Naga are represented by cross-border political movements of any significance, but the importance of inter-ethnic ties should not be underestimated. The idea, put forward by governments in Rangoon, that Burma is a homogenous island that can be successfully isolated from the outside world is a Burman-centric view which most other ethnic groups reject. It is also a view which has been a major impediment to the natural development of local economic and cultural ties between indigenous peoples on both sides of post-colonial borders.

Far from being a peripheral frontier problem, the ethnic minority crisis is one of the most central issues facing Burma and its neighbours today. All the regions along Burma's 4,016-mile-long land border are inhabited by ethnic minorities, often with historic ties in neighbouring states, and armed ethnic opposition groups still police many of Burma's frontier crossings and trade routes.

As the SLORC moves to try and normalise political and economic relations with its neighbours, the central question still remains how can any sustainable agreements or development be achieved until the government in Burma, whatever its political complexion, achieves real peace with its own peoples?

Historical Background

With the raising of the political stakes since the SLORC took power in 1988, the battle for control of Burma's history and traditions has intensified. But despite many divergent views, and often a dearth of hard fact, a general picture of Burma's complex ethnic past can be pieced together.

The Mon and their distant hill cousins the Wa and Palaung in Shan State are usually described as the earliest inhabitants with descendants in Burma today. Ethnic Karen and Chin were probably the next to move down into central Burma before Burman migration accelerated into Upper Burma in the 9th and 10th centuries AD. Ethnic Shans also began migrating into south-east Asia at around the same time, followed by different Tibeto-Burmese hill peoples, including the Kachin and Lahu.

In general, hill-dwellers, such as the Chin and Kachin, practised slash-and-burn cultivation, while those who settled in the valleys and plains, notably Burman, Mon, Shan and Rakhine, formed larger communities where they turned to sedentary wet-rice farming. There were many wars and political power changed hands frequently. Only in the late 18th century was the Burman ruler Alaunghpaya able to achieve control over most of the territories which subsequently came to constitute British Burma.

Nevertheless, despite these wars, there was cultural and ethnic inter-change throughout the centuries. This raises serious doubts over the wisdom, or indeed the relevance, of interpreting Burma's history too literally in racial or nationalist terms. Many local communities and societies in Burma have, historically, been multi-ethnic. This suggests that there are many important precedents for inter-ethnic tolerance and understanding which could be drawn upon to reach a new consensus today.[4]

Inter-ethnic harmony was badly subverted by the uninvited intrusion of British rule in the 19th century. Annexation was carried out in three wars between 1824 and 1886. Burma was then a British colony (within its present frontiers) for just over 60 years. But during this period, historic ethnic tensions between the different communities were dangerously inflamed by the 'divide-and-rule' separations of colonial government.

The British built a two-tier system of administration. 'Ministerial Burma', dominated by the Burman majority, and the 'Frontier Areas', where most ethnic minorities lived. This strict division set the different ethnic groups on very separate roads towards political and economic development. As a result, the new Union of Burma which eventually

gained independence in 1948 was very different from any nation or state in history.

In Ministerial Burma, the traditional system of monarchy was destroyed and, in the 1920s, a limited form of parliamentary Home Rule was introduced. Until 1937, however, Burma was governed as a Province of India. To the growing concern of many citizens, there was a massive inflow of over one million migrants from India, and Hindi, for example, became the language of the Burmese Post Office.

Throughout the 1920s and 30s, students, workers and Buddhist monks kept up nationalist[5] agitations, clearly demonstrating that British rule was not accepted by the Burman majority. Communal violence broke out in 1930-31 and again in 1938. As a result, it is doubtful how far the Western-style system of multi-party democracy, later incorporated in the 1947 constitution, ever really took root.

The ethnic minority Frontier Areas, in contrast, were governed quite separately from Ministerial Burma and, for the most part, left under the control of traditional rulers and chiefs. Much to the resentment of the Burman majority, the Karen, Kachin and Chin were also preferred for recruitment into the colonial armed forces, and ethnic regiments were formed. However, although Burman historians have voiced the accusation that Burma's minorities were favoured by the British, colonial rule had equally damaging implications for ethnic minority aspirations. Many ethnic minority lands were divided into different political districts, and none was administered on the basis of nationality.

Added to this territorial disadvantage, most minorities also had to suffer the additional burden of economic neglect. While the British quickly pushed ahead with the expansion of rice production and of industry, especially petroleum and timber, in Ministerial Burma, the Frontier Areas remained largely forgotten. Little money was ever invested in infrastructure or in economic development in the hills.

Despite the divisions of British rule, there were nevertheless indications in the late 1930s that inter-ethnic relations were improving around the country. But hopes for further progress were shattered by the Second World War. Much of the ethnic hostility which erupted in Burma at independence can be attributed to the terrible events of the war years. Tens of thousands died amidst destruction which, in many areas, has never been properly repaired.

While Burma's national liberation movement, led by Aung San, at first fought on the Japanese side, most minority peoples, including the Karen, Kachin and Muslims, stayed loyal to the British. As a result, there were

many bloody communal clashes and retaliatory killings during the war in which the minorities, for the most part, came off very much the worse. Ethnic minority leaders have frequently said that the war massacres made them resolve to take up arms after independence if their political demands were not met.

Tragically, Aung San's assassination in July 1947 - and the rapid British exit from Burma - meant that these issues were never fully resolved. Some principles for the country's new constitution had been hastily agreed by Burman and Frontier Area leaders at the historic Panglong Conference of February 1947 (still celebrated each year as a national holiday). As a symbol of equality and voluntary union, Aung San famously promised: "If Burma receives one kyat, you will also get one kyat." But the Karen, Mon, Rakhine and several other ethnic minority groups were not represented and, amidst many other errors, were critically overlooked by both the British and the coalition Anti-Fascist People's Freedom League (AFPFL), which was to form Burma's first independent government.

Following elections to a Constituent Assembly, these principles were incorporated into the constitution of September 1947, which was federalist in principle. The new constitution instituted a bicameral legislature, with a Chamber of Nationalities and a Chamber of Deputies. On ethnic rights, however, it was riddled with anomalies. The Shan and Karenni were awarded the voluntary right of secession after a 10-year trial period, whereas the Mon and Rakhine ended up without even a state of their own. And while in the Karenni and Shan States the traditional royal *Sawbwa* or rulers were allowed to retain their near-feudal rights, the complex rules of representation determined that ethnic Burmans would predominate in both houses of parliament. Equally inconsistently, the much-promised Karen State remained undemarcated, and, right up until independence, arguments continued over the different merits of 'nationality states', 'communal seats' in parliament and special 'ethnic minority rights'.[6]

As a gesture of conciliation, the figurehead positions in the new Union were shared on an ethnic basis in keeping with Aung San's philosophy of 'Unity in Diversity' (see box). After U Nu, a Burman, was elected as prime minister, Sao Shwe Thaike, a Shan, and Smith Dun, a Karen, were appointed as president and army chief-of-staff respectively. But such measures came too late. By the end of 1947 the KNU and several other nationality parties were already boycotting the political process. Across the country storm clouds were clearly gathering with many ethnic Burmans, especially in the communist movement and the army, equally unhappy about the AFPFL government of U Nu.

Burma's independence was born out of bloodshed. The country's second-largest political party, the Communist Party of Burma (CPB), went underground in March 1948, and the KNU followed at the beginning of 1949. In quick succession, many ethnic Burman and Karen units in the army mutinied in sympathy, reducing government authority at one stage to just six miles out of Rangoon. Gradually the AFPFL reasserted urban control, but throughout the late 1940s and 50s various other ethnic groups, including the Karenni, Mon, Pao, Rakhine and Muslim *Mujahids*, took up arms in the countryside.

Throughout most of these turbulent years, the prime minister was U Nu. In 1958, General Ne Win briefly took control of the government during the shortlived 'Military Caretaker' administration before restoring power to U Nu in 1960 in democratic elections. U Nu, however, was to survive just two years in office.

1962-1988: General Ne Win's Military Government

In March 1962 Ne Win seized power in a military coup and brought to an end the short era of multi-ethnic parliamentary democracy. At the time, a popular 'Federal Seminar' movement of ethnic minority leaders was gaining momentum in the cities and powerful new Shan and Kachin insurgent forces were gathering strength in the north-east.

Over the next few months, hundreds of political leaders and activists were imprisoned without trial, including U Nu and Burma's first president, Sao Shwe Thaike, who died from ill-health in jail shortly afterwards. One of his sons was also killed by troops on the night of the coup. Both deaths have never been forgotten by the Shan and other minority peoples.

Following unsuccessful peace talks with most of the different armed opposition groups in 1963-64, Ne Win then embarked on his 26-year experiment with the 'Burmese Way to Socialism'. Abandoning Aung San's 'Unity in Diversity' and the federal structure of the 1947 constitution, he adopted a two-fold strategy: to run an all-out counter-insurgency campaign in the rural countryside while at the same time trying to establish a centralised, one-party system of government radiating out from Rangoon into the ethnic minority states. As a result, many serious human rights' violations, such as the enforced conscription of civilian labourers and forcible relocations, were first systematised under the Burma Socialist Programme Party government of General Ne Win.

Military operations took on an even greater intensity in the late 1960s after the deposed prime minister U Nu escaped to KNU-held territory on the Thai border to join forces briefly with a cross-country alliance of armed

'Unity in Diversity' v. 'Burmese Way to Socialism'

Two home grown philosophies have dominated Burma's political life over the last 50 years Aung San's 'Unity in Diversity', and Ne Win's 'Burmese Way to Socialism'.

In his *Blueprint for a Free Burma,* Aung San combined a mixture of nationalist, communist and parliamentary ideas. He called for equal economic development and simultaneous independence for all ethnic groups as the best way to bring the country together. However, although he publicly recognised the historic independence of several minority groups, he believed only the Shan could be properly classified as a 'nation'. Other groups would receive only varying degrees of regional autonomy, to qualify for full 'national minority' rights, he followed Stalin in suggesting that they should form at least ten per cent of the population Although Aung San was the founder of the modern Burmese army, the *Tatmadaw,* he believed in civilian government and resigned from the army to enter politics.

Ne Win, by contrast, believed that the military was the only institution which could hold such an ethnically diverse country together. A whimsical blend of Buddhist, Marxist and nationalist principles, the unitary philosophy of his 'Burmese Way to Socialism' was never elaborated on from a short text, *The System of Correlation of Man and his Environment.* Under the 1974 constitution, there were clear guarantees for the basic rights of all citizens 'regardless of race, religion, status or sex'. But a 'socialist society' was declared the goal of the state, under a rigid one-party system.

ethnic groups In the same period, another major new war-front opened up in north-east Burma. After violent anti-Chinese riots in Rangoon in June 1967, there began a decade during which the Chinese government gave full military backing to the CPB, which invaded the Shan State from China.

Against this background of opposition, it took until January 1974 for a new constitution to be introduced, which centralised every aspect of political, economic, social and cultural life and abolished the right of secession. Anti-Ne Win protests broke out again shortly afterwards and continued for several years, but by 1980, when U Nu returned under a general amnesty, the BSPP's military control of towns was virtually absolute.

By contrast, the picture was very different in many districts of the ethnic minority countryside. Despite the massive concentration of military

resources, at the time of the 1988 democracy uprising over 20 insurgent forces, including both the KNU and CPB, were still active and administering vast rural areas. This took on a critical importance after the SLORC's assumption of power, when up to 10,000 students and democracy activists were able to take sanctuary in their 'liberated zones' around Burma's mountainous borderlands.

Insurgent United Fronts

Burma has a long and complex history of armed opposition alliances. Up until 1988, armed opposition could be divided into two main blocks, one headed by the Burman-led Communist Party of Burma (CPB) and the other by the 11-party ethnic minority National Democratic Front (NDF), which was formed in 1976 to seek the creation of a federal union of Burma.

In March 1986 the two groups signed a military pact, bringing an estimated 40,000 troops together in one front, but relations between them remained tense and the pact was short-lived. Since 1989 the CPB has virtually collapsed, and its arms and territory have been taken over by a new generation of ethnic minority forces in the far north-east, which have agreed cease-fires with the SLORC.

In November 1988, by contrast, the NDF was the nucleus for the creation of the 23-party Democratic Alliance of Burma (DAB), and gave armed training to students and other democracy activists from the cities. Joint fighting units were formed in several areas. But by early 1994 growing numbers of NDF members were also having individual peace talks with the SLORC, and both NDF and DAB unity seemed increasingly fragile.

1988 to the Present: the SLORC

The student-led democracy uprising of 1988 was crushed on 18 September by Ne Win military loyalists, and the BSPP was replaced by the new State Law and Order Restoration Council. Upon assuming power, the SLORC generals imposed martial law rule and suspended the 1974 constitution. At the same time they announced an 'open-door' economic policy and promised to introduce a new era of multi-party democracy; for a brief moment new political parties were permitted to form.

But the political repression continued and thousands of civilians and democracy activists, from every ethnic background, have been arrested.

Karen soldiers

Every step towards political reform has been slowed down while the supreme command of the Burmese armed forces, known as the *Tatmadaw,* has struggled to keep control of the constitutional process. The result of the May 1990 general election (Burma's first in three decades) has been overturned and over 100 of the 485 elected members of parliament have been arrested or forced to renounce politics. Another 20 MPs escaped into exile or into territory controlled by the KNU and its ethnic minority allies where, in December 1990, they formed the National Coalition Government Union of Burma (NCGUB) in rivalry to the SLORC.

In particular, the National League for Democracy (NLD), which won a landslide victory in the polls, has been badly weakened by arrests. Even before the election took place, Aung San Suu Kyi (Aung San's daughter) and most of the NLD's senior leaders had been detained or imprisoned. Other political parties, many of which represent ethnic minorities, have also been suppressed. Agents of the omnipresent Military Intelligence Service have systematically clamped down on every section of the community. No ethnic, religious or social group has been spared (see later chapters).

From this entrenched position of central control, the SLORC has embarked on a rapid expansion of the armed forces, increasing troop numbers from an estimated 190,000 in 1988 to over 300,000 by 1993. In the ethnic minority regions the situation has remained tense and the period 1988-92 initially witnessed some of the heaviest fighting in all the years since independence in 1948.

The SLORC's tactics then subtly changed following the collapse of the country's largest insurgent force, the CPB. In 1989, in an unexpected switch of policy, it began offering selective cease-fires to a number of

The *Tatmadaw*

For most of the past three and a half decades, the government in Burma has been controlled by the Burmese armed forces or *Tatmadaw* (literally: 'the main army'). Initially formed by Aung San from a combination of different ethnic units trained by the British or Japanese in the Second World War, it was the fledgling *Tatmadaw*, under General Ne Win, which was widely credited with holding the country together in the early years of the insurrections. This role increasingly brought front-line commanders into politics.

The *Tatmadaw* first took control of the government during Ne Win's 'Military Caretaker' administration of 1958-60, in which period it also became Burma's largest commercial institution with interests in banking, construction and other major businesses. Recruiting largely from the peasantry, after the 1962 coup its political and economic power increased dramatically and, following Ne Win's mass nationalisation programme, held firm through 26 years of one-party rule under the BSPP.

The SLORC, which assumed power after the BSPP's collapse in 1988, is thus the third incarnation of military rule. With several million dependants, including serving soldiers, veterans and their families, the *Tatmadaw* remains by far the largest social and financial institution in Burma and dominates economic change through the Union of Myanmar Economic Holdings (UMEH), set up in 1990 to oversee new investment.

As a result, for many Burmese citizens, rather than being the 'protector of the people', the *Tatmadaw* has become a class apart in Burmese society. Moreover, although multi-ethnic, Burman officers predominate in virtually all senior positions.

breakaway ethnic minority armies. Simultaneously, however, it sent over 80,000 troops into action against the KNU and various Mon, Kachin and Karenni armed nationalist groups in the NDF coalition. Fighting was particularly fierce along the Thai and Chinese borders, and there was a growing exodus of refugees, before the SLORC suddenly called an unexpected halt to all military offensives in the name of 'national unity' in April 1992. During the same period, over 260,000 Muslims from the Rakhine State also fled into neighbouring Bangladesh, when a massive security operation was launched along the north-west frontier.

Amidst increasing international alarm at conditions in Burma under the SLORC, in December 1991 Aung San Suu Kyi was awarded the Nobel Peace Prize, *in absentia*, while still under house arrest in Rangoon. Concern was also expressed in many different forums at the United

Nations, and in 1990 the UN Commission on Human Rights began its ongoing investigation into human rights abuses in Burma. To date, four highly condemnatory reports have been delivered.[7]

Forced From Home

Burma's continuing political and economic crisis is forcing ever greater numbers of inhabitants to leave their homes. In mid-1994 over 300,000 refugees, mostly ethnic minorities, were officially recorded at camps in neighbouring Thailand, Bangladesh, India and China. Of these, some 75,000 were in Thailand (largely Karen, Mon and Karenni) and over 200,000 (predominantly Muslims) in Bangladesh. There were also an estimated 10,000 Kachin refugees in China and a similar number of Naga, Chin and other refugees in India.

Unofficial numbers, however, were estimated at over three times that figure, meaning that over one million exiles and migrants were subsisting precariously around Burma's troubled borders.[8]

These figures tell only half the story. By most estimates, there are also over one million internally displaced persons inside Burma itself, including relocated villagers from the war-zones, those forcibly resettled in recent SLORC development projects, and refugees still trying to survive in the hills. However, unlike the refugees abroad, these internal victims of Burma's political crisis have virtually no access to international aid or support.

Despite the continuing political clampdowns, there have been a number of important signs of growing change in the secretive world of military politics since April 1992, when the first SLORC chairman, General Saw Maung, was replaced by his deputy, General Than Shwe. Although many remain in jail, over 2,000 political prisoners have since been released and, from a slow beginning, the cease-fire process with armed ethnic minority groups has rapidly accelerated. By late 1994, over 15 insurgent groups had cease-fires or were in direct talks with the government.

These developments have been followed by moves to assuage concerns over Burma's political crisis in the international community. The SLORC has acceded to the four Geneva Conventions on the Protection of Victims of War of 1949, the 1989 Convention on the Rights of the Child, as well as the Framework Convention on Climate Change and the Convention on Biological Diversity adopted in 1992 at the UN Conference on Environment and Development in Rio de Janeiro. Despite rejection of the

conclusions reached, the SLORC has also accepted official visits by the Independent Expert and Special Rapporteur of the UN Commission on Human Rights. In addition, Burma has rejoined the Non-Aligned Movement, effectively ending the country's long isolation from the outside world.

The government's opponents have also shifted ground. Opposition groups, including the DAB and NCGUB, were quick to acknowledge the 1949 Geneva Conventions after the SLORC's accession to them. This was followed by the release of government prisoners held by both the KNU and the Karenni National Progressive Party.

Arguments over the sincerity of the SLORC's new measures continue. But, ignoring the 1990 election result, the SLORC generals dug themselves in further in January 1993 by embarking on another much-heralded stage in their slow reform process: a hand-picked 'National Convention' was convened to draw up the 'principles' for a new constitution. This, they pledged, would set Burma's political course well into the 21st century (see chapter five).

To produce the appearance of democratic debate, the SLORC selected 702 delegates from eight 'social categories' which it claimed represented the country: MPs from elected parties, other legal parties, 'national races', peasants, workers, intellectuals, public servants and other 'specially invited guests', including representatives of some of the ethnic cease-fire armies. But even with such tight control of the discussions, dissension still arose. In February 1993 U Marko Ban, the ethnic minority Kayan MP for Phekon, escaped into KNU territory where he joined the NCGUB. "The Convention is an attempt to deceive the public," he said on his arrival; "I do not want to have a hand in committing a historical crime against the Union."[9]

Thus few citizens believed that the underlying causes of Burma's political crisis could be addressed by such a Convention alone. In September 1994 General Than Shwe and the SLORC secretary-one, Lieutenant-General Khin Nyunt, finally met Aung San Suu Kyi, who was brought out in front of the TV cameras, apparently in good health after over five years under house arrest. However not only were Suu Kyi and many NLD leaders still detained or barred from politics, but, despite the cease-fires, the Karen and several powerful armed ethnic groups remained outside the reform process. Meanwhile in the countryside fresh allegations of human rights abuses, including forced labour and village relocations, continued to emerge, especially in south-east Burma.

Burma's Humanitarian Crisis

In December 1987 Burma was admitted to 'Least Developed Country' status at the UN as one of the world's ten poorest countries. Since then, Burma's already grave humanitarian crisis has rapidly worsened. It has been dubbed 'Myanmar's Silent Emergency' by UNICEF. All areas of the country are affected, but the ethnic minority regions have been hardest hit. Moves towards economic liberalisation have boosted some sectors of the economy. But few benefits have trickled down to the people. Since 1988 inflation, officially recorded at 30 per cent per annum, has risen above 800 per cent for rice and several other key commodities. Average per capita income is just US$ 250 per annum today, and malnutrition has been reported even in Rangoon hospitals.

Amongst many social crises, five disturbing issues stand out which have developed an alarming momentum of their own: narcotics, AIDS, refugees, war victims and environmental destruction. On all five counts, it is Burma's minorities which have suffered the most.

Since 1988 Burma has become the world's largest producer of illicit opium and heroin, with an annual opium crop of over 2,000 tons per annum, To a background of worsening poverty and drug addiction, AIDS is also spreading rapidly through both intravenous drug use and Burmese women working as prostitutes in Thailand, Burma has an estimated 400,000 HIV-carriers today.

There are also over 300,000 refugees in neighbouring countries and over a million displaced people, many fleeing forced labour, inside Burma itself (see previous box). The number of war casualties remains unknown, but has been estimated by SLORC officials at over a million deaths since 1948 or an average of at least 10,000 fatalities a year.

Finally, there is growing evidence of environmental devastation across the country as both the government and impoverished villagers sell off Burma's once great forests and other natural resources for desperately-needed income. Great damage has already been done through forest clear-felling, over-fishing and strip-mining for jade and other minerals.

Six years after the SLORC generals had assumed power, the deep-rooted problems in Burmese politics had come full circle. The country remained in a state of uncertain transition, the military still controlled the government, multi-party democracy was only promised, and a host of different armed ethnic opposition forces remained in control of their territories.

Hopes were being raised by the spread of ethnic peace talks and the

SLORC's belated recognition of Aung San Suu Kyi. But if a lasting peace is ever to come to Burma, the challenge to all parties is to find a way to reconcile such very different histories, perspectives and political points of view.

1 Aung San Suu Kyi, *Towards a True Refuge*, delivered as a text at the Joyce Pearce Memorial Lecture, Oxford University Refugee Studies Programme, 19 May 1993.

2 For a discussion on populations, see, Martin Smith, *Burma: Insurgency and the Politics of Ethnicity* (Zed Books, London and New Jersey, 1991), pp 27-39.

3 'Statement of KNU, 9th Congress, 7th Standing Committee', l0 September 1985.

4 Smith, *Burma Insurgency*, pp 33-35.

5 Here the word nationalist refers to the struggle for an independent Burma. In some other contexts it refers to ethnic aspirations for autonomy.

6 Smith, *Burma Insurgency*, pp 77-86, 110.

7 Two have been formally published, see, UN Economic and Social Council, *Report on the situation of human rights in Myanmar, prepared by Mr Yozo Yokota, Special Rapporteur of the Commission on Human Rights, in accordance with Commission resolution 1992/58* (17 February 1993), and ibid , *in accordance with Commission Resolution 1993/73* (16 February 1994).

8 For example, in a private report in December 1993, the Thai Internal Security Operations Command estimated the true number of refugees or 'illegal immigrants' from Burma in Thailand as closer to 350,000 rather than the official figure of 72,366

9 *Burma Rights Movement for Action, B.U.R.M.A.*, April 1993, p 6.

MAJOR ETHNIC GROUPS OF BURMA

Name	Population	Main Religion(s)	Main Armed Opposition group(s)
Akha	100,000	Animist	——
Burman	29,000,000	Buddhist	members of Democratic Alliance of Burma and CPB
Chin	750,000 - 1,500,000	Christian, Animist	Chin National Front
Chinese	400,000	Buddhist, Taoist	——
Danu	70,000 - 100,000	Buddhist	——
Indian	800,000	Muslim, Hindu	——
Kachin	500,000 - 1,500,000	Christian, Animist	Kachin Independence Organisation*
			New Democratic Army*
Karen	2,650,000 -7,000 000	Buddhist, Christian	Karen National Union
Karenni	100,000-200,000	Christian, Animist	Karenni National Progressive Party
			Karenni Nationalities People's Liberation Front*
Kayan	60,000 - 100,000	Christian, Animist	Kayan New Land Party*
Kokang	70,000 -100,000	Buddhist, Taoist	Myanmar National Democratic Alliance Army*
Lahu	170,000 -250,000	Animist, Christian	Lahu National Organisation
Mon	1,100,000 - 4,000,000	Buddhist	New Mon State Party
Naga	70,000 - 100,000	Animist, Christian	National Socialist Council of Nagaland
Palaung	300,000 -400,000	Buddhist	Palaung State Liberation Party*
Pao	580,000 -700,000	Buddhist	Pao National Organisation*
			Shan State Nationalities Liberation Organisation*
Rakhine	1,750,000 -2,500,000	Buddhist	National Unity Front of Arakan
Rohingya	690 000 1,400,000	Muslim	Arakan Rohingya Islamic Front
			Rohingya Solidarity Organisation
Shan	2,220,000 - 4,000,000	Buddhist	Mong Tai Army
			Shan State Army*
Tavoyan	500,000	Buddhist	Tavoyan Liberation Front
Wa	90,000 -300,000	Animist	United Wa State Party*

1 All figures are very approximate and involve considerable ethnic overlap. Generally, the lower figures on the left are government estimates based on strict interpretations of ethnicity, while the higher figures on the right are ethnic minority estimates, which usually include more local inhabitants and ethnic sub groups within different territories.

2 Parties marked with asterisk (*) had cease-fires with the SLORC in November 1994.

CHAPTER TWO

Burma's Ethnic Diversity

> *Every year the burden of the people has become heavier. The streams, creeks and rivers have dried up, while the forests are being depleted. At such a time, what can the people of all nationalities do?*
>
> statement by the United Wa State Party, broadcast in May 1989 shortly before it agreed a cease-fire with the SLORC.

Burma throughout is a rich but complex tapestry of peoples. Most estimates put the majority 'Burman' population at around 30 million, or two-thirds of the total. But these estimates are based on primary usage of the Burmese language, and it is incorrect to describe all such speakers as one homogenous group. Indigenous speakers of closely-related dialects, such as the Rakhine in the north-west and Tavoyan in the south, claim a separate nationality; in other areas sub-groups, such as the Danu and Intha, still survive. Furthermore, many Burmese speakers in Lower Burma are assimilated Mons or Karens. And increasing social mobility and inter-marriage mean that many citizens now have mixed ethnic ancestries. Ne Win himself enjoys a mixed Burman-Chinese lineage.

Nevertheless, ethnic Burman and Buddhist history, culture and language are unquestionably the predominant social influences on national life. This has not protected the Burman majority from political repression and human rights abuses. But there is little doubt that ethnic minority groups have generally been the worst victims for much of the past five decades.

Since the 1962 coup, many ethnic minorities believe that there has been an underlying, though unacknowledged, policy of 'Burmanisation', which initially appeared to accelerate after the events of 1988. Thus, in presenting their cases today, many ethnic minority leaders claim that they are starting at a huge disadvantage. Compounding the terrible human loss and sufferings of civil war, they have been deeply marginalised by political and economic neglect since independence. In every field, whether it be language, culture, education or development, the minorities have found themselves in a second class position. Rather than being brought into the mainstream of national life as equal partners, many indigenous peoples

and minorities maintain that they have been pushed to the very fringes of Burmese society.

This chapter outlines the distinctive histories **and** cultures of the main ethnic minority groups.

What is an Ethnic Minority?

As elsewhere in the world, arguments continue in Burma over the words 'ethnic minority', 'nationality', 'tribal' and 'indigenous peoples'. All can be politically sensitive and are often seen as implying a particular form of political recognition by the user. For example, ethnic groups like the Karen and Kachin, who have espoused the aspirations of small nations, find the term 'tribe' extremely pejorative. Similarly, the terms 'indigenous' and 'nationalities', which also include the majority Burman, have been used to exclude minorities such as the Indians and Chinese who have generally arrived in Burma more recently.

So in this book the term 'ethnic minority' is used for the most part simply to distinguish other ethnic groups from the majority Burman population. There is no alternative term of general ethnic status covering groups as diverse in their history as, for example, the Shan, Kachin, Chinese and Muslims.

Chin (or Zomi)

The Chin are a Tibeto-Burmese people who inhabit a vast mountain chain running up western Burma into Mizoram in north-east India. The poor quality of these lands has inhibited development, and transport and communications remain a problem today. Perhaps more than any other minority group, the Chin have been dependent for food and supplies on the co-operation of their lowland neighbours. Chin leaders believe that this dependency accounts for the long-standing political and economic under-development of their region.

Their predicament represents an acute example of the problems all Burma's hill peoples have faced in their quest for a national and political identity in the post-colonial world. Over 40 different sub-groups, many distinguished by unique costumes or tattoos, have been identified among the estimated one to 1.5 million Chins in Burma.[1] Although nationalist leaders have claimed a 'pan-Chin' or 'Zo' identity embracing their Mizo cousins in India, Chin political movements have frequently reflected a more local, regional or even sub-group loyalty.

The growth of a Chin national consciousness is usually dated to the

arrival of the British, when many Chins converted from their traditional animist beliefs to Christianity. Many also joined the British army and served with distinction in the Second World War.

Under the British, the Chin were divided between north-east India, the Frontier Areas and Ministerial Burma (see chapter one). These divisions have continued since independence. The Chin were at first denied a state of their own; instead they were granted a mountainous 'Special Division', shorn of valuable lowland areas such as the economically important Kale-Kabaw valley where many Chins live.

The 1974 constitution finally upgraded the Chin Special Division into a 36,017 km^2 state, but the neglect of the Chin peoples has continued. The Chin State remains firmly at the bottom of Burma's educational league table, and only one major road crosses it, linking the main towns of Haka and Tiddim. Under the State Law and Order Restoration Council, plans to build a tertiary regional college and develop the Chin State have been discussed for the first time, but for the moment most of the more ambitious ideas remain on the drawing boards.

Chin leaders are also very wary of the political consequences of these proposals. Widespread disruption has occurred among Chin villagers in the upper Kabaw valley, an area which comes under the SLORC's Border Areas Development Programme (BADP). Chin nationalists fear that the BADP masks a hidden agenda, and is intended to change the ethnic balance in the local population. Since 1991 for example, refugees reaching India have reported a number of fatalities due to ill-treatment and lack of food during the forcible relocation of Chin villagers to new areas.

As a traditional escape from poverty, many young Chin men have joined the *Tatmadaw*. Consequently, the Chin have often been cited as a successful example of co-operative development with their Burman cousins. But although the Chin have not featured in the insurrections to the same degree as other ethnic groups, dissatisfaction has often surfaced.

In the 1950s, a number of small insurgent Chin groups sprang up which competed with the different Chin parties then represented in parliament. Most were rooted in local ethnic sub-groups and, after the 1962 coup, they were largely subsumed by communist groups or driven out from the Chin hills to the Thai and Indian borders where they linked up with other ethnic nationalist fronts. The best-known were the Zomi National Front and the Chin Democracy Party.

Since 1988, however, Chin politics have undergone a transformation. In the 1990 election seven nationalist Chin and five National League for Democracy candidates were elected to the Chin State's 13 constituencies.

This clearly indicated the desire of the Chin peoples for change. But in early 1991 two MPs, U Zahle Tang and U Liam Ok, were forced to escape into exile in India after the SLORC issued orders for their arrest. Subsequently, all Chin political parties were declared illegal or deregistered by the government. Nevertheless, Chin activists have continued to play an important role in discussions with other new democracy ethnic minority parties in the cities, especially the United Nationalities League for Democracy (UNLD).

Over a thousand students and political activists have also fled to India since 1988. A small armed nationalist movement, spearheaded by the Chin National Front, has become more active, and related Zo nationalist groups have also been fighting the Indian government on the other side of the border. The situation in the Chin frontier region thus remains extremely sensitive and difficult to predict, but nationalist sentiment is still growing.

Kachin

Of the several Tibeto-Burmese hill peoples inhabiting north-east Burma, it is the Kachin who have most determinedly pursued the dream of creating a federal or independent nation-state. One of the main features of the Kachin nationalist movement has been the creation of a strong political identity among the estimated one to 1.5 million Kachins from different sub-groups who inhabit the north-east region: the Jinghpaw, Maru, Lashi, Atsi, Nung-Rawang and Lisu, who are all inter-linked by a dynamic clan system. In contrast, Kachin sub-groups living in India and China have never associated with the goal of independence pursued by the nationalist movement in Burma.

Kachin girls

Like other hill peoples in Burma, the Kachins initially put up fierce resistance to the British annexation. However, many subsequently converted to Christianity (over two-thirds of Kachin are Christians today) and, together

with the Karen and Chin, came to form the backbone of the British Burma army. The simultaneous arrival of Western missionaries and the introduction of a written literature, schools and health-care also boosted national awareness. Many Kachins moved down to the plains and became one of the main centres of anti-Japanese resistance during the Second World War.

The massive destruction and suffering inflicted by the war gave a dramatic impetus to the growing nationalist cause. However, the complex geographical spread of the Kachin peoples, and the fact that they live in areas also inhabited by other ethnic groups (notably Shan and Burman), have always counted against Kachin aspirations. In recognition of the strength of nationalist demands, a vast 89,042 km^2 Kachin State was created under the 1947 constitution. But the right of secession was conceded by Kachin leaders in return for the inclusion of the two main towns of Myitkyina and Bhamo. A substantial body of Kachins (over 100,000 citizens today) was also demarcated within the Shan State, where they have continued to identify closely with Kachin political movements.

Despite the 1947 agreement, a short-lived Kachin uprising broke out in 1949-50. It was not, however, until the early 1960s that the armed nationalist movement first really gathered momentum. Frustration and resentment at the neglect of the Kachin region burst into the open when U Nu tried to impose Buddhism as Burma's official state religion. In February 1961, the Kachin Independence Organisation (KIO) was formed by a group of intellectuals and Rangoon University students to demand the complete secession of the Kachin State. Ne Win's coup the following year poured oil on the flames of rebellion, and armed resistance quickly spread throughout the Kachin region.

Financed through jade and other commodities traded on the black market, the KIO grew rapidly into one of Burma's most formidable insurgent armies, with an estimated 8,000 troops. Government forces were largely confined to the towns. The KIO nationalists built up an extensive health and education system in Kachin villages from the northern Shan State to the Indian border. As well as fighting the government, the KIO also had a number of fierce battles with other armed opposition groups, notably the Communist Party of Burma. However, in 1976, the KIO decided to change its political aim to one of supporting the creation of a federal union of Burma, and it then began to work more closely with other groups. It became a leading voice in the National Democratic Front, and provided arms and training to many smaller ethnic fronts and parties.

The Kachin people, however, have paid a heavy price for their

opposition to central government rule. Since the early 1960s a ruthless 'scorched earth' policy under the 'Four Cuts' campaign (see box in next section) has been used to try and cut off KIO support. In November 1987, at a meeting in Britain's House of Lords organised by Anti-Slavery International, the KIO presented claims of the verifiable deaths of 33,336 civilians at the hands of government troops between 1961-86. Thousands more casualties were reported after the SLORC came to power.

Nevertheless, in the aftermath of the SLORC takeover, the KIO appeared to grow in strength, and it was a founding member of the Democratic Alliance of Burma. But its military position has come under intense pressure. The turning point came in 1989, when the SLORC agreed cease-fires with ethnic breakaway armies from the CPB in north-east Burma, including the New Democratic Army (NDA) in the east of Kachin State. These moves were followed by the SLORC's growing rapprochement with China, which had previously been quietly sympathetic to the KIO cause. With thousands of troops now available following the cease-fires, the SLORC was able to launch a series of massive military operations against KIO base areas in both the Shan and Kachin States. These led to the defection of most of the KIO's 1,500-strong 4th Brigade in January 1991, which reached a cease-fire agreement with the SLORC. Government troops continued to flood into the Kachin region and by early 1993 an estimated 46 battalions were stationed in the Kachin State alone.

In political terms, the loss of the 4th Brigade was balanced in late 1991 by the defection to the KIO of five of the 14 NLD MPs elected for the Kachin State the year before. This was prompted by the arrest of a fellow MP, U Byit Tu, who was chairman of the Kachin National Democratic Congress, which had won three of the five other seats allocated to the state.

In a fast changing political scene, many analysts believe that the SLORC judged the KIO to be Burma's best organised insurgent group and embarked on a long-term policy to neutralise the Kachin nationalist movement once and for all. Over 100,000 Kachin villagers were reported to have been forcibly relocated from their homes in counter-insurgency operations between 1988 and 1992. In 1989-90, in the Kuktai region of the Shan State alone, more than 300 Kachin villages were reportedly destroyed and their inhabitants moved. By early 1993, another 50,000 refugees had been internally displaced and nearly 11,000 had escaped into China. Even those who moved under SLORC orders into army-controlled camps apparently were not safe. In one notorious incident near Bhamo in March 1992, it was reported that eight women and two men were robbed

and beaten to death by *Tatmadaw* troops. All the women had been raped.[2]

Community leaders report that in virtually all government-controlled Kachin areas people have been forced to work as front-line porters or as labourers building roads, barracks or airfields. In 1992, Christian pastors told Amnesty International that casualties were especially high on construction projects in Putao and Sumprabum districts in Kachin State, some of the most inhospitable terrain in Burma.[3]

Other ethnic nationalities in Kachin areas have also complained of harsh treatment. But the KIO alleges that Kachin houses, villages and property have been especially singled out for destruction. Further concern was expressed over the construction of new Buddhist monuments and the apparent encouragement of immigration by other ethnic groups, especially Chinese, into traditional Kachin territory. Historically, there have been few communal problems in the Kachin region, but Kachin leaders feared that the SLORC was deliberately raising ethnic divisions in order to try to weaken political opposition.

Against this background of conflict, poverty has continued to worsen. The Kachin State has an abundance of natural resources, including jade and gold. But since the days of the British only one important factory, the sugar-mill at Sahmaw, has continued production. A number of major infrastructure projects, including hydroelectric plants and new roads, are being planned by the SLORC, some with the assistance of China. But, as a landlocked people, many Kachin feel squeezed between the neighbouring powers of China, India and Burma. According to the late KIO president, Brang Seng, who died in 1994: "We fear all such projects will be simply to exploit local resources and bring little benefit to the people."[4] Large areas of virgin forest have been felled, by both government and local loggers, to provide timber to sell across the Chinese border.

Finally, the deteriorating military and humanitarian situation forced the KIO leadership to embark upon a very different strategy to try and reconcile the mounting pressures. In early 1993, a series of meetings were begun with SLORC officers through the mediation of the Karen Baptist Convention and, on 24 February 1994, a formal cease-fire agreement was signed. Kachin leaders claim that, tired of the political deadlock in Rangoon, they were taking the first bold steps which, they hope, may lead to reconciliation throughout the country. It is early days yet but, as talks continued through 1994 both in the Kachin State and Rangoon, it is a strategy for peace which virtually all citizens hope will succeed. Grave political and human rights problems remain, but for the first time in three decades co-development and economic projects were being discussed.

Karen

Despite the militant nationalism of the Karen National Union and related Karen sub-groups in Burma, the Karen remain a little documented people very much on the fringe of Burma's history. This is surprising because Karens probably make up the second largest ethnic population in Burma; they also constitute the largest ethnic family in mainland south-east Asia to have failed to gain recognition as an independent nation-state.

Even the population and linguistic designation of the various Karen sub-groups remain matters of dispute. Anthropologists estimate the Karen population in Burma to be around four million (with another 200,000 Karen living in Thailand). By contrast the KNU claims there are over seven million Karen whereas the SLORC calculates that there are just over 2.5 million. Like the former Burma Socialist Programme Party, the SLORC prefers to identify different Karen sub-groups separately. The problem of identification is further exacerbated by the complex spread of the Karen population and the growing numbers of Karen who speak only Burmese.

Ethnic Karens live throughout much of Lower Burma, from the Arakan Yoma and Delta region to the Shan State, and throughout the western Thai border region to the Tenasserim Division. In few areas do they constitute one geographical block, and over 20 Karen sub-groups have been identified. These vary from the Buddhist Pwo wet-rice farmers of Tenasserim to the *taungya* (slash and burn) 'long-necked' Kayan of the Shan State, most of whom are Catholics. Some generalisations, however, can be made. Over 70 per cent of Karens come from just two sub-groups, the Sgaw and the Pwo, and over the past century only four Karen political identities have emerged: the mainstream Karen (or 'Kayin') of the KNU, the Karenni of the Kayah State (see below), and the Pao and Kayan in the south-west of Shan State and Karenni borderlands.

The first reliable historical accounts of the Karen date to British annexation in the 19th century when their language was put into writing. Many Karens joined the British army and large numbers converted to Christianity (although the majority are still Buddhists today). The sense of national awakening was astonishing, causing many to leave their remote forest homes and resettle closer to the towns. There was still some resistance in the hills, but many plains Karen spoke of the British as 'liberators' from historical oppression by the Burman kings. This identification by many Karens with social and political advances under British administration was the beginning of a dangerous ethnic polarisation between Karen and Burman communities which has

Karen high-school girls

continued to the present.

The modern Karen nationalist movement was first established in the late 19th century, led in its early years by Christian Karens who had been educated in the West. In 1928 Dr San C Po, the widely respected 'father' of the Karen nation, made the first call for an independent Karen State. But although the Karen were often regarded as favoured by the British (especially in the military and the police), the early nationalist movement was greatly handicapped by the divisions of British rule, which put some Karen land in Ministerial Burma and some in the Frontier Areas.

Critically, all these divisions still exist on the map of modern Burma, fuelling a continuing sense of Karen under-representation. The present Karen State, which consists of land formerly in the Frontier Areas, includes less than 25 per cent of the Karen population of Burma. Many Karens therefore believe that a fairer political demarcation is a priority in any future settlement to give a fully representative voice to their widely spread population.

Throughout the 1930s, the question of Karen independence was overshadowed by the Burmese national liberation movement on the plains. In the late 1930s a number of Karen were appointed to senior government positions in Rangoon, but communal tensions, which lay just beneath the surface, were rapidly unleashed by the Japanese invasion. Thousands of Karens were killed, injured or arrested as 'collaborators' with the British in

communal attacks by their Burman neighbours, leaving a legacy of bitterness in many Karen communities which survive to this day.

Fighting broke out within a year of the British leaving Burma in 1948. Critics argue that Karen demands for an independent or autonomous state covering much of southern Burma were too extreme. Karen leaders respond that they were anxious for an economically viable territory with an outlet to the sea. However, following the formation of the KNU in February 1947, Karen leaders decided on boycott tactics and were fatefully absent from the Panglong Conference and elections to the 1947 Constituent Assembly. In their absence, the exact wording of the clauses relating to Karen rights and territories were left undecided until after independence. But truly representative talks with the KNU never took place.

A series of apparently motiveless attacks by government militia on Karen communities sparked off an uprising by Karen nationalists in January 1949. The KNU came remarkably close to victory early on. Buoyed by the defection of Karen units from the new Burma army, it occupied Insein, just eight miles from Rangoon. Other key towns were also captured, including Mandalay.

In June 1949 the KNU declared to the world the formation of the Karen Free State of 'Kawthoolei'. However, following the death in 1950 of the KNU president, Saw Ba U Gyi, in an ambush, Karen forces were gradually pushed back from all the towns they controlled. But despite this reverse in fortunes, they continued to operate in villages very close Rangoon up to the early 1960s.

The picture changed dramatically after Ne Win's seizure of power in 1962. A pro and anti-communist split emerged in the KNU movement which left the door open to the *Tatmadaw* and Ne Win's new 'Four Cuts' campaign. Between 1968 and 1975, entire Karen communities were forcibly relocated in Lower Burma under the draconian counter-insurgency operation.

Factional differences within the KNU, however, were put aside in 1975 after the collapse of left-wing forces in the Irrawaddy Delta region, and the KNU played the leading role in establishing the NDF, which aims at federation within Burma. Since then, KNU demands for secession have largely been dropped.

The next decade marked a successful era for the KNU movement in the eastern border area. Fuelled by the thriving black market trade with Thailand, the KNU built up a large 'liberated one' along a 400-mile stretch of the border. Schools, hospitals and administrative departments

were set up in eight political districts. At one stage, the KNU had an estimated 10,000 troops under arms, still commanded by veterans of the British army. Although refugee numbers were increasing, constant government attacks were largely resisted.

At first the KNU's position appeared to be bolstered following the failure of the 1988 democracy uprising, when the bulk of the 10,000 students and democracy activists who fled the cities made their way to KNU territory to ask for shelter and training. From this new alliance of opposition forces the DAB and, subsequently, the National Council Union of Burma with exile MPs was formed after the 1990 election.

Alarmed by this unexpected new link-up between ethnic minority and urban forces, the SLORC began a sustained attack on the KNU. Particularly heavy fighting, in which over 4,000 casualties were reported, occurred between January and April 1992 during a concerted attempt by over 30,000 government troops to capture the KNU Headquarters at Mannerplaw. Before the offensive was launched, rumours swept through the thousands of Karen villagers fleeing to the Thai border that Brigadier-General Tin Ngwe, commander of the 22nd Light Infantry Division, had told his officers: "In three years if you want to see the Karen, you will only find them in a museum."

The impact on the civilian population of such ferocious warfare has been devastating. Under constant 'Four Cuts' campaigns, in the past six years tens of thousands of Karen villagers have been forcibly relocated from their homes and over 50,000 Karen refugees have fled into Thailand. Today a 100-mile stretch of the Dawna Range in the heart of Karen country stands deserted, the villages and crops destroyed.

Resistance by any Karen community in Burma has met with instant reprisals. For example, when in late 1991 the KNU infiltrated a small armed unit into the Delta region, over 5,000 Karens were arrested, several villages bombed from the air and, according to the SLORC's own account, 317 'terrorist insurgents' were killed, most of whom, eyewitnesses say, were innocent villagers.[5]

In government-controlled areas, intensive political pressures have also been exerted: many Karens say they dare not take part, as Karen nationalists, in the new political movements in the towns. In the 1990 election, most Karen communities aligned themselves with Aung San Suu Kyi's NLD, and only one Karen in the whole of Burma was elected on a 'nationalist Karen' ticket. Since 1988, hundreds of Karen elders and leaders have been arrested or interrogated. According to Mahn Myunt Maung, secretary of the Union Karen League, who escaped into KNU

territory in 1992 after his release from detention:

All normal citizens are living in an atmosphere of constant fear, constantly worrying about being called upon by Military Intelligence Service agents and interrogated[6]

Government Strategies of Forced Relocation: The 'Four Cuts' and 'Urban Redevelopment Programmes'

The common practices of population resettlement and forced relocation, affecting millions of citizens in Burma today, initially began as a counter-insurgency weapon after Ne Win seized power in 1962. Faced with opposition on a countrywide scale *Tatmadaw* commanders devised a ruthless strategy known as the **'Four Cuts'** *(Pya Ley Pya),* similar in concept to the 'Strategic Hamlet' operation of the USA in Vietnam.

In essence, the 'Four Cuts strategy is simple: to cut off the four main links - of food, finance, intelligence and recruits - between civilians and armed opposition forces by a campaign of non-stop military harassment. Under this operation, large areas are declared 'free-fire' zones, and entire communities are forced to move to 'strategic hamlets', which are fenced in and subjected to tight military control. Expulsion orders are issued, warning that anyone trying to remain in their homes will be shot on sight. Tens of thousands of communities have been destroyed or removed by such 'Four Cuts' operations over the past 30 years.

From the first appearance of this programme in the Delta region in the mid-1960s, there appears to have been little attempt to win the 'hearts and minds' of local villagers. Senior army officers have privately admitted that all civilians in an area designated 'black' (i.e. outside government control) are regarded as potential insurgents.

The second method of forced relocations, described as **'urban redevelopment programmes',** appears in concept very similar to the 'Four Cuts' as a means of breaking up community opposition. These programmes have accelerated rapidly under the SLORC At some of the better new sites, usually those to which government personnel are relocated, there have been economic developments of benefit to the residents. But at other sites the planning has been hasty and appears to be an emergency method of urban clearance to remove town-dwellers from sensitive or strategic areas. The construction of such resettlement towns is one of the most common sights in Burma today, inviting parallels with the mass 'social engineering' in Ceaucescu's Romania and Cambodia under the Khmer Rouge.

Whether fleeing the Four Cuts' or escaping from the towns, many refugees have given forcible relocations as one of their main reasons for leaving Burma.

In contrast to this disturbing background of repression, some foreign diplomats have seen evidence of placatory signs towards the Karen since April 1992, when a halt in army offensives was announced and General Than Shwe became the SLORC chairman. The derisory language towards the KNU in the state press has been softened and, although a major operation was launched to capture the KNU base at Sawhta in October 1992, in most other areas full-scale military operations have remained suspended. Since the end of 1993, tentative messages, mostly through third parties in the Christian churches or Thai government, have also been exchanged between the KNU and the SLORC. The Thai government, in particular, has put great pressure on both sides to talk.

By late 1994 peace negotiations, for the first time since 1964, began to look increasingly inevitable, but the KNU leadership under its veteran Seventh Day Adventist president, Saw Bo Mya, remained deeply suspicious. Indeed, the KNU has already been frozen out of the SLORC's National Convention process.

Of all Burma's minorities, the Karen have probably seen the most severe reversal in their fortunes since independence. In the days of the British, there were Karen cabinet ministers and army generals. Today there are few Karen (or any other minority) in any prominent national position. The entire Karen region has collapsed, quashing dreams at independence of a prosperous free-state of Kawthoolei. Moreover, all new economic plans by the SLORC to date, including hydroelectric dams, logging and gas pipelines, have been developed with neighbouring Thailand without any consultation with the KNU or local communities at all (see chapter four). Many Karens thus fear that they could once again be bypassed in another critical era of political transition. This, they warn, will mean that the war could only continue.

Karenni

The estimated 240,000 inhabitants of the modern-day Kayah State present one of Burma's most complex political problems. This results from an unusual historical anomaly. Their traditional name, Karenni ('Red Karen'), is taken from the brightly-coloured clothing of the largest ethnic group, the Kayah. However, over a dozen ethnic groups live in this rugged mountain region of 11,730 km^2. While most are Karen-related, such as the Kayan, Kayow or Paku, there is also a small Shan minority and an increasing number of Burman immigrants.

Karenni leaders claim ancient traditions of independence. But it is more likely that the concept of a separate Karenni political identity is relatively

Kayow woman

recent and originated from Kayah chiefs adopting the titles of the Shan *Sawbwa*, the princely rulers to the north. These titles were recognised by the British during annexation, and a treaty in 1875 with the Burman king Mindon officially acknowledged the independence of the western Karenni region. This status was never changed throughout the British administration: maps of the Indian Empire always marked the Karenni State as outside British Burma.

Under the 1947 constitution, the Karenni State was granted the right of secession after a ten-year trial period. But in August 1948 the Karenni leader, U Bee Htu Re, was assassinated by government military police and an armed uprising swept the Karenni State which has continued to the present.

Successive governments have used the conflict to try to curtail the demand for Karenni independence. Government troops poured into the state at the start of the uprising, and in 1952 'Karenni' was renamed 'Kayah' by the government. Some historians still claim that this was a deceptive move with two main objectives: first, to make a divisive distinction between the Karenni and other Karen and, second, to get rid of a name synonymous with Karenni independence. Indeed, the legal right of secession was eventually written out altogether in the 1974 constitution.

During the past 40 years, civilians always have borne the brunt of government attempts to crush the Karenni movement. Under the 'Four Cuts' campaign, entire communities have been forcibly relocated from their homes and army operations have produced large numbers of refugees and displaced peoples in the hills. Amidst accusations of enforced assimilation, refugees have reported growing numbers of Burman troops and migrants being brought into the state. Tens of thousands of villagers from towns and villages across the state have been conscripted to work as porters or on government labour projects, notably on the new Aungban to Loikaw railway. It is impossible to know how many have died.

Since 1988 the humanitarian crisis in Kayah State has deteriorated rapidly. War casualties were initially heavy. Increasing numbers of troops were deployed across the state to strengthen SLORC control and open up vast forest tracks to Thai loggers who have stripped mountainsides bare. "The whole state is a military labour camp," one refugee told ASI in Thailand; "the SLORC soldiers are our wardens."

The increased militarisation in the state was reflected in the 1990 election. Six of the eight seats were taken by the NLD and Kayah State Nationalities League for Democracy, which has since been banned. The other two seats were taken in small garrison towns by the BSPP's successor, the National Unity Party, with nearly 50 per cent of the vote.

Today the state rivals the Chin, Wa and Naga regions in its poverty and lack of development. The lead and wolfram mines at Mawchi, once the world's largest, have declined drastically in output, and only one new large economic project, the important hydroelectric plant at Lawphita, has been located in Karenni territory since independence. This, however, largely supplies electricity to Rangoon and central Burma and, as a result, has frequently been attacked by insurgent forces.

Some Karennis still dream of secession. But by late 1993 leaders of the armed opposition were coming under increasing pressure to agree cease-fires. Separate talks began in January 1994, with the Karenni National Progressive Party and a rival left-wing breakaway party, the Karenni Nationalities People's Liberation Front, which signed its own cease-fire in May. Shortly afterwards leaders of the allied Kayan New Land Party, which operates in parts of the state, also agreed cease-fire terms at another public ceremony. Some of the pressure for peace came from neighbouring Thailand but much of it came from the local people, who had intermediaries in the local Catholic and Baptist churches acting on their behalf. With the threat of attack reducing, and as a gesture of goodwill, the SLORC allowed some of the relocated villagers to return home. Over 6,000 refugees, however, remained in Thailand.

After over 45 years of warfare, the political situation is thus delicately poised. New economic development projects are being discussed, but for many inhabitants of the state simple survival has become their daily priority.

Mon

For many minority leaders, the drastic decline in the Mon culture and people of Burma is the most poignant evidence of a one-way experience of assimilation and Burmanisation over the past 150 years. A major branch of

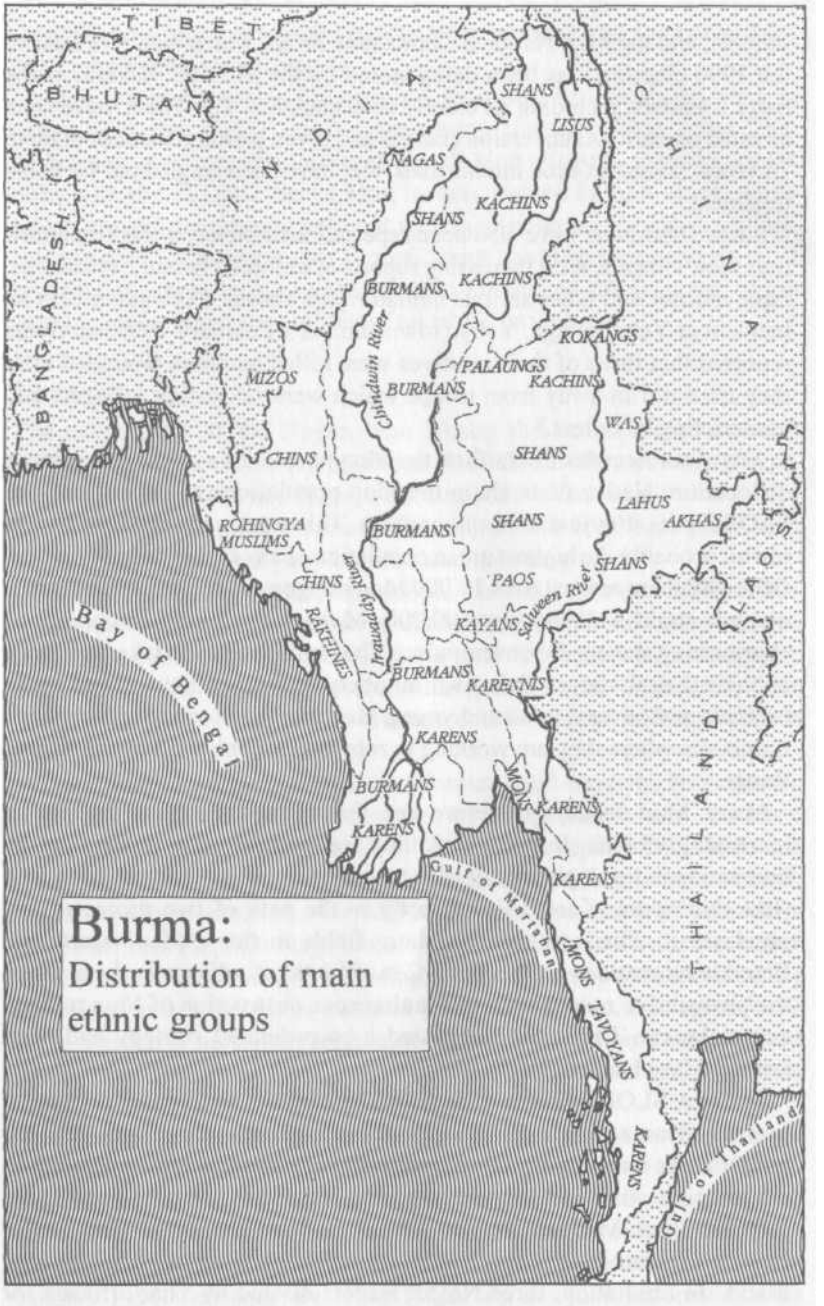
the Mon-Khmer family, the Mon are descendants of one of south-east Asia's most ancient civilisations It was the Mon, a highly literate people, who introduced both Buddhism and writing to Burma. Once inhabiting the plains of much of Lower Burma, the great Mon rulers at Thaton and Pegu vied with the Burman kings to the north and Siamese monarchs to the east. Only with the crushing by the great Burman ruler Alaunghpaya of the Smin Dhaw uprising in 1757 AD were the independent powers of the Mon kings finally curtailed.

The British at first considered supporting the Mon against the Burman royal court. However, following annexation, two decisions were made which had a devastating effect on Mon culture: the choice of Burmese as the language of government, and the official encouragement of the mass immigration of workers (largely Burman, Indian and Chinese) into Lower Burma, while vast areas of land were being cleared for rice cultivation. Within two generations many areas had lost virtually all traces of Mon civilisation[7.] Only in the 1930s did a Mon cultural and political movement revive, largely in the coastal plain around Moulmein and Ye. This is the only region today in Burma where substantial Mon-speaking communities survive.

Although the Mons generally worked with Aung San and the mainstream nationalist movement in the Second World War, they were not rewarded in the rush for independence. Mon political demands were largely ignored and there was no delineation of a Mon territory. With the outbreak of the Karen insurrection in 1949, many Mon communities followed suit. Under a 1958 cease-fire agreement, the U Nu government agreed to the creation of a Mon State, but it was not until the 1974 constitution that this 12,295 km^2 territory was formally recognised.

The creation of a Mon State, however, has done little to quell nationalist dissatisfaction. Following the 1962 coup, many former Mon nationalist fighters took up arms again, joining the present-day New Mon State Party (NMSP) still headed by the veteran Mon leader, Nai Shwe Kyin. In 1988 the NMSP, a member of the NDF, was boosted by the arrival of over 1,300 Mon students, many from Moulmein university. At one stage the NMSP had 3,000 troops under arms, including many women soldiers. Although usually short of ammunition and funds, the NMSP also has been able to support the continued revival of a Mon cultural movement. It is popular with Mon intellectuals and Buddhist monks, who have played an important role in the survival and teaching of the Mon language.

Mon territory and culture, however, remain under constant threat. Mon language is effectively banned beyond primary level in government



Burma:
Distribution of main ethnic groups

NB All areas are approximate. There is considerable intermingling of ethnic groups in several regions.

schools, and the Mon National Democratic Front, which won five seats in the 1990 election, has been deregistered by the SLORC. Several of the party's leaders, including its elderly chairman, Nai Tun Thein, have been arrested on various subversion charges and given prison sentences of up to 14 years. Dissident Mon intellectuals, too, have been singled out for harsh treatment.

Since 1988 there have also been repeated incursions by the *Tatmadaw* into Mon villages, with increasing reports of enforced labour, relocations, rape, murder and other serious human rights abuses. For example, in an incident at Yebu village, Yebyu township, on 9 February 1993, survivors reported that three of their relatives were killed and nine wounded after they tried to run away from troops which were relocating villagers and conscripting labourers.[8]

After four decades of conflict, the Mon people are suffering enormous dislocation. Nationalists claim the Mon population is four million; the SLORC puts it at just over one million. Thirty per cent of Mons live in towns, probably the highest urban population of any ethnic minority group. Officially there are just over 10,000 Mon refugees in Thailand, but the true number could well be over 100,000. Many are working in conditions approaching slavery for unscrupulous Thai employers who take advantage of their illegal status. Unknown numbers of women have ended up in brothels and several thousand young Mon men have reportedly reached Cambodia where they are working in ruby mines controlled by the Khmer Rouge.

Many Mon leaders therefore see the outlook for their people as increasingly bleak. In particular, they fear being further pushed out by international developments in which their interests are ignored. Mon land (like that of the Karen) lies directly in the path of two projected gas pipelines to Thailand from offshore fields in the Gulf of Martaban. Forcible relocations by the SLORC in 1990-93 of villages in the areas of the prospective routes and the simultaneous destruction of Mon refugee camps by the Thai army suggested a co-ordinated strategy had been arranged (see later chapters).

The new SLORC timber trade with Thailand has also caused disruption in many Mon areas. In 1989-90 local Mon communities along the Thai border came under enormous pressure from *Tatmadaw* units operating in conjunction with Thai loggers working in a forest reserve near Three Pagodas Pass. Matters came to a head in November 1991 when, after repeated warnings to leave, NMSP guerrillas blew up two Thai logging trucks. In retaliation, three NMSP leaders invited by Thai officials for

'conciliation' talks across the border were arrested and imprisoned for three months for 'illegal entry'.

Against this worsening background, there was little surprise when in early 1994 the NMSP, under continuing pressure from local Thai authorities who threatened to repatriate all Mon refugees, agreed to peace talks with the SLORC. Some Mon leaders wanted to go it alone, while others argued they should hold out with their neighbouring Karen allies. But any solution in south-east Burma, which could be the country's most prosperous region, will need to be multi-ethnic and take account of the cultural and political sensibilities of all ethnic groups.

Naga

The estimated 100,000 Nagas, who inhabit the Patkai Range in north Burma, constitute another complex family of Tibeto-Burmese sub-groups. Like the Chin and Kachin, Naga politicians believe that such diversity does not weaken their nationalist cause. According to the late Naga leader, A Z Phizo, "only subjugated people learn a common language".[9]

The great majority of the Naga people, possibly over one million, live across the Indian border where a determined Nagaland independence movement has been under arms since the early 1950s. Somewhat uniquely, the Christian-led Nagaland movement has spread across the border and for many years the two main Naga resistance factions kept military bases in Burma.

Traditionally fierce warriors (and former head-hunters) Naga forces have continued to resist incursions by both Indian and Burmese government troops into their territory. Warfare has kept the Naga Hills in a state of chronic underdevelopment and devastated large tracts of land. Since 1988 there has been a six-fold increase in the number of *Tatmadaw* troops deployed against Naga forces. In one operation alone in December 1991 more than 150 people, including 50 SLORC troops, were reportedly killed and over 1,500 Naga refugees crossed into India. During 1990-92 there were also persistent reports of Naga villagers being arrested and taken away to work as porters or labourers on road construction projects along the border.

Although fighting has spanned the frontier, for many years there was no military co-operation between Burmese and Indian government forces. But in March 1993, in an apparent change of policy by both sides, tentative talks took place during the visit to Rangoon by the Indian Foreign Secretary, J.N. Dixit. Border trade and security agreements followed in January 1994. Consequently, many Nagas fear any joint pact could deal a

devastating blow to the nationalist cause.

Although a Naga 'self-administered zone' is now being considered for the SLORC's new constitution, the Naga have also suffered the additional problem of non-recognition on Burma's political map. Naga-inhabited areas are included within the vast outreaches of the Sagaing Division, which has well over 4.5 million inhabitants. One candidate from the Naga Hills Regional Progressive Party was elected amongst the Sagaing Division's 58 constituencies in the 1990 election, but the party has since been deregistered by the SLORC.

Increasing divisions within Naga politics have also been compounded by the announcement in mid-1993 of separate talks between one armed Naga faction and the SLORC. Its leader, Khaplang, reportedly wanted to break away from the nationalist movement in India, led by T.Muivah, where the heaviest fighting was then taking place. As a result of these constant upheavals, the Naga have yet to achieve a clear national identity in the modern political world.

Rakhines and 'Rohingya' Muslims

Although in recent years the historic territory of Arakan has not been as badly damaged by warfare as other ethnic minority regions, no area is more communally sensitive today. Years of political turmoil in Burma have exacerbated underlying divisions between the majority Rakhine, who are Buddhists, and the 'Rohingya' Muslims.

The Rakhines claim a long history of independence and (like the Tavoyans of Lower Burma) speak a distinctive dialect of Burmese. Only in 1784 was the last ruler at the royal court at Myohaung (Mrauk-U in Rakhine) defeated and the world famous Mahamuni Buddha image, a symbol of Arakan's independence, transported away to Mandalay, where it remains today.

Following the fall of Myohaung, over 20,000 exiles fled to the borders of Chittagong to try and win back Arakan's independence. Eventually, in 1824-25, continuing disturbances along the India frontier caused the British to seize Arakan and begin the annexation of Burma.

The inhabitants of Arakan have historically been renowned for their craftsmanship and learning. Under the British many Rakhines gained important positions in the colonial administration. In general, relations with Ministerial Burma were good and one Rakhine, U Paw Tun, even rose to the rank of prime minister.

Many of the area's current ethnic difficulties can be put down to its geographical position, on the frontiers of modern India, Bangladesh and

Muslim fisherman

Burma. At the meeting point between Buddhist and Islamic civilisations, this tri-border region has always been ethnically mixed. Local religious and ethnic tensions, however, began to escalate in the 1920s when large numbers of migrants, especially Muslim Bengalis, crossed into Arakan from India and settled alongside existing Muslim communities.

In the 1930s Arakan escaped the worst of the communal violence in Lower Burma in which several hundred Indians died. But in the Second World War racial tensions came to a head when nationalists of Aung San's Burma Independence Army chased over 500,000 Indians out of Burma. Many Arakan Muslims then sided with the British. This caused deep resentment in the Rakhine nationalist movement which was also gathering pace. Large numbers of civilian deaths were reported, and neither party in the communal violence was willing to surrender their weapons at the end of the war.

In the struggle for independence, different Buddhist and Muslim demands for Arakan were ignored by politicians in Rangoon who underestimated the strength of ethnic nationalist feeling. Both pro-communist and Muslim groups in Arakan took up arms even before the British had left Burma, and in the 1950s armed resistance to central rule continued throughout the territory. Eventually, in the late 1950s and early 1960s, a number of peace accords were made with several armed nationalist groups. But it was not until the BSPP's 1974 constitution that

the 36,778 km^2 Arakan State was formally recognised, and officially named Rakhine.

This, however, did not end armed resistance and a number of different Rakhine, Muslim and communist movements have continued to operate. In the late 1970s this led the *Tatmadaw* to launch a series of massive military operations, including the notorious 1978 *Nagamin* census operation, to check identity cards in the north, targeted against the Muslim population. Over 200,000 Muslims fled into neighbouring Bangladesh amidst widespread reports of army brutality and murder. After international pressure, most were eventually allowed to return, but tensions remained high and many Muslims continued to leave Burma, complaining of official harassment.

The Muslim exodus again accelerated rapidly following the SLORC's assumption of power. Backed up by the deployment of several new regiments and local riot police, in September 1991 a border development programme was introduced with the purpose, Muslim leaders alleged, of forcibly removing the Muslim population along the north-west frontier. By July 1992 over 260,000 Muslims had fled into Bangladesh bearing hundreds of accounts of gross human rights abuses (see chapter three).[10] At one stage a border war even seemed possible, after the *Tatmadaw* attacked a Bangladeshi outpost, killing one soldier and wounding three others. But despite persistent pressure by the United Nations, the Association of South East Asian Nations (ASEAN),[11] China and other foreign governments, to date the SLORC has said it will only accept back refugees who can prove that they are 'genuine citizens', which is to say that they must meet the criteria of the tough 1982 citizenship law (see section on Chinese and Indians). For many Muslims this is a near impossible task. By mid-1994, just over 50,000 refugees had officially been allowed to return - although in many cases not to their home villages.

In its defence, the SLORC has persistently accused Muslim armed opposition groups of causing the crisis. Many observers dispute this. Until recently, Muslim armed action, organised around two small *Mujahid* groups, the Rohingya Solidarity Organisation and Arakan Rohingya Islamic Front, has been extremely limited and factionalised. This characterisation by the SLORC only adds credence to the local Muslim saying: "If the Burmese army sees a Muslim in the village he is an alien; if he is fishing on the river he is a smuggler; and if he is working in the forest he is an insurgent."

At issue is the very right of Muslims to live in Arakan. The fact that Muslims have historically inhabited parts of Arakan is not in question, but

both the SLORC and many Rakhines claim that there has been more recent, and large-scale, illegal immigration by ethnic Bengalis from East Pakistan and Bangladesh since 1948. "The Rohingya problem is no more than the problem of unregistered illegal immigrants," claimed the official *Working People's Daily* on 25 January 1992. They also reject the use of the ethnic term 'Rohingya' for Arakanese Muslims, even though it was accepted by different Burmese governments in the parliamentary era of the 1950s and early 1960s.

As a result of such arguments, there is considerable confusion over true ethnic numbers today. The SLORC estimates the Rakhine population as making up two thirds of the state's 2.38 million inhabitants, while Muslim numbers are put at 690,000; against this, Muslim groups (and the Bangladesh government) calculate the Muslim population at 1.4 million, or over half the Arakan population.[12]

Under the British, Arakan was one of the most prosperous areas of Burma; now it is one of the poorest. Still only one major road links the state with the rest of Burma. Under the SLORC, a number of development programmes have recently been announced, including prawn cultivation and timber businesses. But local citizens allege that some have simply been a cover for appropriation by the military of businesses abandoned by Muslim refugees.

The political situation thus remains turbulent, particularly in the north. In addition to the Rohingya fronts, a number of very small armed Rakhine and communist groups are still active in the mountains in the tri-border region. Elsewhere there is great frustration over the SLORC's response to the 1990 election result, which produced an outcome broadly reflecting the ethnic composition of the state. However, all parties representing opposition opinion have been banned, except for the NLD and the small ethnic minority Mro National Solidarity Organisation.

To the anger of many citizens, one of Arakan's most respected historians, 82 year-old U Oo Tha Tun, the Rakhine League for Democracy candidate for Kyauktaw constituency, was arrested just before the election and died in August 1990, allegedly as a result of ill-treatment in jail. Dozens of other political leaders have since been arrested, including Mohammed Ilyas, the NLD organiser for Buthidaung, who also died after ill-treatment in jail, and Fazul Ahmed, the Muslim MP for Maungdaw.

After three decades of military rule, many therefore see Arakan as a tragic example of all that is wrong with Burma: ethnic discrimination, a stagnant economy, widespread corruption, rampant inflation and armed opposition groups in the mountains.

Shan and Other Ethnic Groups in the Shan State

For the last three decades the Shan State has played host to a greater variety of ethnic militia and insurgent armies than perhaps any other place on earth. The state covers a vast highland plateau the size of England and Wales, measuring 155,801 km^2. Shan nationalist leaders claim ethnic Shans make up just over half the state's estimated six million inhabitants; the SLORC puts the figure at just 1.64 million out of a total 4.25 million. Other large ethnic groups with 100,000 or more inhabitants include Palaung, Wa, Kachin, Danu, Lahu, Akha, Pao, Kokang Chinese and possibly Kayan. Each has its own distinctive language and culture.

Across the centuries the Shan State has witnessed a volatile history both of armed conflict and of cultural interchange between the different ethnic groups. Most Shan, Pao and Palaung, for example, have traditionally practised Theravadha Buddhism (like the Mons and Burmans of central Burma), but their independent territorial claims remain largely undiminished. In pre-colonial times, over 40 different sub-states evolved which were ruled by royal *Sawbwa* (princes) who rivalled the powers of the Burman kings.

Under the British Frontier Areas Administration, the 'Federated Shan States' remained largely undeveloped under the rule of the traditional *Sawbwa* families, who were allowed to keep their personal fiefdoms and titles. Only at independence were these territories merged into one state and incorporated into the new Union of Burma. However, the 1947 constitution guaranteed the right of secession after a ten-year trial period, in undisputed recognition by leaders on all sides of the historic independence of the Shan states. In another ethnic anomaly, the Shan *Sawbwa* (like the Karenni) were allowed to keep many of their traditional feudal rights in the newly democratic Burma.

From the outset, satisfaction with the new Union proved elusive. An uprising swiftly broke out among Pao hill-farmers in the south-west of the state who objected to the continuance of *Sawbwa* rule. Equally serious, already tense relations with the Anti-Fascist People's Freedom League government deteriorated even further in the early 1950s. In response to several thousand exile Kuomintang troops invading the Shan State from China, U Nu sent in the *Tatmadaw* for the first time. But their treatment of local villagers often proved little better than that meted out by the Kuomintang troops. The invasion had other consequences, too. It was the CIA-backed Kuomintang who, with their overseas connections, first elevated the local opium trade to international proportions. They also showed the growing numbers of young Shan nationalists the potential for

Young Akha women and children

armed resistance.

In 1958-59 the 'Military Caretaker' government of General Ne Win finally managed to persuade the Shan *Sawbwa* to give up their traditional rights, but this only accelerated the growing number of young Shans beginning to join the underground resistance movement. Meanwhile, a Shan cultural revival movement was established in the cities. Among its supporters was Sao Shwe Thaike (Burma's first president) who helped organise the 'Federal Seminar' movement of 1961-62 to try to halt the erosion of guarantees of ethnic autonomy promised in the 1947 constitution. It was to head off this democratic movement that Ne Win seized power in 1962 and arrested the Federal Seminar leaders, including Sao Shwe Thaike, who died in jail shortly afterwards.

Ne Win's coup, however, merely served to fuel armed opposition. Within a few years new uprisings, often based on old feudal or territorial loyalties, had spread across the state to virtually every ethnic group. This breakdown in central government control became even more desperate in 1968 when, following anti-Chinese riots in Rangoon, Mao Zedong ordered full-scale military backing to the CPB, many of whose leaders travelled to China for training. The border between the Shan State and China was chosen as the springboard for the 're-invasion' of Burma and by the late 1970s the CPB's 15,000-strong People's Army had seized control of much of the region east of the Salween river.

Meanwhile, in the mountains to the west, throughout the 1970s and into the 1980s, a complex array of Shan, Palaung, Kachin, Pao, Kayan, Wa and Lahu ethnic forces established their own 'liberated zones'. Under CPB pressure, several split into pro and anti-communist factions, each several hundred troops strong. But a number of others, notably the Shan State Progress Party and the KIO's 4th Brigade, fought off advances by both the *Tatmadaw* and CPB to build up large civilian and military infrastructures

of their own. Differences between groups also sometimes flared into fighting.

Rangoon control may have been resisted, but the consequences of these wars for the peoples of the Shan State are incalculable. Tens of thousands of soldiers and villagers from every ethnic background died. Once prosperous valleys were cleared of all habitation as entire communities were driven deeper into the mountains where, for many, opium became the only cash crop. Today in many rural districts it is hard to find a family which did not lose a son or daughter.

Further political and ethnic turmoil erupted in early 1989 when the CPB' s People's Army, in which over 90 per cent of the soldiers were from ethnic minorities, mutinied against its predominantly Burman leaders. Within weeks, four new ethnic armies, dominated by the United Wa State Party (UWSP), were formed in the eastern Shan State.

The CPB's dramatic collapse left an even more complicated situation in Shan politics. Quickly taking advantage, in late 1989 the SLORC agreed a cease-fire with the CPB defectors and then with the Shan, Pao and Palaung forces in the NDF. In January 1991 the KIO's 4th Brigade in northern Shan State also mutinied to sign a unilateral cease-fire. Under these military agreements, which were similar to treaties with local *Ka Kwe Ye* home-guard militia in the late 1960s, ethnic minority forces were allowed to keep their arms and police their own territories. As before, one side result has been the rapid expansion in opium and heroin production.

Even though it appears to be at peace, the political outlook for the Shan State is very uncertain. No lasting political agreements have been reached. Different promises have been made by the SLORC to different ethnic groups which may well presage an internal division of the Shan State and a redrawing of the political map. Wa and Pao leaders, for example, claim that the creation of new autonomous ethnic territories have been discussed. Indeed, while the National Convention was taking place in Rangoon during 1993, SLORC officers were negotiating independently with a plethora of different ethnic parties. The projected outcome by SLORC officials are four 'self-administered zones' for the Danu, Kokang Chinese, Palaung and Pao and a larger 'self-administered division' for the Wa, with special 'participation' rights in state administration for smaller groups such as the Lahu and Akha. As a result, many opposition groups claim that the SLORC is using its growing military presence in the state to play a highly dangerous game of 'divide-and-rule'.

In the 1990 election, the Shan Nationalities League for Democracy won 23 of the 56 available seats, and the NLD took 22. The other seats were

split between the Union Nationals Democracy Party (1), the pro-SLORC National Unity Party (1) and a variety of ethnic nationalist parties (9). For a brief moment, a negotiated solution to the Shan State's labyrinthine political problems appeared possible. But only four of the elected nationalist parties - the Shan, Pao, Kokang and Lahu - were eventually accepted as legal and allowed to attend the SLORC's National Convention.

Meanwhile, despite the cease-fires, fighting has continued in several areas of the countryside, sometimes between opposition groups but also with the SLORC. The strongest resistance has come from the 15,000-strong Mong Tai Army of the Shan State Restoration Council headed by Khun Sa, who on his own admission controls most of the opium crossing the Thai border. For many years his opponents have alleged Khun Sa is simply an 'opium war-lord' secretly working with the *Tatmadaw*, a charge he strenuously denies.

Against expectations, since 1988 Khun Sa has been able to attract new supporters from the towns and strengthen his position from strongholds on the Thai border. He has also supported moves by Shan nationalists to appeal to the UN and international bodies for recognition of the independence of the Shan State. By July 1994, over 1,000 fatalities on both sides had been reported as full-scale battles with the *Tatmadaw* erupted across the south of the state. His local reputation, however, suffered a serious blow in February-March 1993 when, in two separate incidents, Mong Tai Army guerrillas reportedly killed 60 Pao villagers at Pang Tawi and a similar number of Shan and Lahu villagers nearby (see chapter three). Several hundred military fatalities have also been reported in sporadic battles with the UWSP for control of strategic trade routes.

After four decades of near continuous conflict, the humanitarian emergency in many parts of the Shan State is now critical. Over 500,000 civilians are unofficially estimated to have been forced to leave their homes, and refugee communities huddle around every town in the state. Well over 1,000 villages have been forcibly relocated or destroyed by the *Tatmadaw* since the SLORC came to power, and several areas have been badly damaged by deforestation and the scramble for rubies and other precious stones. Despite the cease-fires, the SLORC has also continued to conscript labourers and porters in government-controlled areas across the state. In August-September 1992, for example, hundreds of civilians were seized, many from video halls, in Hopong and Mong Shu towns for a *Tatmadaw* offensive in the adjoining Kayah State. Unknown numbers died.

As a result of such tactics, many of the SLORC's critics allege that it is using its growing presence to increase the military's control of the state and assimilate the minorities even further. With encouragement from the government, Buddhist monasteries have been opened by monks in Christian villages and, since 1991, there have been reports of the compulsory recruitment of young men and teenagers into the army. But for many Shans, the most symbolic evidence of the SLORC's determination to change the cultural character of the state was the demolition in 1991 of the old royal palace in Kengtung, once the administrative centre of the largest and most powerful of all the Shan sub-states.

The consequences of war and poverty are evident everywhere. One unpublished UN survey undertaken in Tachilek district in the south revealed a ratio of 1,430 females to 1,000 males amongst the local population, an indicator of the high mortality rate for men in the fighting. Child labour is the norm across the state. Boys as young as 12 are now being conscripted into different armed militia. Equally disturbing, growing numbers of young women are escaping poverty by travelling to seek work in Thailand where many have gone into prostitution (see chapter four) Over 10,000 young women and girls from the Shan State (mainly Shan, Lahu and Akha) are currently estimated to be working in brothels in Chiang Mai alone, and rates ranging from 20 to 90 per cent HIV-infection have been reported amongst those who return.

Against this alarming portrait of social collapse, some progress on human rights has been reported in areas where cease-fires have been agreed: for instance, villagers are enjoying the possibility of easier trade and travel. But there is still much discrimination. Many of the licences required to run new businesses have been given to Chinese entrepreneurs, who have their own funds, or to local officials favoured by the SLORC.

Like other ethnic minority states, the picture is one of complete under-achievement. Despite its economic potential, many people of the Shan State are still only surviving at a subsistence level. The only significant industries to have continued uninterrupted since independence are a tea factory at Namhsam and the lead and silver mines at Bawdwin and Namtu. Under the SLORC's Border Areas Development Programme (BADP), a number of road and construction projects, such as the Aungban-Loikaw railway, have been started with forced labour and more are being planned, backed, reportedly, with UN development aid or Thai and Chinese investment. For example, one much-discussed project is be the construction of a major new 'Golden Square Highway Network' which will open up the long-closed road between north Thailand and south-west China.

The UN Drug Control Programme is also planning two pilot crop-substitution programmes in areas near Tachilek and Kengtung, where cease-fires have been agreed with armed opposition groups. The first plan for the Kokang region, however, was abandoned and suspicions of the SLORC remain high. Many ethnic minorities, who have never come under the control of Rangoon, fear that, unless a real peace is achieved, the UN or other foreign governments and agencies will in effect be expanding and financing *Tatmadaw* authority into the hills.

Chinese and Indians

Despite their numbers and economic importance, the country's substantial Chinese and Indian populations are usually left out of discussions on ethnic minority issues in Burma. Both, however, suffer very similar forms of discrimination to other non-Burman peoples and have been frequent targets of racist attack in times of communal tension. Chinese influence in Burma dates back to 1287 AD and the fall of the ancient capital Pagan to the Mongol armies of Kublai Khan. In the following centuries, a steady stream of Chinese migrants moved backwards and forwards across the unmarked frontier, and Chinese armies several times tried to invade. Indian influence, by contrast, is more recent and was largely confined to the north-west frontier and the western seaboard.

The picture changed dramatically with the British annexation in the 19th century when a new wave of Chinese and Indian labourers and migrants, from a variety of ethnic backgrounds, flooded into Burma to look for work or set up businesses. This concurrence prompted many Burmans to associate both groups with the stigma of colonial rule. By 1931, Chinese and Indians probably accounted for over ten per cent of the total population. In particular, the activities of a caste of Indian *chettyar* money-lenders caused great resentment, and there were several outbreaks of communal violence in the 1930s in which hundreds of people, mostly Indians, lost their lives. Matters came to a head during the Second World War when as many as 500,000 Indians were expelled from Burma, many of them dying on the road in one of the country's darkest episodes.

Since independence there have been further pressures on both communities. Another 300,000 Indians and 100,000 Chinese left the country after General Ne Win seized power in 1962. But the most terrifying incidents were the violent anti-Chinese riots which broke out in towns across Burma in mid-1967. Many observers believed that these disturbances, including an attack on the Chinese embassy in Rangoon, were deliberately provoked by the BSPP; dozens, and possibly hundreds,

of Chinese were killed or injured and many Chinese properties looted and destroyed.[13] China responded by giving heavy military backing to the insurgent CPB, support which continued for a decade.

Relations between the governments of China and Burma remained tense well into the 1980s, but improved dramatically following the collapse of the CPB in 1989. Growing numbers of overseas Chinese entrepreneurs are returning to Burma, especially to Mandalay and the north-east. Given the racial troubles of the past, however, this leaves Burma's Chinese and Indian populations in a very ambiguous position.

Generally, there are estimated to be around 400,000 Chinese and as many as one million Indians living in Burma today.[14] Some of the confusion over numbers can be put down to the many Chinese and Indian families who have long since settled and intermarried. Such prominent national figures as General Ne Win (whose original name was Shu Maung) and his former deputy, Brigadier Aung Gyi, have mixed Sino-Burman ancestries. But undoubtedly the other main reason is that Burma's tough citizenship rules have encouraged many ethnic minority inhabitants to play down their true backgrounds, In particular, the 1982 citizenship law seems specifically targeted against Chinese and Indians. This technically limits the rights of full citizenship to those who can prove ancestors resident in Burma before the first British annexation in 1824, however 'indigenous races', such as the Shan, Karen and Burman, are exempted.

Despite the new economic opportunities offered by the SLORC, many Indian and Chinese inhabitants remain very cautious. The once-flourishing Indian and Chinese schools and newspapers of the 1950s were all closed down after the 1962 coup, and even today Chinese and Indian holders of Foreign Residents Cards are barred from studying 'professional' subjects such as medicine and technology, even if born and brought up in Burma. Indians, in particular, still constitute some of the poorest urban and rural workers in the country.

Many Chinese and Indian community leaders were especially concerned over a series of articles published in the official *Working People's Daily* in 1989 under the title 'We Fear Our Race May Become Extinct'. One passage was seen as particularly threatening:

> *Many Burmese girls have become wives of Indians and Chinese. They have given birth to impure Burmese nationals. Foreigners marrying Burmese girls and trying to swallow up the whole race will continue to be a problem in the era of democracy in future.*[15]

In conclusion, therefore, after nearly 50 years of independence, the political problems which Burma's ethnic minorities now face in their quest for social justice are complicated, reflecting their diverse and vibrant histories. However, all their struggles have become overshadowed by systematic repression and human rights abuses, which have sadly become endemic in Burma today. Compounding these difficulties are the worsening poverty and deprivation, which discriminate against the weakest sectors of society and drive many ethnic minorities, as well as women and children, into servitude. All these grave social issues will be examined in the following chapters.

1 For population estimates in this chapter, see, Martin Smith, *Burma Insurgency and the Politics of Ethnicity* (ref Ch 1, n 2), pp 29-31 37-8. Recent government figures are taken from an incomplete calculation of ethnic numbers delivered at the SLORC's National Convention on 11 January 1993.

2 KIO, *Report on Human Rights Abuse,* 21 April 1992

3 Amnesty International, *Myanmar 'No law at all Human rights violations under military rule'* (London, October 1992), p 20

4 Interview, 5 January 1992

5 See, e g , Amnesty International, *Myanmar No law at all* , pp 23-4

6 *Bangkok Post,* 16 November, 1992

7 Smith *Burma Insurgency,* p 43

8 *Publicity of People's Struggle in Monland Newsletter,* Vol 1, Nos 1 and 3, 1993

9 Smith, Burma *Insurgency,* p 39

10 See, e g , Amnesty International, *Union of Myanmar (Burma) Human Rights Violations against Muslims in the Rakhine (Arakan) State* (London, 1992), and Asia Watch, *Burma Rape Forced Labour and Religious Persecution in Northern Arakan* (New York, 1992)

11 See box on The SLORC and the International Community in chapter three

12 See, e. g. , *Working People's Daily,* 25 January 1992, 'SLORC Press Release no 87', 14 December 1992, and 'Press Release' Ministry of Foreign Affairs, Dhaka, 12 March 1992

13 Smith, *Burma Insurgency* pp 224-7

14 Martin Smith, 'Burma Myanmar', in *The Chinese of South East Asia* (Minority Rights Group, London, 1992) pp 32-3

15 *Working People's Daily,* 20 February 1989

PART II

Military Rule and Human Rights Abuses

CHAPTER THREE

A Strategy of Control: Compulsory Relocation and Forced Labour

Ours is the struggle of generations: for freedom and land - our life.

a message to the world telling of the plight of the Kachin, put out by the KIO in December 1992 as it began cease-fire talks with the SLORC.

The peoples of Burma are deeply religious and the society is imbued with Buddhist philosophy; but, until the past few years there had never been any suggestion that the country had standards or values significantly different from those laid down by international norms. Once it was a respected leader in the developing world and had international influence, a position furthered by such figures as the late United Nations secretary-general U Thant and former prime minister U Nu. But now it is regarded as standing near the bottom of the international human rights league.

By way of an explanation, many Burmese citizens believe that most of the extremely grave human rights abuses which have occurred in Burma can be put down to just one cause: nearly half a century of armed conflict. The war, they argue, has contributed to the state of siege mentality of successive governments, brutalised the country's soldiers (from every ethnic background), and given a veneer of legitimacy to the *Tatmadaw's* continued hold on power.

Civil War and the Character of Military Rule

Even though Burma has no external enemies, an estimated 40 per cent of the national budget is currently spent on the defence forces. From the Burma Socialist Programme Party to the present, there has been a continuity in security strategy. According to the first State Law and Order Restoration Council chairman, General Saw Maung, who was also the last BSPP minister of defence:

In political tactics, there are such things as dialogue and so forth, but in our military science there is no such thing as dialogue. Someone might say, "Look, friend, please do not shoot. " Well that is not the way it works.[1]

After seizing power in 1962, General Ne Win set about building a military-dominated system of control extending from Rangoon into the ethnic minority states. At every level of government, the civilian administration was made subservient to local military commanders, whether building roads, conscripting porters or setting rice quotas.

Since assuming power in 1988, the SLORC has continued all the arbitrary military practices of the BSPP, initially making them harsher by the imposition of tough new martial law decrees. Front-line troops, employing tactics from the war-zones, have been used for everyday civil policing duties in towns and cities right across Burma. Most of their security activities are co-ordinated by the Military Intelligence Service, but even the most junior officer has complete freedom of action. Under this style of government, gross human rights abuses such as summary arrests, extrajudicial executions, disappearances and torture have become commonplace in many areas of the country and, since 1988, these have been increasingly well documented by a number of international organisations.

Amnesty International, for example, has identified at least 20 detention centres around the country where 'brutal interrogation', including beatings, electric shocks and various forms of water torture, have taken place.[2] The use of such methods is not random: a distinct pattern can be observed. According to the UN Special Rapporteur on Human Rights, such violations of 'physical integrity rights' have occurred in three main contexts:

> *attempts by citizens to participate freely in the political process and the transition to the democratically-elected government, forced portering and forced labour, and the imposition of oppressive measures directed at ethnic minorities.*[3]

Thousands of civilians have been unofficially reported as missing from their homes since 1988. But until real peace returns, it will be impossible to know what has happened to many of these people: whether they are dead, in jail, working as porters, in the 'liberated zones', or in exile.

A complete lack of accountability runs through the entire system of government. Under the SLORC's military rule there is no independent right of enquiry or representation, and no independent judiciary. All reports of human rights abuses are met with blanket denials and accusations of outside interference or 'neo-colonialism'. For example, in a widely circulated report in April 1993 replying to the documented criticisms of the UN Special Rapporteur on Human Rights, the SLORC still insisted that it was incapable of any wrong-doing:

Myanmar is well-known for its unique culture, the hall-marks of which are tolerance and compassion. This cultural environment underpins respect for human rights. These rights are guaranteed not only by law but are encouraged and practised as a matter of tradition. There is no discrimination in Myanmar whatsoever on grounds of race, religion or sex.[4]

In line with this argument, the SLORC has always invoked the law as the basis for all its actions in both armed opposition and governnient-controlled areas. A complex web of laws, past and present, and new martial law regulations govern every aspect of national political life. These affect all Burmese groups equally.

The laws most commonly used by the SLORC have been the 1950 Emergency Measures Act, the 1957 Unlawful Associations Act, the 1962 Printers and Publishers Registration Law, and the 1975 State Protection Law. Each allows for long periods of imprisonment for any citizen deemed guilty of criticising the government, and those arrested have come from virtually every political and ethnic background.

These existing laws from earlier political eras have been backed up by summary detention and a succession of martial law orders, each of which has tightened the security net further. For example, Order 2/88, proclaimed on the day the SLORC assumed power, banned all public gatherings of more than five people 'regardless of whether the act is with the intention of creating a disturbance or of committing a crime'.

Against a reviving background of political protest, these decrees were further strengthened in July 1989 when Aung San Suu Kyi, ex-General Tin Oo and the leadership of the National League for Democracy were arrested. Military tribunals were established across the country with powers to enforce only three sentences: death, life imprisonment or a minimum of three years' hard labour. In September 1992 these tribunals were disbanded, due to 'the wishes of the people' and 'the improvement in stability' — according to state radio. But although long sentences were reduced, no convictions were quashed and many martial law restrictions apparently remained in force.

Since 1988, other far-reaching laws and decrees have been announced to control the political reform process. Many political figures have been charged under vague treason laws, such as ex-Colonel Kyi Maung MP, who led the NLD to victory in Suu Kyi's absence, but who subsequently received a 20 year jail sentence. For example, a law of July 1991 (No. 10/91, dubbed the 'Moral Turpitude Law') amended retrospectively the 1989 People's Assembly Law to allow the government to ban from

politics, for up to ten years, any MP it chooses on the basis of 'moral turpitude as determined and declared from time to time by the SLORC. The only major organisations apparently exempt from these restrictions are the pro-SLORC National Unity Party (NUP), which was formed from the embers of the BSPP, and the Union Solidarity and Development Association (USDA), which was set up by the SLORC in late 1993 when the NUP was failing to gain broad-based support. Amidst widespread reports of ill-treatment and torture, a number of prominent political prisoners have also died in jail, including U Ba Thaw (pen name Maung Thawka), the chairman of Burma's Writers' Association, and U Maung Ko, the NLD workers' leader.

Public servants, too, have been subjected to intense pressures under the law. Since 1988,the SLORC has been conducting a massive purge of the civil service on a variety of quasi-legal grounds. All state employees have been banned from taking part in politics and in April 1991 an order was issued requiring them to fill in a detailed 33-question survey on their political views.[5] Six months later it was announced that over 15,000 civil servants had been sacked or disciplined.

In late 1992, the SLORC tightened the security pressure further by introducing military-style training courses for all local government workers, including doctors and teachers, at the former BSPP's Central Public Service Institute at Phaunggyi. The government press glowingly reported that the trainees, who were compelled to wear military uniforms, learned the laws of the SLORC 'to standardise their style of work'.[6] Monks and university lecturers also came under attack (see section on Culture, Education, Language and Religion in chapter four).

Many citizens thus feared that, in addition to controlling the political process, the SLORC generals also had grandiose plans to try and change the entire basis of Burma's society and culture.

Human Rights Abuses in the War-Zones

Gross human rights abuses, including torture and extrajudicial executions, have undoubtedly been committed by armed forces on all sides in Burma's long-running civil and ethnic conflicts. But the undeniable bulk of atrocities documented over the past three decades have been carried out by government forces in ethnic minority regions of the country where, eyewitnesses report, *Tatmadaw* units are often seen to be 'invaders' and indeed frequently behave like 'invaders'.

A recurring problem has been the attitude of *Tatmadaw* officers to local inhabitants, the languages of whom they rarely speak. It would appear that

all minority citizens or dissident groups are considered potential 'insurgents'. The depth of this attitude, in an army which has been at war for over four decades, perhaps accounts for the ferocity and apparent cynicism with which many human rights abuses have been committed against all the country's peoples, but most especially against ethnic minorities.

Government casualties have also been heavy in the line of what soldiers see as their 'patriotic duty'. But it is civilian casualties, estimated as high as 10,000 fatalities a year, which have been the most appalling. Countless innocent victims have been caught in the crossfire.[7]

The inhabitants of the war-zones also suffer as a result of human rights abuses committed during *Tatmadaw* operations, especially during the forcible relocation of villages, enforced portering and the seizure of land and property (see later sections). The government claims these tactics are 'counter-insurgency' operations. But allegations of abuses have been so many and so extreme that several opposition parties have accused the SLORC and *Tatmadaw* of the indictable offence of genocide under the terms of the 1948 UN Convention on the Prevention and Punishment of the Crime of Genocide.[8]

For many years there have been consistent reports of government troops killing ethnic minority villagers, burning their homes or simply taking all

UN CONVENTION ON THE PREVENTION AND PUNISHMENT OF THE CRIME OF GENOCIDE

Article II of the 1948 Convention, which Burma acceded to in 1956, defines genocide as:

> *... acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group.*

To prove such 'intent' is virtually impossible. But many ethnic minority parties in Burma have come to see the *Tatmadaw* and a policy of Burman conquest and cultural domination as synonymous. They believe 'intent' is manifestly evident. In particular, the indiscriminate execution, beatings or torture of members of minority ethnic groups, and the destruction of their homes, are contrary to Article II (a, b and c) of the Convention, which prohibit racial killings or:

> *... deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part.*

their possessions, making it impossible for them to remain in their traditional lands. In 1989, for example, Anti-Slavery International described the plight of 500 Karen villagers from the Shwegyin area who had fled to the Thai border after the deaths of 90 fellow villagers in a series of indiscriminate killings. One widow, Naw Mu Ler, told how she and two other middle-aged women lost their husbands:

> *One day when a group of soldiers came to our village we fled and hid in the forest. But after a few days hiding we ran short of food. So we asked our husbands to go back and fetch some rice. Three men, including my husband went back, but before they got to the village they met soldiers. Without any warning the troops opened fire. Our men were all killed.*[9]

The Story of Dee Dee

In December 1990 a 60 year-old Karen villager, Dee Dee, from Hlaingbwe township, told ASI how he had a remarkable escape when troops came across him working on his farm:

"I went to my fields to gather some bamboo shoots and vegetables, but suddenly some Burmese troops appeared on the path. They were very close so I stood up thinking they would call to me. Instead they immediately opened fire. The first shots missed and I started to run away, but then I got hit in the foot and had difficulty running. The next shot caught me in the waist and I fell over. On the ground I tried to look up, but a bullet passed though the side of my jaw knocking out *some* teeth. I think they thought I was dead. Some friends found me and carried me to the border where I got sent by refugee workers to a Thai hospital."

Hundreds of incidents of indiscriminate killings and arbitrary brutality across the country have been documented by various media and human rights organisations since 1988. But even where photographic or video evidence can be supplied, every such report has been denied. Instead the SLORC has claimed that all soldiers, from the generals down to the lowest ranks, are issued with a 'green book' regulating all rules of engagement, action or punishment.

The closest any SLORC official has ever come to public admission of culpability was when Lieutenant-General Khin Nyunt, in a meeting with Professor Yokota, the UN Special Rapporteur on Human Rights in December 1992, said:

MANDATE OF THE UN SPECIAL RAPPORTEUR ON HUMAN RIGHTS

In March 1992, the UN Commission on Human Rights adopted a resolution, by consensus, appointing an official 'Special Rapporteur' to investigate the human rights situation in Burma. This Special Rapporteur replaced the previous 'Independent Expert' who had reported under the UN's confidential '1503' procedure.[10]

In its resolution the Commission noted that, under its Charter, the UN encourages the respect of fundamental human rights for all and that the Universal Declaration of Human Rights states that 'the will of the people shall be the basis of the authority of government'. In nominating the Special Rapporteur, the Commission expressed concern that in Burma:

no progress had been made on implementing the result of the 1990 election;

Aung San Suu Kyi and many other political leaders remained in detention;

important restrictions existed on the exercise of fundamental freedoms;

oppressive measures had been imposed on minority groups, which had caused the exodus of refugees to neighbouring countries.

There is no way that a member of the armed forces would violate the human rights of the ordinary people... The Government does not deny that in the heat of fighting, these regulations may be violated, but the media exaggerates. As soon as such an incident is known, immediate action is taken.[11]

To date, however, there are no publicised cases of soldiers being brought to account for any documented offence, although some have been transferred to other areas or duties.

Indeed, even as Khin Nyunt spoke with Professor Yokota, *Tatmadaw* units were distributing written commands to hundreds of villages in Papun and Paan districts of the Karen State ordering them to relocate, to inform on Karen National Union supporters, to supply unpaid labourers and to provide troops with materials. Many were stamped 'Comply Without Fail'. A 'Notification Order' dated 21 November 1992, sent to the headman of Kyauk Done village, explicitly warned of the army's readiness to shoot unarmed civilians:

1. When the villagers in this village meet the military column, they run away and escape. Therefore starting from this date you must notify the villagers not to run away and escape any longer.

2. Next time they meet the military column, if they run to escape, they will be shot, arrested and questioned. After this, if they have been wounded or killed, our military column will not be responsible for that. You have hereby been informed.

Every such threat or action is contrary to the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights

A Life-Threatening Relocation Order

Destroyed monastery in a burnt out village

A typical threat of extrajudicial action by the military was made under an order dated 7 December 1992 issued by the 'Committee for the Relocation of Villages' in Paan, the Karen State capital. The inhabitants of over 40 Karen villages west of the Salween river were commanded to move with their belongings to designated army-controlled settlements within three weeks. Those refusing to comply were warned:

Any rice and cattle left behind will be confiscated if found by the military columns. If any villagers hide in the forest, they will be shot and *arrested.*

(ICCPR) which guarantee the right to life as the most fundamental of all human rights. Article 6(1) of the ICCPR, which Burma is yet to ratify, reads:

> *Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.*

By comparison, there are far fewer documented allegations of human rights abuses by armed opposition forces. But gross violations have continued to occur and must be equally condemned. Suspected government agents and informers are routinely executed without trial, there have been frequent outbreaks of inter-party fighting, and few armed opposition forces keep or take prisoners of war. Amnesty International has reported the public execution, after torture and summary trials, of 15 suspected spies in February 1992 by fellow members of the All Burma Students Democratic Front in the Kachin State; in August 1991 the KNU also executed Mai Pan Sein, an ethnic Palaung leader, and Thein Myint, a military intelligence corporal.[12] The death penalty, too, is enforced by different groups for a whole range of civil offences, for example, by the Kachin Independence Organisation for drugs trafficking.

But in the past few years most concern has centred on indiscriminate attacks on civilian targets in government-held areas. For example, on the night of 11 January 1993, the SLORC claimed a KIO unit entered Mantha village, Mansi township, and shot dead the chairman and secretary of the local Law and Order Restoration Council (LORC). State television also reported that nine passengers were killed and 18 wounded after a mine, allegedly planted by the New Mon State Party, destroyed a cargo train on the Ye-Moulmein line on 8 February 1993. Shortly afterwards, on 20 March, over 60 Shan and Lahu miners working along the Maepan creek in Monghsat township were murdered by uniformed gunmen, whom both the SLORC and eyewitnesses claimed were from the Mong Tai Army of Khun Sa.

All these incidents and human rights abuses are illustrative of the climate of fear that many citizens have daily lived under in different regions of Burma for the past four decades. With Burma's long overdue signing in August 1992 of the 1949 Geneva Conventions, there are signs that *Tatmadaw* leaders may at last be starting to recognise both the scale of the problem and their obligation to observe internationally-recognised standards in both internal and external armed conflict. Armed opposition groups also claim to support the same goals.

The urgent task now is for all parties to live by these promises. To date, progress has been tragically slow. But observance of the Geneva

Conventions, it is to be hoped, will set new standards in humanity and justice in both government and opposition conduct.

Forcible relocations and the 'Four Cuts' campaign

From every corner of Burma, there has been irrefutable evidence since 1988 that the forcible relocation of civilians by the military is taking place on a massive scale in both government-controlled areas and ethnic minority zones of conflict. Not only are such moves themselves a major cause of poverty and deprivation, but it is in the context of such relocations that many of the worst human rights abuses by the security forces have occurred.

UNIVERSAL DECLARATION OF HUMAN RIGHTS

The practice of compulsory relocations is totally contrary to the Universal Declaration of Human Rights, Article 3 of which states:

Everyone has the right to life, liberty and security of person.

This is backed up by Article 12 which guarantees:

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence...

Article 17 (2) further adds:

No one shall be arbitrarily deprived of his property.

ASI is particularly concerned about two areas of human rights violations which occur during relocation operations and which it regards as forms of modern-day slavery: the use of arbitrary arrest and violence to force villagers to move; and the constant demands by the military authorities for compulsory or unpaid labour.

At present, forcible relocations appear to be taking place in two main contexts: as part of 'redevelopment' programmes in urban areas and under counter-insurgency operations in ethnic minority regions of the countryside (see chapter two). Although the methods differ, they appear linked by a common purpose. According to one UNICEF report:

> *Social engineering is a pervasive strategy in Myanmar at present. It is perhaps most evident in the constantly changing social landscape due to resettlement.*[13]

The practice of forcible relocations by the military as a method of social

control is not new. The numbers of citizens affected over the past three decades are impossible to calculate; some communities have been relocated more than once. The scale of these moves, however, has escalated dramatically under the SLORC and begun to attract increasing international concern.

Unofficial estimates by opposition groups of the numbers displaced or forced to resettle since 1988 are as high as four million or ten per cent of the population; but a figure between one and 1.5 million is generally accepted as more accurate.[14] In particular, many smaller ethnic minority communities, such as the Karenni and Palaung, have suffered massive dislocation affecting up to 20 per cent of their total populations.

In ethnic minority areas, many of those relocated are victims of the 'Four Cuts' anti-insurgency campaign (described in chapter two). Since 1988 the *Tatmadaw* has maintained the use of this strategy in the Kachin, Karen, Karenni, Mon and Shan States, where thousands of democracy activists took sanctuary following the SLORC's assumption of power. Most areas affected have been adjudged by the government to be under the direct or indirect control of armed opposition groups. However, many refugees claim that expulsion orders, killings, beatings and other gross abuses of human rights have also occurred since 1988 during 'Four Cuts' operations, in areas where insurgent groups have rarely or never been active.

All such actions affecting ethnic minority communities are contrary to Article 1 of the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, by which States are required to protect the existence of minorities 'within their respective territories'. They also contravene the International Labour Organisation's Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries which the Burmese government has not yet signed. Many minorities in Burma, however, regard this Convention as a model for their future development. In particular, Article 16 stresses the importance of the right to fair representation and consultation in such circumstances:

> *Such relocation shall take place only with their free and informed consent. Where their consent cannot be obtained, such relocation shall take place only following appropriate procedures established by national laws and regulations, including public inquiries where appropriate, which provide the opportunity for effective representation of the peoples concerned.*

There is no such process of consultation in Burma today.

A typical, but unusually well-documented, 'Four Cuts' relocation campaign was carried out in 1991-92 against a large community of indigenous Karenni in the south-west of Kayah State, in an area which was previously considered to be politically quiet.[15] Following an escalating campaign of military harassment, the operation peaked in March 1992 when the residents of 57 predominantly Catholic villages in the hills were abruptly ordered by the local LORC authorities to leave their homes within two weeks and move to the small rural town of Pruso, located in a narrow valley. There was no government provision to cope with the influx. Local townspeople and villagers were ordered by the military to provide free labour and materials to build new houses on a few overcrowded plots.

A flurry of eviction orders were then issued, copies of which ASI has seen, leaving no doubt that those who failed to comply faced death. The 'final' order, dated 6 March 1992, gave a deadline of 20 March:

> *A warning is given to those who do not move before that date that they will obviously be revealed as dacoits-insurgents and will be wiped out in the army's counter-insurgency operations.*

After the issue of these orders, ten *Tatmadaw* battalions were mobilised. All the homes, cattle and rice of the 12,000 villagers affected by the orders were confiscated or destroyed. Some of the villagers moved to Pruso and over 1,200 fled to Thailand. The rest were reportedly confined in four camps. According to church leaders over 50 villagers, mostly children and elderly people, died from malnutrition at the new camps in the next four months. Others were conscripted and taken away to work on SLORC construction projects, including the new Aungban-Loikaw railway.

Since 1988 similar enforced relocation operations under the 'Four Cuts' campaign have been documented elsewhere in Burma. From incomplete reports, ASI and other human rights organisations have been able to document the relocation of over 900 ethnic minority villages, some with over 200 houses. (The massive dislocation of over 200,000 civilians from the Muslim community in the Rakhine State is not included in these calculations.) Many minorities have been affected, but, in addition to the Karenni, the largest relocations have been reported in the following areas:

- Kachin villages in Bhamo district of Kachin State and Kutkai region of northern Shan State;
- Palaung villages in Mong Mit township of north-west Shan State;
- Shan villages in Tangyan-Hsenwi region of north-east Shan State;
- Karen villages in north and central Karen State;

- Mon villages in eastern Mon State;
- Karen, Mon and Tavoyan villages in Tavoy-Mergui districts of Tenasserim Division.

Between late 1991 and early 1992, for example, over 20,000 Karen, Mon and Tavoyan civilians from 17 well-established villages in Thayetchaung township were forced from their homes and herded into 'strategy camps' along the west of the Tavoy-Mergui road. Their homes were destroyed and they were only allowed to take the few belongings they could carry. Two parties of Karen refugees who reached the Thai border in February 1992 told ASI that, accused of being 'rebel sympathisers', they had been held as virtual slave labourers. They were kept under constant guard; they were prevented from returning to tend their fields; and they were daily conscripted to carry out portering or construction duties for the military. Naw Paw Shwe, a 45 year-old mother of six, described how she watched as troops set fire to her house:

> *We were under arrest the whole time. My husband escaped first after a few days, but the Burmese troops shot at him. Luckily they missed, so we knew we would have to watch carefully before we escaped. Now we don't dare go back. We've lost everything.*

Karenni refugees arriving in Thailand

Although most villagers relocated under the 'Four Cuts' have belonged to ethnic minorities, until recently few community leaders had complained of these tactics being racist. In the past 30 years the strategy has been used against virtually every group, including the Burman majority.

However, since 1991 there have been claims that the SLORC has begun its own version of what critics describe as 'ethnic-cleansing' in order to change the population balance in politically sensitive areas. For example, a number of Chin refugees who fled into India alleged that, during 1991-92,

the SLORC was deliberately relocating Chin and Burman villagers on the Chin State-Sagaing Division borders. This was apparently to break up the concentration of Chin communities along the strategic Kale-Kabaw valley on the road to India. In late 1993, travellers reported that many of the Burman newcomers were being brought in from the Monywa area, further south, by the government's 'Department of Human Settlements'.

Elsewhere in Burma, similar allegations have recently been made by Kachin, Karen and Mon leaders. But undoubtedly the most disturbing evidence of a new government policy of ethnic resettlement occurred during the mass exodus into Bangladesh of over 260,000 Muslims from Buthidaung, Rathedaung and Maungdaw townships in Rakhine State in 1991-92. Not only were many Muslim villages reported to have been destroyed by *Tatmadaw* units, but there were a number of documented cases of Muslim-owned land or property being confiscated and handed over to Burman or Rakhine Buddhists moved in by the local LORC authorities. Rumours abounded of government plans to establish nine Buddhist townships as a religious and ethnic buffer along the Bangladesh border. Seventy families of former military personnel from the Rakhine State capital, Sittwe, were reportedly moved to one of the first such settlements near Maungdaw.

Refugees in Bangladesh alleged that many Muslims were being conscripted to work as unpaid labourers on 'urban development projects' for the Buddhist newcomers, sometimes on land they themselves had been forced to vacate. At the height of the operation, there were frequent reports across the northern Rakhine State of extrajudicial executions, beatings and rape involving both troops and new settlers. According to Asia Watch, when Mohammad Yonus, a 50 year-old tailor from Miumaungkora, complained to the local police chief of the rape of several women in his village by soldiers and Buddhist incomers, he was arrested and told:

> *You are not Burmese. We are torturing you so you will leave this country. We will continue until you are gone.*[16]

Under the second form of mass relocation, the government's 'urban redevelopment programmes' (described in chapter two), at least 500,000 citizens are estimated to have been moved to 'satellite new towns' since the SLORC came to power. Over 150,000 citizens have been relocated from central areas of Rangoon to the new town of Hlaing Thayar alone. However, despite the important economic billing given by the government to these resettlements, in ASI's view the humanitarian consequences of such a sudden mass movement of hundreds of thousands of citizens have not, at best, been thought through or planned. At worst, they could

constitute a form of forced labour or servitude.

As with the 'Four Cuts' campaign, in many of the new towns materials, finance and infrastructure are non-existent, and in several areas health workers have reported high fatality rates due to malaria and poor sanitation. Settlers are required to build their own homes on standard plots measuring 20 by 40 to 60 feet for which they have to pay between 1,500 to 5,000 kyats (US$ 250 to 830), depending on the location. (The daily rate paid to a labourer in Burma is as little as 30 kyats or US$ 5).[17] The SLORC claims that subsidies can be applied for, but there is no compensation for properties or homes which have been lost.

Nor has the economic reward promised by the SLORC so far materialised. Rates of up to 80 per cent unemployment have been reported at many of the new sites, bringing even greater hardship to the many poor families deprived of their former jobs and homes. The burdens on society are not evenly spread, and many of those forced to move come from among the most vulnerable sections of the community, including ethnic minorities, squatters and beggars.

By early 1993 many inhabitants reported that a new kind of social stratification was taking place. Those who could afford to move went to the better new towns, whereas a new class of urban poor or jobless were sent to the most out-of-the-way locations where they were constantly subject to demands for unpaid labour. This resulted in a new phenomenon of 'double-squatters', people who tried to return to their former homes. But the SLORC quickly moved to discourage the practice, starting a press campaign warning that anyone discovered would be exiled to 'remote places', such as the Shan State, in ethnic minority regions of the country.

To counter international criticisms, a stream of UN and other foreign visitors have been taken by the SLORC to see some of the show-piece sites. Non-governmental organisations (NGOs), such as World Vision and Medecins sans Frontieres, were invited to begin health and development programmes at several new towns, and in 1993 these became the first independent foreign NGO projects in Burma since the military came to power in 1962. There is no dispute over the humanitarian need. But since many residents blame their poverty on the relocations, critics question whether foreign agencies should become involved in projects which might appear to lend support to SLORC policy.

A report for UNICEF, one of the few outside agencies to have been allowed to work extensively inside Burma since 1988, is damning of the entire concept of forcible relocations:

Quite apart from the disruption to community and family ties this mechanism of resettlement represents, it crucially separates families from their sources of income and concentrates population too heavily - causing serious pressure on land. It is also an extremely divisive technique - privileging some people with good land that is then used in speculative dealing, whilst marginalising others on valueless plots distant from the city. In some instances this practice has resulted in a dramatic increase in mortality.[18]

Forced Labour and Portering

Equally widespread in Burma today is the forcible conscription of civilians into compulsory labour duties for the military authorities. No pay is given for such labour and the period of service can last months and even, in some cases, years. This further disrupts family life and pushes many families deeper into poverty. Those conscripted to work for the SLORC include pregnant women, children and the elderly in clear contravention of international norms.

Typical labour duties include the construction of roads, airfields, army barracks and railway lines in government-controlled areas, while in the war-zones civilians have been forced to work as look-outs or as porters carrying arms and supplies for the *Tatmadaw* into dangerous front-line positions. The number of civilians conscripted for such duties can be vast. On 8 May 1992 the *Working People's Daily* proudly reported that over 300,000 people had 'contributed voluntary labour' on the Aungban-Loikaw railway line alone.

However, government accounts of the conditions of such service differ greatly from those given by former labourers and the tens of thousands of refugees and displaced peoples who have fled their homes since 1988. Forced labour also existed under the former BSPP government (especially in ethnic minority areas), but the numbers conscripted have undoubtedly increased and the conditions of service harshened under the SLORC. "We were treated like slaves," said Thein Aung, an Andaman Sea fisherman; he had fled into Thailand in mid-1990 as part of a mass exodus of over 2,000 refugees from the Tenasserim Division escaping further portering and construction duties for the *Tatmadaw*.[19]

Such conditions of compulsory or unpaid labour are contrary to international law, notably ILO Convention No.29 Concerning Forced or Compulsory Labour (1930) and ILO Convention No.87 on Freedom of Association and Protection of the Right to Organise, both of which Burma ratified in 1955. For many years successive governments denied forced

labour existed but growing international condemnation has extracted some justifications from the SLORC. For example, in an official press release on 14 December 1992 the government stated that Burma has a 'tradition of labour' and that, in a Buddhist country, the contribution of such labour is a 'noble deed'.

FORCED LABOUR

Burma has ratified ILO Convention No.29 Concerning Forced or Compulsory Labour (1930), which states, in Article 2.1:

> *... the term "forced or compulsory labour" shall mean all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.*

While the Convention excludes from this definition compulsory military service, normal civic obligations, work by convicted prisoners under the control of a public authority, work in the event of an emergency and minor communal service (Article 2.2), it also imposes restrictions.

Several articles make clear that the employment of forced labour for such tasks must be on the same terms and conditions as those applying to the civilian labour force, and must not exceed 60 days in any year or place too great a burden on the physical capacities and resources of the local population.

Furthermore Article 11 explicitly restricts such labour duties to 'able-bodied males' between the ages of 18 and 45 and whose absence will not affect the maintenance of normal family life in the community.[20]

Tragically, the evidence is overwhelming that every article has been routinely broken in both spirit and practice in Burma in the past four decades.

ILO Convention No. 105 Concerning the Abolition of Forced Labour (1957), Article 1, also forbids signatories from using forced labour:

> *(a)... as a punishment for holding or expressing political views...;*
>
> *(b) As a method of mobilising and using labour for purposes of economic development.*

Burma is not a party to this Convention.

The most detailed defence of the use of compulsory labour came in reply to the UN Special Rapporteur on Human Rights. In February 1993 the Rapporteur confirmed, after extensive investigation, that 'systematic torture, cruel, inhuman and degrading treatment or punishment, disappearances and mass arbitrary executions' occurred in Burma during 'forced portering and other forced labour'.[21] He therefore reminded the SLORC of its obligations, under ILO Convention No.29, to eradicate all such practices.

In its formal rebuttal the SLORC called such charges 'slander' and invoked the recruitment of civilians under old British laws, including the 1908 Village Act and 1907 Towns Act.[22] Since the SLORC is always outspoken in its denunciations of 'imperialism' and the modern evil of 'neo-colonialism', most citizens had believed such laws were long extinct. Nevertheless, on the basis of these laws, the SLORC claimed that civilians in Burma are recruited for public works on the basis of three criteria: they must be unemployed, they must be fit, and wages must be agreed. The SLORC also denied that civilian 'volunteers' were ever used in the war-zones, although it did add that in the 'unlikely event' of injury, damages would be paid under the Workmen's Compensation Act of 1925.

Such protestations, however, are contradicted by evidence from every corner of the country. Numerous civilian deaths and grave human rights abuses have been documented during forced labour in both Burman-majority and ethnic minority regions of the country since 1988. In government-controlled areas, workers are usually conscripted from villages near construction sites, but for larger projects some have been transported long distances to labour camps where they may be compelled to stay for months at a time. On prawn cultivation projects in the Rakhine State and fish farms in the Delta region, there have been reported cases of ethnic minority Muslim and Karen labourers being forced to work for periods of up to two years.

Across Burma today, mass labour gangs are a daily and much-photographed sight. On some projects, such as the Tachilek-Kengtung highway in the Shan State, convicted prisoners and political detainees, still in leg-irons and shackles, have been put to work alongside civilian labourers.

More usually the construction work is organised on a village or township basis. For local projects each family (or street or block) is ordered by the district LORC to provide a specific number of labourers to complete a particular task, such as breaking a quantity of rocks or digging a section of road. Food must be provided by the labourers themselves or is sold to them

Labourers and chained prisoners on a government construction project

by the local LORC. These sweeping powers of command have led to reports of widespread corruption and frequent abuses of power. Villagers allege that military officials constantly extort bribes of up to 5,000 kyats (about US$ 800) per head from civilians wanting to avoid service.

For projects where labourers are taken further afield, especially in ethnic minority regions and the war-zones, conditions are even harsher. Shelter and medicine are scarce or non-existent, and there have been many documented reports of beatings and of the shooting or extrajudicial execution of conscripts who fail to keep up with the work or try to run away. One Muslim conscript described to Amnesty International how he witnessed the deaths of four co-workers in one month from a task force of 2,500 labourers working on a prawn cultivation project in the northern Rakhine State:

> *I am sure that many others died as well. They died from beatings after they couldn't manage the work - we had to carry heavy loads of wood through the mud and it was very difficult work. The bodies of the four men I saw die were thrown into the sea.*[23]

In areas where 'Four Cuts' or other military operations are under way, allegations of brutality against the civilian population are commonplace. Refugees who fled into Thailand from the coastal Kanbauk region in 1990-91 claimed that a reign of terror began after the entire community was put 'on call' by *Tatmadaw* units who were preparing a major offensive against

KNU strongholds in the mountains to the east. For months beforehand local villagers (mostly Tavoyan, Mon and Karen) were ordered to work for up to 20 days a month building roads, ditches and defences or carrying supplies. Many never returned. Villagers who protested did so at their peril. Relatives told ASI that when, after months of harassment, all the fishermen at Mongnau village ran away to escape another round-up of conscripts, all their boats and livestock were destroyed and eight young women taken away and raped by troops.[24]

Such allegations, many of which were reported in the 1991 BBC documentary 'Forty Million Hostages'[25], are denied by the SLORC. International concern increased over the growing numbers of civilian deaths on such forced labour duties during the construction of the Aungban-Loikaw railway (see box below). But high casualty rates due to exhaustion, malaria, diarrhoea and ill-treatment have also been reported amongst Kachin, Chin and Naga villagers working on construction projects in inaccessible terrain in north Burma near the Indian and Chinese borders.

The Explanation of an Officer

When a foreign journalist inquired about the large numbers of deaths of Karenni villagers during the construction of the Aungban-Loikaw railway, Lieutenant-Colonel Than Han of the BADF replied:

Every day people are dying. It's a normal thing.

Hill-tribe people, he explained, suffer from the change to a warmer climate when they come down to work on the plains;

They sweat a lot, they lose weight and they have some health problems.

White admitting that ethnic minority villagers did not wish to leave their homes, he complained:

They do not understand that the military is carrying out the rail project in their interests.[24]

Forced labour has also been reported in areas where foreign companies have been prospecting for oil and gas. During construction of the Monywa-Khamti road in the Sagaing Division, for example, former conscripts reported a police post was set up at Htaw Tha village where the South Korean Yukong Oil Company had a test-well. Labourers, including

women and children, were then ordered to work in shifts, night and day, bringing in supplies for police guards and oil workers at the site.

Since 1992 persistent allegations of compulsory labour have also been made by Mon and Karen refugees fleeing into Thailand from southern Burma, who claim that they have been forced to work on road-building and other construction work which they believe is related to gas pipeline projects from the Andaman Sea. This followed the discovery of two major gas-fields, one operated by Total (France) and Unocal (USA) in the Yadana field offshore from the Mon State, and the other further south at the Yetagun field, developed by Texaco (USA), Premier (UK) and Nippon Oil (Japan).

In particular, refugees who fled to Thailand in early 1994 said that over 30,000 local villagers, including women, children and the elderly, had been forced to move under armed guard into the forest and work on a 100 mile extension of the railway from Ye to Tavoy which, they claimed, was designed to interlink with the Unocal-Total pipeline. The route lay close to the notorious 'Death Railway', built by Allied prisoners at an appalling cost of lives under the Japanese in the Second World War. But to the consternation of Karen and Mon leaders, the project was just one of several being planned in the Thai-Burma border region, causing a continuing exodus of refugees who feared conscription or relocation from their homes.[27]

However, of all forced labour duties, the one that has attracted most international concern is the military practice of conscripting civilian porters for front-line army operations. Successive governments have denied that forced porterage in the war-zones exists. But the evidence is irrefutable that, in the absence of proper roads or transport, thousands of villagers are forced into carrying arms and supplies for all major military operations.

Since 1988, ex-army officers have confirmed what is known from photographic and video evidence, as well as from the testimony of thousands of former porters, that for most military operations in the war-zones an average of one porter is taken along for each soldier on the mission. Interspersed as human mules between soldiers in each marching column, they are thus brought directly into the front-line of the war.

ASI first drew to the attention of the UN the growing reports of human rights abuses against ethnic minority porters in the Kachin, Karen, Kayah, Mon, Rakhine and Shan States as long ago as 1986:

> *Allegations of poor treatment are manifold and porters often receive little or no food and no medicine. Sick porters are regarded*

The SLORC and the International Community

The response of the international community to the SLORC's assumption of power has varied considerably. All Western aid was cut off in protest at the 1988 shootings, and although UN agencies such as UNICEF and UNDP have continued working in Burma, their budgets have been generally frozen or cut. Other major bodies such as the World Bank are reluctant to return to Burma until there is substantive reform.

Considerable pressure has been exerted on the SLORC at both the UN General Assembly in New York and the Human Rights Commission in Geneva. Simultaneous human rights pressure has been maintained by a number of international awards, including the Nobel Peace Prize to Aung San Suu Kyi. By contrast, international businesses have been slowly returning to Burma, led by Western oil companies which, with over US$ 500 million already spent, are the biggest foreign investors in Burma today.

This apparent contradiction in Western policy has been much commented on by Burma's neighbours who feel that they are in the front-line of the crisis. Most would welcome the opportunity to normalise state-to-state relations with what they regard as an unstable neighbour. Thailand broke the SLORC's isolation by agreeing cross-border logging contracts in December 1988. Then, after the collapse of the CPB, trading relations were rapidly built up by China, which agreed a massive US$ one billion arms sales deal and began road construction and hydroelectric projects. China and Thailand have also put pressure both on the opposition groups along their frontiers and on the SLORC to negotiate peace agreements.

Bangladesh and India have also signed recent cross-border trade agreements. But it has been the six countries of ASEAN[28] which have developed links the furthest. Their policy of 'constructive engagement' was confirmed by the invitation to the SLORC to attend some of the sessions of their annual ministerial meeting in July 1994. They would eventually like Burma to join ASEAN. Only Indonesia and Malaysia have raised substantive objections to the SLORC, over its treatment of Muslims who were forced to flee to Bangladesh.

In late 1994, there were growing signs that a number of Western governments, notably in the European Union and Australia, were also beginning to consider the ASEAN approach. In part, this was due to a widespread feeling that six years of isolation of the SLORC had not really produced political results, but it was also in response to the increasing opportunities for trade. Encouragement was taken from the SLORC's beginning of dialogue, and the invitation for foreign NGOs to return to Burma. Unlike ASEAN's 'constructive engagement', the West's policy of 'critical dialogue' will depend on a system of 'benchmarks' (such as the release of political prisoners) by which the pace of reform will be judged.

as shirkers and are beaten and left behind. Many porters thus run away at the first chance they get though they run the risk of being shot.[29]

In the war-zones, ethnic minority civilians have long been press-ganged at random. However, under the BSPP, porter recruitment was more usually organised at the township or village level: neighbourhood officials were required to provide a fixed quota of porters set by the local military command. These 'volunteers' would then be taken on duty in rotation. In theory, they would be paid, but former porters alleged that, once at the front, they were frequently beaten or even simply abandoned in the forests by officers who would keep any money they were owed.

Since 1988, as the *Tatmadaw* has grown and the scope of military operations has increased, even this arrangement appears to have broken down. More and more porters have been seized at random off the streets or from their homes. The conscription of hundreds of thousands of porters (including from the Burman majority) has been reported in every ethnic minority state and every division of Burma.

Particularly large numbers of porters were seized in late 1991-early 1992 during the *Tatmadaw's* unsuccessful offensive to capture the KNU headquarters at Mannerplaw. Eyewitnesses reported over 2,000 porters passed through the forward camp at Shanywathit alone. Among the several hundred porters who later escaped from the fighting into Thailand were local conscripts, including elderly men, women and children, from the Karen and Mon States as well as male conscripts from as far away as Rangoon and the Irrawaddy Division. In one last push as the attack began to fail, 2,000 convicts from jails around the country were sent directly from their cells to the front-line trenches. Subsequently nearly two hundred, most still in their prison uniforms, fled through KNU lines into Thailand.

The testimonies which many former porters from the Mannerplaw offensive have given are horrific, but they confirm other documentary evidence, including photographs, physical scars and the bodies of dozens of unidentified porters found in the hills or floating on the rivers. Graphic details of serious but routine human rights abuses by the *Tatmadaw*, including extrajudicial executions, beatings and rape, were given by over 50 barefoot and bedraggled porters discovered by ASI hiding on a sheltered beach on the Salween River within close range of the fighting in January 1992. Most were from ethnic minority backgrounds. To their knowledge, none of their families had been notified of their detention. Until their escape during the battle, they had been held under arrest on threat of being shot if they tried to run away. Some had worked for up to

three months, carrying loads of up to 60 kilogrammes at a time. Many had witnessed the death of other porters at the hands of their army captors or caught in the crossfire.

A Porter's Story

A porter rescued in the forest, with wounds on his shoulders from carrying heavy loads

"After we were arrested, they interrogated us and let go of anyone who had soldiers in their family. Then they sent us to the front at Tipawicho mountain where we were forced to work for two months without pay. The food was never enough and we were kept under constant guard. We usually had to carry ammunition or rice-bags. One day they ordered two porters to carry some 120mm shells, but they refused. So they killed them. I don't know why. They just beat them with rifle-butts, then they took *them* away and shot them. That's when I realised I had to escape."

Testimony of Zaw Zaw, a 27 year-old labourer, who was one of 300 men seized from their homes in Prome, over 120 miles away.

Other porters confirmed the frequent allegation made against the *Tatmadaw* that in the war-zones porters are ordered to go ahead of troops at gun-point as human mine-shields. In January 1987, for example, ASI interviewed, in hospital, U Maung Maung, a 57 year-old Karen headman from Thaton district, who said he had lost a leg after he was tied to a rope

by troops and forced to try and find a path through a suspected minefield.

During the 1992 offensive against Mannerplaw, much of the worst treatment was again apparently reserved for Karen conscripts who (like Maung Maung) were accused of being sympathetic to the KNU. Villages along the way were burnt down and any villagers still seen in the vicinity were either conscripted as porters or shot at on sight.

Sadly, such incidents have yet to be acknowledged by the SLORC. When in December 1992 the UN's Special Rapporteur on Human Rights brought up the question of forced portering with U Ohn Gyaw, the SLORC Minister for Foreign Affairs, the latter replied that all such allegations were 'false'. "This," he stated, "is the weakness of the United Nations. It is being manipulated by insurgents."[30]

1. *Bangkok Post,* 13 November 1990.
2. Amnesty International, *Myanmar: 'No law at all'* (ref: Ch. 2, n.3), p. 13.
3. UN Economic and Social Council, *Report on the situation of human rights in Myanmar* (1993, ref: Ch. 1, *n.* 7) p.46.
4. Myanmar News, *Significant Developments in the Union of Myanmar* (9 April 1993), p.8.
5. Article 19, *State of Fear: Censorship in Burma* (London, 1991) pp.99-100.
6. *New Light of Myanmar,* 26, 27 and 28 May 1993.
7. For casualty figures, see, Martin Smith, *Burma: Insurgency and the Politics of Ethnicity* (ref: Ch. 1, *n.2),* pp. 100-1.
8. See, e.g., *Burma Rights Movement for Action, B.U.R.M.A.,* May 1993, p.3.
9. *Anti-Slavery Reporter 1989,* Vol. 13 No.5, p.75.
10. A mechanism whereby the UN Commission on Human Rights debates allegations against an individual member state in closed session.
11. UN Economic and Social Council, *Report on the situation of human rights in Myanmar,* p. 10.
12. Amnesty International, *Myanmar: 'No law at all',* pp.27-8.
13. J. Boyden, *Myanmar Children in Especially Difficult Circumstances* (UNICEF, Rangoon, February 1992) p.31.
14. See, e.g., *Burma Alert,* February 1993, p.5.
15. See, e.g., Amnesty International, *Myanmar: 'No law at all',* pp.24-5.
16. Asia Watch, *Burma: Rape, Forced Labour and Religious Persecution in Northern Arakan* (ref: Ch.2, *n.* 10), p. 18.
17. Estimating the value of the Burmese kyat is difficult. Unless otherwise stated, the book uses an exchange rate of 6 kyats = US$ 1, which was the official rate when the research was being undertaken. The black market rate, however, is 100 kyats = US$ 1 and is generally more reflective of the real cost of living.
18. Boyden, *Myanmar Children,* p.32.
19. Interview, 28 November 1990.
20. These articles are reproduced at the back of the book.

21. UN Economic and Social Council, *Report on the situation of human rights in Myanmar*, p.49.
22. Government of Myanmar, *Rebuttal of the Allegations made in the Report on the situation of human rights in Myanmar by Professor Yokota (E/CN.4/J993/37)*, p.4.
23. Amnesty International, *Myanmar: 'No Law at all'*, p.20.
24. Interviews, 26, 28 November 1990.
25. 'Forty Million Hostages', (Everyman, BBC 1, 10 February 1991).
26. *Bangkok Post,* 14 October 1992. See also Article 18 of ILO Convention No.29, reproduced at the back of the book.
27. See e.g., Article 19, *Paradise Lost? The Suppression of Environmental Rights and Freedom of Expression in Burma* (London, 1994), pp. 19-20.
28. The members of ASEAN are Brunei, Indonesia, Malaysia, the Philippines, Singapore and Thailand.
29. *Anti-Slavery Newsletter,* No.6 1/1986, p.3.
30. UN Economic and Social Council, *Report on the situation of human rights in Myanmar,* p. 8.

CHAPTER FOUR

The Effects of Conflict: A Land and its Peoples in Crisis

The Burmese Army uses guns to invade Karen territory and rob ivory. It sells the ivory to get dollars to buy more guns. It uses the guns to invade Karen territory to rob our timber. It sells the timber to buy more guns. The end results?

No more forest.
No more elephants.
No more Karen nation.
No more political opposition.
MANY more guns for the Burmese for more atrocities.

KNU Department of Foreign Affairs press release, June 1989

Nearly five decades of armed conflict and political turbulence have had a disastrous impact on the structure of civil society in Burma. Across the country, many communities and regions have been polarised along military, ethnic, political or religious lines. These divisions run deep and all the peoples have suffered. Even if peace is sustained, the task of social reconstruction now facing the country is immense. Few neutral parties have been allowed access to all sides of long-divided communities, and many natural supporters of reconciliation and change, such as religious leaders, health workers and teachers, have been severely restricted in any initiatives they can take.

The challenge to rebuilding trust falls to all ethnic groups equally. Such grave social issues as war, human rights abuses, AIDS and narcotics know no human frontiers, but ethnic minority peoples have long faced additional handicaps at both the national and local levels. In particular, ethnic minority parties complain that all the institutions of state - from government ministries to the civil service - have become increasingly Burmanised and militarised over the past 40 years of conflict. Many visions at independence of a truly multi-ethnic system of government have been quashed. However, lasting solutions to Burma's years of political violence and malaise will only be found when the restoration of national representative government in Rangoon is matched by democratic empowerment for social action in the local community.

For the moment, while Burma's political impasse continues, the result has been the continued suppression and marginalisation of ethnic minorities in every social and cultural sphere, and an accelerating humanitarian crisis in which women, children and the most disenfranchised sectors of society all too frequently suffer the most.

Land and Economic Rights

In many respects, the present political and ethnic crisis in Burma is underpinned by the collapse of the economy and the economic and social restructuring now taking place. Under the Burma Socialist Programme Party, all land, mineral, fishery and forest resources were nationalised, and farmers were ordered to provide set quotas in rice and other agricultural products each year for sale to the state. Little investment in the economy or the infrastructure ever followed these moves, and the idiosyncratic 'Burmese Way to Socialism' swiftly proved a recipe for disaster. In many parts of the country the traditional economy broke down due to a combination of factors, including mismanagement, corruption, the civil war and international isolation.

BURMA'S SOCIAL COLLAPSE: THE ANATOMY OF A BREAKDOWN

Factors

political deadlock: two failed constitutions since 1948
ethnic conflict: a disunited country
civil war: up to 10,000 fatalities a year
legacy of destruction: breakdown of infrastructure
underdevelopment: lack of investment
poverty: US$ 250 per annum average per capita income
narcotics: world's largest producer of illicit opium and heroin
environmental damage: land erosion, deforestation, overfishing

Issues to be resolved

constitutional reform: drawing up of a new constitution
democratic government: new system acceptable to all the Burmese peoples
military transition: transfer of power after three decades of military rule
freedom of expression: release of all political prisoners
economic reform: equal development for all ethnic groups
ethnic minority rights: guarantee of political and cultural autonomy
land rights: right of indigenous peoples to own and develop their lands
refugees abroad: return home of up to one million refugees or migrants
internal displacement: resettlement of over one million people inside Burma
slave labour: forced labour, portering, child prostitution
health and education: construction of new systems
narcotics: eradication and rehabilitation programmes
AIDS: education and medical programmes to help up to 400,000 HIV carriers

As a result, many citizens were forced to survive through private trading, even though the BSPP government had declared much of it illegal. According to unofficial World Bank estimates, by early 1988 some 40 per cent of Burma's annual Gross National Product was accounted for by trade on the black market. Most of the goods traded, including precious stones, cattle, timber, opium, medicine and luxury goods, were transported in and out of the country through territory controlled by armed opposition groups. This had important political consequences. Over a dozen armed organisations in remote minority areas were able to use the taxes they raised on these transactions to administer large territories with well-organised governments and standing armies of their own.

Under the new 'open-door' economic policy of the State Law and Order Restoration Council, the financial picture has become even more complicated. Many people complain that the rights of both individuals and government under the new economic rules are extremely unclear. Since 1988 ethnic nationality leaders have persistently claimed that land traditionally inhabited by minority peoples is being seized or sold from under their feet by the SLORC, using emergency military powers. This has been most apparent in ethnic borderland areas where armed opposition groups have been active, but many communities across Burma are similarly affected.

The most striking example of the SLORC's use of arbitrary military powers has been the mass resettlement programme. Those targeted for relocation appear to have no individual property or economic rights. Many families moved to the satellite new towns have been compelled to buy their own plots, but their right to free use of this land is very uncertain. The Burmese economy is visibly changing fast, and not all developments are negative, but rice farmers in particular complain that they continue to have to sell fixed quotas to the government before any surplus can be sold on the open market. All land can still be seized without compensation, and many impoverished citizens are, in effect, living as unprotected tenants of the government.

Not surprisingly, those best placed to take advantage of the SLORC's economic reforms have been military officials and their friends and relatives. For example, many indigenous Kachin jade miners claimed that they were forced out from land their families had traditionally owned or worked by army-backed newcomers during a government auction of mineral rights in the Hpakhan region in 1989-90. Similarly, many citizens are unable to find the funds needed to compete in the new business opportunities promised by the government in the towns, meaning that

The changing face of Rangoon

many licences go to a small but increasingly prosperous class of entrepreneurs (including Chinese incomers).

However, it is in indigenous minority regions of the country that the consequences of economic change on individual land and business rights are most deeply felt. Many of the most serious problems have been caused by the SLORC's trade agreements with Burma's neighbours. Under these, minority peoples have been evicted from their lands or denied access to their own resources by the collusion of government officials or businessmen wishing to appropriate territories and revenues for themselves.

The most obvious example has been the timber trade. In Thailand, logging was banned in 1988 following disastrous years of over-felling. To make up this shortfall, from 1989 military-backed companies in Thailand agreed over 40 new logging contracts, worth over US$ 112 million a year, with the SLORC. Many of the contracts sold by the SLORC were in ethnic minority Karen, Karenni, Mon and Shan regions, either in 'no-man's land' or in territory controlled by armed opposition groups. Therefore, to open the way to Thai loggers, the *Tatmadaw* began a series of major military operations along the border to remove local resistance and build new roads. Tens of thousands of ethnic minority villagers have been displaced or disturbed by these developments, which have affected virtually the whole stretch of border from the Mawdaung Pass to Tachilek. In some areas, Burmese army units even crossed into Thailand to attack Karen and Mon bases from the rear: 'Partners in Plunder', was the headline in the *Far*

East Economic Review on 22 February 1990.

In some border areas, however, Thai logging companies still work with ethnic opposition groups. In reaction to this, the SLORC announced in June 1993 that it had decided that all 'cross-border' logging concessions with foreign companies would be closed by the end of the year. A National Commission for Environmental Affairs was also established. But few ethnic leaders expected that this would mean any greater protection of Burma's environment or of the rights of indigenous peoples. And these doubts mounted after the SLORC subsequently announced that, henceforth, all timber from the border regions would instead be exported by sea.

Land rights are also at the core of concerns expressed by community groups over a number of other SLORC projects in ethnic minority areas. Contracts agreed in 1989 allowing Thai companies to fish in the Andaman Sea have already led to the incursion of large new fleets, the depletion of stocks and the displacement of many Tavoyan, Karen, Mon and Salum

A Taste of Economic Liberalisation

As part of the moves towards economic liberalisation, a number of new laws have been promulgated since 1988. The most important of these are the Foreign Investment Law, the Financial Institutions Law, the Tourism Law and the Myanmar Company Act which, for the first time in three decades, have allowed the formation of new private companies and joint ventures. By the end of 1993, over 300 foreign companies had set up branches or joint ventures in Burma. But, as the SLORC's critics point out, the highly-centralised system of the BSPP has largely been retained.

For example, Burma's largest new financial institution, the Union of Myanmar Economic Holdings, set up by the SLORC in 1990 and promoted as a visible sign of Burma's new open economy, remains totally controlled by the military. Shares in UMEH are held by the Ministry of Defence, Defence Service personnel, regimental institutes and senior ex-servicemen; its chairman and managing director are both also senior SLORC members.

A financial pattern has emerged. The main intention of government planners during their first year of office appeared to be to gain complete control of the economy in both urban and rural areas, while undermining the previous black market on which insurgents based their income. From 1995, however, a major international expansion is planned. One initiative has been to declare 1996 the 'Year of the Tourist', with projections of 500,000 foreign visitors, up from just 30,000 in 1993.

The Destruction of Burma's Forests

According to rough estimates, Burma has been losing as much as 800,000 hectares of forest cover annually since 1988. At current rates of felling, all its teak wood reserves, once the largest and best maintained in Asia, will have gone within ten years. In many parts of the Karen, Kayah, Mon, and Shan States, large areas have been stripped of all forest growth. Similar large-scale deforestation has taken place along the Chinese border in the Kachin State,

Of equal concern, in the 1991 monsoon season heavy flooding occurred for the first time in several remote valleys in both the Karen and Kachin States, where some of the heaviest logging was taking place: over 140 people died. Local villagers had no doubt that uncontrolled forest destruction was to blame.

fishermen who are unable to compete. Travellers from the area report the whole seaboard has become militarised, with the SLORC upgrading naval facilities in Mergui and purchasing 'Hainan' class patrol boats from China.

Elsewhere there is worry over the SLORC's numerous new construction projects, including roads, railways and hydroelectric plants. Ostensibly, many of these projects come under the direction of the SLORC's much-publicised Border Areas Development Programme. In what appeared to be a major departure from the policy of the Burma Socialist Programme Party, the BADP was announced in May 1989, following the SLORC's first cease-fires with the ethnic breakaway armies from the Communist Party of Burma. Subsequently, a new Ministry for the Development of Border Areas and the National Races was also established.

Minority leaders, however, point out that the make-up of the BADP's board is distinctly military. The seven-man central committee, under the SLORC chairman, includes the heads of the army, navy, air-force and military intelligence, none of whom are trained economists or have any experience in aid or development matters. Both the BADP and the Ministry for the Development of Border Areas and the National Races are run entirely by SLORC officers, nearly all of whom are ethnic Burmans and, in the top ranks, military men.

Much of the BADP's work is still in the planning stages, but the scale of the SLORC's plans are massive. Approximately eight to ten million inhabitants are estimated to come under the BADP's mandate. To date, 14 minority regions have been identified for BADP projects: in the Chin, Kachin, Kayah and Rakhine States, seven districts of the Shan State, and in

Dams and Hydroelectricity: who benefits?

For many minorities, perhaps the most controversial plans are eight proposed hydroelectric projects with the Electricity Generating Authority of Thailand, Located along the Moei, Salween and Mae Kok rivers, the dams would have a combined generating capacity of 6,399.75 megawatts, requiring an investment of over US$ five thousand million, much of which is being solicited from international agencies such as the Asian Development Bank. To date, the indigenous peoples in the area have not been consulted: most of the electricity and water would go to Thailand, the profits to Rangoon.

The environmental consequences for the region and the Karen peoples, in particular, would be enormous. The two largest dams would be on the Salween River in the heartland of Karen country in territory controlled by the KNU since Burma's independence in 1948. Thousands of villagers stand to be displaced, and no studies have yet been started on such environmental dangers as loss of fisheries, silting, or the destruction of the eeo-system.

the northern Sagaing Division. In its first two years of operation the BADP claimed to have spent over 228 million kyats (US$ 38 million) on projects as various as road-building, health-care, schools and extending state television into the border areas. For the years 1992-96 a further 727 million kyats (US$ 121 million) was projected.[1]

Eight UN agencies, including UNDP and UNICEF, have been invited for the first time by the SLORC into ethnic minority regions to support some of these programmes. The SLORC's opponents in the Democratic Alliance of Burma quickly alleged that this request for UN aid was simply an attempt to gain international acceptance of the *Tatmadaw*'s presence in ethnic minority areas. Certainly, it is true that the SLORC has only asked the UN for help where cease-fires have been arranged with armed opposition forces.

None the less, the incentive offered by the SLORC to the international community in several regions of Burma is a powerful one: the chance to begin real anti-narcotics programmes for the first time in decades.

In response to requests for international aid, ethnic group leaders have argued that only aid which goes directly to indigenous peoples will ever enable the local inhabitants to develop their region, alleviate poverty and eradicate the scourge of narcotics. But, as the SLORC's critics point out, until now the BADP has not always encouraged co-operative effort or discussions with local people. From every ethnic minority region

Opium: A Plant With Political Powers

The SLORC claims to be committed to suppressing opium growing but has been widely accused of doing the opposite. Opium output is estimated to have actually doubled since the SLORC came to power in 1988 to over 2,000 tons per annum, making Burma the world's largest illicit producer, according to the US State Department.[2]

There are undoubtedly many army officers anxious to combat the burgeoning drug trade. They point out, in defence of the *Tatmadaw*, that government control does not reach into most of the main poppy-growing areas. But even the ethnic cease-fire parties involved in the narcotics trade have echoed accusations of either SLORC duplicity or ineffectiveness. According to Ta Saw Lu of the United Wa State Party, which claims it has received virtually none of the development aid promised by the SLORC in their 1989 cease-fire agreement:

> ***The official policy of the Burmese government is to suppress opium growing. This is a 'window dressing' policy only to impress the West. In the past the United States has even given the Burmese aid to carry out that policy. While, in fact, the Burmese officials encourage opium growing and enable its marketing for their own benefit.*** [3]

allegations have abounded that both the SLORC's economic policy and the BADP are strategic and designed simply as a means of extending military authority into the hills. Thus nationality parties claim that the introduction of many of the SLORC's development projects, wittingly or unwittingly, is further undermining the economic base of many ethnic minority communities: in particular, they cite the logging trade, land appropriations, the gas pipelines and the way contracts are awarded. Muslim refugees from Rakhine State, for example, claim that the land now being used for prawn and forestry projects was seized without compensation by the SLORC in 1990-91.

All such practices by the SLORC are contrary to international norms on the land and economic rights of indigenous peoples. The growing number of cease-fires with opposition groups gives a new opportunity to confront these issues and examine the role of the BADP. Nationality leaders place great importance on economic solutions, but much work still needs to be done if ethnic minorities are to be able to exercise effective development rights over their lands.

INTERNATIONAL PROTECTION OF INDIGENOUS LAND RIGHTS

ILO Convention No. 169, Concerning Indigenous and Tribal Peoples in Independent Countries (1989), specifically safeguards (Article 15.1) the rights of peoples over the natural resources on their lands:

> *... These rights include the right of these peoples to participate in the use, management and conservation of these resources.*

This Convention has not been ratified by Burma.

The UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (Article 5.1) also provides for the views of minorities to be considered:

> *National policies and programmes shall be planned and implemented with due regard for the legitimate interests of persons belonging to minorities.*

Article 5.2 of the Declaration extends this key principle to 'programmes of cooperation and assistance among States'. For Burma, this means projects with neighbours such as China, India or Thailand.

Culture, Education, Language and Religion

For many citizens, the open discrimination against ethnic minority groups in matters of culture, education, language and religion is the most disturbing evidence of a long-term policy of 'Burmanisation' carried out by all governments since independence. The Karen National Union has attacked the 'annihilation, absorption and assimilation' of the Karen people, and asserted that: "The Karen are much more than a national minority. We are a nation."[4]

Cultural discrimination against ethnic minority groups, who make up over a third of the population, runs counter to the constitutional right of every citizen in Burma to freedom of speech, association, language, education and religion. Despite the imposition of one-party rule in 1962, equal ethnic, religious and cultural rights were still guaranteed under the BSPP's 1974 constitution. But all these fundamental human rights have long since been whittled away. Long before the 1988 democracy uprising, newspapers, schools and universities had been repeatedly shut down at the first sign of protest.

For 26 years under Ne Win's BSPP, the country disappeared behind a wall of secrecy. Public signs of Burma's multi-cultural life were largely limited to folk dances and national costume parades. Ethnic minority clubs

and associations were discouraged, and the Burmanised culture of the 'Burmese Way to Socialism' became the only real national cultural expression allowed. The press, which in the 1950s had been regarded as one of the most diverse and liberal in Asia, suffered particularly. In 1962 there had been over 30 daily newspapers, including 12 in minority languages; by 1988 there were six, none in a minority language.

Under the SLORC, censorship restrictions on Burma's cultural life have tightened even further. Now there is just one national daily paper, the state-owned *New Light of Myanmar* (formerly the *Working People's Daily),'* which acts as the mouthpiece of the government; some of the country's most popular writers and artists have been imprisoned; and schools and universities have experienced six years of tight security control.

A subtle mixture of discrimination and laws controls all literature and expressions of ethnic minority cultures. Ethnic minority writers and teachers who oppose government restrictions or encourage expressions of cultural identity and the use of their own languages have faced considerable harassment. For example, two Mon intellectuals, Nai Nawn Dho, a Buddhist monk, and Nai Manawchrod, a Rangoon University lecturer, were reportedly arrested in January 1991 for attempting to promote the use of the Mon language. And, in perhaps the most disturbing incident, in August 1990 82 year-old U Oo Tha Htun, the distinguished

The SLORC's Cultural Revolution

In June 1991 the SLORC decreed a 'cultural revolution'. As with the 'Burmese Way to Socialism' the precepts appear shallow, but the SLORC has used the justification of 'cultural revolution' to award itself sweeping powers in what, it claims, is the emergency defence of the country's cultural heritage. Under this policy, all writings, music, art and films have to conform to 'patriotic standards', adjudged by the SLORC on the basis of existing laws or martial law decrees. Dozens of writers and intellectuals have been arrested at different times, including the popular comedian Zargana, female writer Ma Thida, poet Min Lu, and chairman of Burma's Writers' Association, U Ba Thaw, who died in jail.

SLORC officials claim that the main threat to Burma is coming from 'decadent Western culture' which, they say, is completely contrary to Burma's historic 'Buddhist culture'. According to Major-General Myo Nyunt, the Rangoon commander:

> *We cannot allow our national culture and religion, which we have safeguarded since time immemorial, to disappear during our time.*[5]

Rakhine historian and parliamentary candidate, died allegedly as a result of ill-treatment in jail.

Just how the SLORC's new restrictions will affect Burma's ethnic minorities in the coming decade is impossible to gauge, especially as they run alongside the SLORC's frequent promises to introduce multi-party reform. But far from restoring cultural and ethnic rights, many minority citizens fear that army hard-liners are simply planning to extend 'Burmanisation' even further under the new guise of the SLORC's 'Myanmar' identity for the country. The demolition in 1991 of the historic Shan palace in Kengtung, they claim, is only the most blatant example of a more subtle underlying policy of cultural assimilation.

Over the past 30 years, the multi-cultural system of education envisaged by Aung San and ethnic minority leaders in the 1947 constitution has been replaced by a highly Burmanised and doctrinaire curriculum in which any expression of minority cultures is denied. In a country of such obvious ethnic diversity, this discrimination appears quite deliberate. For example, although the 1974 constitution allowed for minority languages to be taught in schools, in government-controlled areas today there is no official teaching or research in any minority language in either secondary or tertiary education. Cultural and religious studies have been equally repressed. Such discrimination is not only a major impediment to the survival and expression of minority languages and cultures, but it also discriminates against ethnic minority citizens who first have to learn Burmese as the only language for education and government.

For those ethnic minority students who aspire to higher education, the regional college system is inherently discriminatory. This system was introduced in the mid- 1970s to keep Burma's restive student body at home, away from the main conurbations, and it has since remained extremely difficult for prospective ethnic minority students from outlying areas to travel to the central cities for university education, due to lack of funds, contacts and the allotment of places. With the exception of Moulmein, which was upgraded in 1986, there are no universities in ethnic minority areas, only state colleges, which local students are encouraged to attend. The government's flagship for ethnic minority education has been the Academy for the Development of National Groups in the Sagaing Division. But the Academy is in the heartland of Burman culture and its initial purpose, when set up in 1964, was to propagate the 'Burmese Way to Socialism' in minority areas. To much fanfare, it was upgraded into a university in 1991, but this did not impress minority leaders: they say the university's only purpose is to provide Burmese language teachers to

spread the philosophy of the SLORC's new 'Myanmar' Buddhist culture in borderland areas.

Against this backdrop of conflict and economic decline, education standards have plummeted throughout Burma. However, the collapse has been most extreme in ethnic minority regions. Since independence minimal resources have been spent on minority education. The ethnic minority states always come out worst in Burma's educational league table, and in the vast hill regions very few ethnic minority students have the opportunity to pass to tenth grade in high school.[6]

The contrast in Burma today between the military's Burmanised education in government-controlled areas and the still thriving life of minority cultures in the 'liberated zones' is striking. In these areas, the curriculum, supported by local monks, pastors and teachers, is largely taught in indigenous languages, although Burmese is usually also studied.

Nevertheless in many minority areas, after so many years of warfare, the present educational situation is desperate. This is equally true of areas like the Wa region of the Shan State where cease-fires with the SLORC have been agreed.

Mon children in a refugee school

An Appeal from the Wa

We need schools. The vast majority of the Wa have no education. There are only a few informal primary schools taught by teachers who themselves have only been to primary school... Few children can attend school even where there is one. They are needed to work to get food. We want to make our people literate. We also want to preserve, develop and spread our culture, our traditions and our customs. We want to focus and highlight our Wa identity. We want to give our people what is rightfully theirs but what had been shattered by constant war.[7]

Appeal for international aid from the United Wa State Party, put out in May 1993 while its leaders attended the SLORC's National Convention in Rangoon.

Perhaps the most difficult question relating to cultural rights in Burma today is that of religious freedom. Ironically, one of the few areas where citizens gave the BSPP much credit was in its apparent neutrality on the issue of religion. Ex-BSPP officials say that this neutrality began in recognition of the deep unrest caused in many Christian and Muslim communities by U Nu's plans to make Buddhism Burma's official state religion in the early 1960s. But neutrality on religions did not lead to non-interference in religious life. Despite the guarantees of religious freedom in the 1974 constitution, all religions in Burma, including Buddhism, have been strictly controlled.

Following Ne Win's seizure of power, all foreign missionaries were ordered out of Burma and, in keeping with the tenets of the 'Burmese Way to Socialism', all religion-based schools or education were barred. Throughout the 1960s and 70s, constant surveillance was kept on the country's Buddhist monks, historically a potent force for political change, and a number of leading activists were arrested in periodic clampdowns. Other religious groups were treated with equal suspicion and severity. As today, distribution of Christian literature was restricted by government censors, who complained that the militant language of the Old Testament incited minority groups, such as the Kachin and Karen, to insurrection.

Under the SLORC, the clampdown on the Buddhist *Sangha* (clergy) has intensified. In October 1990, for example, following religious protests against the SLORC's failure to hand over power, over 350 monasteries were raided and hundreds of monks were arrested, including the Venerable U Yewata, head of the Mandalay Monks' Association. This was immediately followed by a new religious law (No. 20/90), which stated that there should be only one Buddhist organisation in Burma with nine legally-approved sects.

The controls placed on Buddhism affect ethnic groups throughout Burma. Buddhist monasteries have played a central role in the cultural lives of minority groups such as the Mon, Pao, Palaung, Rakhine and Shan as well as the majority Burmans. Indeed, the only place most minority children have any chance to study their own language is in the village monastery schools. Today saffron-robed monks are a familiar sight in all the ethnic 'liberated zones'. Mon monks, in particular, have provided important support to the ethnic nationalist movement.

In apparent contradiction of these tough actions against monks, SLORC leaders have increasingly claimed to be guided by Buddhism. At the same time, however, they have also used their growing control of the monasteries to undertake moves which many ethnic nationality parties fear

An Appeal by Mon Monks

Military rule has so ruined the economy that it has become common for Mon women to be lured into prostitution in Thailand. They are promised jobs and end up prisoners of brothels. The Mon language, whose alphabet was borrowed by the Burman, is forbidden to be taught in schools. Throughout the colonial period and until 1981 monks could sit for the Pali exam in Mon, but now Burmese is the only permitted language.[8]
Emergency appeal issued by the Overseas Mon Young Monks Union on 10 December 1992 (World Human Rights Bay). The Union was set up in Bangkok to lobby for international protection of the Mon.

are preparing the way for a new brand of 'Myanmar Buddhist' nationalism which will discriminate against minority religions as much as against minority languages and cultures.

Since 1988, church and mosque land has been confiscated in several regions, SLORC officers have frequently spoken in the state media of their defence of Burma's 'Buddhist culture', and a SLORC project has been started under the BADP for the propagation of Buddhism in ethnic minority areas. Numerous Buddhist monuments have been constructed under government supervision at strategic points in minority areas across the country. In addition, in June 1993 U Win Pe, head of the official Myanmar Language Commission and leader of an international SLORC delegation to Europe and the USA, told Anti-Slavery International that the government was planning to reopen Buddhist monastery schools across the country as a means of combatting low teaching standards.[9]

Historically, few ethnic minority parties have objected to any religious work by the Buddhist clergy; indeed most welcome it. But many community leaders expressed alarm when measures to support the propagation of Buddhism appeared to be followed by tough new measures against religious minorities. For example, Muslim refugees allege that, during 1991, Islamic schools in northern Rakhine State were closed down on the orders of the local authorities and a number of mosques demolished by conscript labour under the SLORC's resettlement programme. In a number of cases, their land was given to Buddhist incomers.[10]

Equally serious accusations of religious harassment or land confiscations have been made by Christian clerics in several areas, especially in the Kayah, Karen, Kachin and Shan States and in the Delta region. But the most alarming reports concern the arrest and alleged extrajudicial executions of a number of Christian pastors and teachers

during anti-insurgency operations. The causes of some of these deaths remain unclear; it is possible that the victims were not identified by the military and simply shot with other villagers for unknown reasons. For example, during 1991-92 three churchmen, Saw Eh Tu, Saw U Moo and Saw Moses, were reportedly killed in the Kayah State after they were arrested, ostensibly to act as guides or porters.

But there is convincing eyewitness testimony that in late 1991 a number of Karen Christian pastors were arrested and either beaten or killed after apparently being held accountable by local army commanders for the actions of the KNU, which is predominantly Christian-led. These killings occurred during government reprisals after a small KNU force entered the southern Delta region. Over 20 pastors and elders were reportedly arrested

THE RIGHTS OF MINORITY GROUPS UNDER INTERNATIONAL LAW

Unlike genocide, the cultural destruction of ethnic groups, sometimes known as ethnocide, is not condemned by any international protective instrument. But such discrimination against minorities runs counter to a succession of international agreements on the rights of people throughout the world, beginning with the Universal Declaration of Human Rights (Article 2).

This principle is also embodied in the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries.

However, the UN has yet to find satisfactory language to protect the rights of minority peoples who are unrecognised as nations. Under UN Conventions, the rights of minority citizens as 'individuals' are usually guaranteed, but the question of ethnic minorities as 'groups' is still disputed by many governments.

The most commonly accepted definition for the protection of ethnic minority 'group rights' is that taken from Article 27 of the International Covenant on Civil and Political Rights (1966), which has not been ratified by Burma:

> *In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.*

of whom Amnesty International believes that at least 11, including Saw Tun Set, Hlar Bar and Saw Harry, were summarily executed.[11]

Nevertheless, in another unexpected change of policy, there were indications in early 1994 that the SLORC was considering allowing foreign non-governmental organisations to return to Burma to work in partnership with local church-based groups. In part, this was in growing recognition of the important role which religious groups could play in community development and civic reconstruction; but it was also in response to the crucial role several church groups and leaders had played in initiating and sustaining the peace talks with armed opposition groups, especially the Reverend Saboi Jum in Kachin State and the Catholic Bishop Sotero in Kayah State.

Great uncertainties remain, but church leaders hope that this is the first evidence of a new policy of understanding towards minority societies and cultures which will both continue and develop.

Women's Rights, Enforced Prostitution and AIDS

The political upheavals since independence have greatly affected women of every ethnic background. It is women who have been most exposed to the humanitarian consequences of social and economic collapse. Just meeting the survival needs of a family has become increasingly difficult for poor mothers. Women also face greater personal risk, as they have themselves become everyday victims of serious human rights abuses. Reports of abuses against women, notably forced porterage, have increased dramatically in every region of the country since the SLORC came to power. But many of the most grave allegations of human rights violations, including murder and rape, come from ethnic minority areas.

Burma has signed the UN Convention on the Political Rights of Women (1952), and under both the 1947 constitution and the BSPP's 1974 constitution women were guaranteed equal rights with men. However, like many other social and political protocols approved by governments in Burma, such declarations of intent conceal a very different social reality.

Women in Burma have traditionally been responsible for managing the welfare of the family. In health and education too, women have played a major role in the workforce, but despite the theoretical equality women are supposed to enjoy, few have ever reached really senior positions. However, those who confront the political system are treated just as harshly as men. Many of the hundreds of thousands of women who joined the democracy protests in 1988 were arrested, and eyewitnesses reported that a number were killed by the security forces. Prominent detainees in

1994 included Daw Aung San Suu Kyi and the imprisoned writers Ma Thida and Daw San San Nwe.

According to Mi Sue Pyint, of the All Burma Students Democratic Front which runs women's health programmes in territory controlled by armed opposition groups: "The pressures on women are so great in Burma today they threaten the very stability of our society."[12] This assessment is shared by UN agencies working in Burma. A UNICEF report warned:

Burmese government AIDS education poster

> *The prevailing economic and political conditions of the past four decades have eroded civilian organisation, undermined support structures and threatened traditional values, exposing children to danger. Parents and members of the extended family are usually the first line of defense for children. If the resources of adults are drained, however, they become incapable of fulfilling this function.*[13]

Living conditions are especially harsh in ethnic minority hill areas, where many families are headed by single women as a result of the twin ravages of endemic ill-health and of war. In these areas, women have often been the innocent victims of conflict. Over the years there have been many reports of the arbitrary arrest, shooting or extrajudicial execution of women in ethnic minority villages. In December 1990, for example, a Buddhist Karen villager from Ti Pa Htoda, Thaton district, described to ASI how troops had just shot and killed her 16 year-old sister Pe Po for no apparent reason. The girl was returning home through the forest with a group of other dancers from a religious festival. Fearing further shootings, many of the women villagers fled to refugee camps on the Thai border, while the men remained in hiding in the forests to try to farm their fields.

Women, including those who are pregnant and those who have children, have also been press-ganged into forced labour duties for the *Tatmadaw*. Again, conditions are especially brutal in ethnic minority regions of the

ILO Convention No.29 Concerning Forced or Compulsory Labour (1930) specifies (Article 11):

Only adult able-bodied males who are of an apparent age of not less than 18 and not more than 45 years may be called upon for forced or compulsory labour.

country where many men, fearing arrest or conscription, run away at first news of the soldiers' approach. Villagers have told ASI that there was a time when the women might have been spared, but in the past few years there is increasing evidence of women being taken. This is apparently done as a form of warning or punishment so that men will not flee in future. Equally disturbing, many of the worst human rights abuses against women, including summary arrest, beatings, murder and rape, have happened while they have been engaged in forced labour duties, which are *per se* a clear violation of the ILO's Forced Labour Convention.

Since 1948 there have been frequent reports of rape by government troops in the war-zones and in occupied territory. On occasions, similar allegations have also been made against armed opposition forces.

Despite the reluctance of women to admit publicly to being a victim of sexual assault, ASI has received reports of rape by members of the security forces from several different regions since the SLORC came to power. These include the Rangoon and Tenasserim Divisions and the Kachin, Karen, Rakhine and Mon States.

Former *Tatmadaw* commanders have privately admitted that they could not always prevent their troops from carrying out civilian 'reprisals' in areas they captured. But they strenuously deny there has ever been any such thing as a policy of rape. Military leaders are adamant that the *Tatmadaw* has always been the protector of the people.

Reports of women who have been arbitrarily arrested being raped have been documented by victims or witnesses amongst several ethnic minority communities. One of the most disturbing incidents was the alleged robbery, rape and brutal murder by troops of eight Kachin women in March 1992. They were reportedly on their way to buy food and supplies for the inhabitants of Bum Wa village which had just been relocated by the local Law and Order Restoration Council authorities (see chapter two). Two men with them were also killed.

Numerous cases of rape, including mass rape, among Muslim women from Buthidaung and Rathedaung townships in Rakhine State during

1991-92 have also been reported by both Asia Watch and Amnesty International. Many of these rapes apparently occurred after the husbands or fathers of the women were taken for forced labour by either regular army units or the local security police. According to Asia Watch, sometimes the rapes were committed in the victims' homes with relatives and children left to watch; on other occasions the women were taken to local military bases where they were allegedly 'sorted out by beauty'.[14] Following the rapes, some of the women were allegedly killed; others were allowed to return home, sometimes after money had been paid to secure their freedom.

Similar allegations of rape by members of the security forces were made to ASI by six different women who fled to the Thai border in early 1992. One was an ethnic Rakhine, one a Burman and four were Karen. All had been in *Tatmadaw* custody after being seized for labour duties. A 33 year-old Karen Christian from Kyaukkyi township recounted how she was raped at knife-point by an army sergeant who was supervising her work detail digging ditches at a nearby army camp. Four of the other victims, aged 17 to 42, said they had been seized in or near their homes in Kammamaung township. They said that troops had raped them during a 22-day tour of compulsory labour duties carrying artillery shells to the front for the *Tatmadaw* assault on Mannerplaw. One of the women was additionally fearful over the fate of her 25 year-old sister, who was six months' pregnant at the time they were both conscripted:

> *She was sick, even at home. The baby was heavy so it was hard for her to keep up. At first we had to march in front of the soldiers. Wherever they pointed their guns we had to march. But after ten days she was put in a group to carry some food supplies, but she never came back. I still don't know what happened to her.*

There have also been allegations of the rape by soldiers of young girls. Even where these incidents have been reported to the authorities, there is little evidence that action has been taken. For example, on 4 July 1992 a 13 year-old Mon schoolgirl was allegedly raped in a small hut on a rubber plantation near Wethonchaung village, Thanbyuzayat township, by two drunken soldiers, Saw Maung Maung and Moe Nyo. Local militiamen from the village gave chase and reported the incident to the local LORC. Subsequently the two accused men were caught, but villagers claim that they still do not know if they were ever brought to trial or punished by their officers.[15]

Another disturbing trend is the increasing numbers of women and girls from Burma going into prostitution in neighbouring Thailand. Procurers

for brothels in Thailand also recruit from Nepal, China, Bangladesh, Laos and Cambodia, but since 1989 women and girls from Burma have formed the bulk of the international trade.

Interviews with Burmese women who have become prostitutes in Thailand have revealed that, although some have gone willingly for 'economic reasons', many have been lured on the false promise of other jobs, while others have been forced into prostitution and brutally beaten if they refuse customers or try to escape. Poverty is the common denominator. Many Burman women are victims of this traffic, but ethnic minority women predominate. In the numerous brothels of Chiang Mai and Chiang Rai in Thailand's far north, most Burmese females are Shan, Akha, Karen and other hill peoples, while in the southern sea-port of Ranong most are Burman or Mon. In the Thai capital Bangkok there is a broad ethnic mix, which creates language difficulties for Thai social workers when following up the occasional raid on a brothel.

Estimates of the number of women and girls from Burma working in prostitution in Thailand at any one time vary from anywhere between 40,000 and 100,000. The market in women is secretive and never-ending, with younger girls constantly being brought in to replace their elders. But the massive increase in the traffic of women into Thailand has undoubtedly accelerated due to a reason which has nothing to do with the political breakdown in Burma: the alarming rise in rates of AIDS and HIV-infection in Thailand, where as many as 600,000 people are now estimated to have the virus. This rapid spread of AIDS and HIV has led to the false and dangerous belief among those who frequent prostitutes that very young girls are unlikely to be infected, and also to the view that girls and women from outside Thailand will be free of the virus.

Because of language barriers and the illegal methods by which they have been brought into the country, most Burmese women work in the lowest class brothels. This puts them at great risk. AIDS researchers have found the highest rates of HIV-infection in the cheapest brothels. In some that charge clients just 30-50 baht (about US$ 1.25-2.00), tests have revealed rates of over 70 per cent HIV-infection. At such brothels Burmese girls, advertised as 'AIDS free', have to service up to 10 customers a night, often through unprotected sex.

Conditions can be appalling. Thai newspapers, for instance, reported that, following a raid on a brothel in Ranong in July 1993, 144 Burmese were discovered working, without pay, in 'prison-like' conditions in buildings surrounded with barbed wire. Forty-two were aged between 15 and 18.[16]

Women who refuse customers or try to escape are often brutally treated, as was shown by an investigation carried out in Ranong where an estimated 1,500 women from Burma are working. In 1991 ASI described their plight to the 16th session of the Working Group on Contemporary Forms of Slavery at the UN in Geneva:

> *Many are forced into prostitution. Amongst the methods of persuasion are: beatings by sticks, burning with lighted cigarettes, and the immersion of the women's heads in water. Then, brutalised, they are sold to brothel owners for between 5,000 and 10,000 bahts (some US$ 200 to 400)... The punishment for those who do try to run away from their sexual servitude is death; in Ranong 15 women have already been killed.*

A form of debt bondage which prevents women from leaving is also found in brothels. For example, when a woman contracts a venereal disease she is given an advance by the brothel keeper to pay for her medical treatment, which she has to pay back. But, even if there is an official raid, she may still be put back into bondage by corrupt police or immigration officers. A number of women have alleged that they were repossessed by their former brothel owners from police custody on payment of bail of 500 baht (about US$ 20) after they had been rescued.

Nonetheless, amidst the growing spread of AIDS, increasing numbers of Thai officials have been prepared to speak out over this trade in human misery. Concern was first expressed in April 1991 when 18 Burmese women, aged 14 to 19, were jailed and charged with illegal entry after a brothel raid in Bangkok. All but one was found to be HIV-positive, and they were immediately deported back to Burma. The following month, of another 19 teenage prostitutes, all ethnic Shan, rescued from a brothel in Chiang Mai, 17 were found to be HIV-infected; a Thai minister, Mechai Viravaidya, called for urgent talks with SLORC officials:

> *Our neighbours are coming over the border and taking the virus back. This is not just a health issue, it's a social issue. We are fighting a lot of ignorance and vested interests.*[17]

For Burma, the social and health consequences of the trade are immense. Women returning from prostitution in Thailand are spreading the HIV infection and adding to the dramatic rise in the disease already caused by growing intravenous drug use. According to World Health Organisation estimates for 1994, Burma has up to 400,000 HlV-carriers today, putting it on an international emergency rating with both India and Thailand.[18]

After years of denying any problem, or describing AIDS as a 'Western

disease', there are signs that the SLORC is belatedly waking up to the scale of the epidemic facing Burma. UN officials privately believe that this change in awareness is due to the sudden, though unreported, rise in cases of HIV-infection in the *Tatmadaw*. AIDS education work has now started, but the human rights protection of AIDS sufferers is of continuing concern. Rumours abound: for example, in Thailand in 1991 it was being said that a group of women who had been identified as being HIV-positive and returned to Burma had been killed, possibly by lethal injection, on their arrival. On the other hand, there have also been stories circulating in Burma of Burmese girls being killed by Thai brothel-owners on being found to be infected.

The full horror of this climate of fear underlies the urgency of finding solutions to Burma's social malaise now. Sadly, women have already been particular victims of virtually every kind of human rights abuse.

Children's Rights and Militarisation

Children under 14 represent an estimated 36 per cent of Burma's population. The plight of children is worsening and a report by UNICEF links this directly with economic collapse:

> *Due to inflation and declining living standards, social problems such as early child-bearing, marital disruption, migration and urbanisation are likely to worsen, contributing to a rise in child abandonment, labour, homelessness, abuse and neglect.*[19]

Although children under the age of five make up only 15 per cent of the

A UNICEF Peace Initiative

So seriously did UNICEF officials view the desperate plight of Burma's children that in early 1992 a confidential draft report was produced with a view to a peace initiative by the UN. The opening appeal gave an alarming warning of the scale of human rights abuses children in Burma face:

> ***Many children are orphaned, abandoned, trafficked, exploited in the labour force, institutionalized or jailed. Some are used in drug running, while others are targets of ethnic discrimination. In the civil war children have become victims or participants in armed conflicts, at times used as porters, human shields or human minesweepers. Although we do not know exactly how many children suffer these conditions, our knowledge has increased recently from new reports.***[20]

The UNICEF plan was abandoned after the document was leaked.

population, they account for almost half the annual death rate: some 175,000 of the 400,000 deaths recorded each year. Many of these deaths are due to malnutrition or to easily preventable or treatable illnesses, such as diarrhoea, malaria and pneumonia. Moreover, in a country once known as the 'breadbasket of India', ten per cent of children under three suffer from severe malnutrition.[21]

To date, however, international attention has focused on the growing numbers of children forced into prostitution in Thailand. Many come from impoverished Akha hill communities in the southern Shan State where parents sometimes sell their children to brokers to pay off their debts. The current price for a girl is as little as 3,000 to 3,500 kyats (US$30-35 at the real market exchange rate). Although parents may believe that their children will be going to work as housemaids or in other respectable jobs, once in Thailand they have often been handed over to brothel-keepers or unscrupulous sweat-shop owners.

The plight of these children, however, is only symptomatic of the general deprivation and exploitation of children that is taking place throughout Burma today. There is little welfare support, even for those who have lost parents in the armed conflict. Less than 20 per cent of schoolchildren complete more than four grades of primary school, and across the country many children enjoy no childhood at all: they are simply put to work. According to the BSPP's 1983 Census, there were 533,800 children between the ages of ten and 14 (12.5 per cent of the age group) in the labour force. Based on these figures, UNICEF deduces that as many as four million out of a total of 11.8 million six to 15 year-olds may be working today.[22]

Another common grievance over child exploitation, especially in ethnic minority regions, is the forcible conscription of children and school students to carry arms and supplies for the *Tatmadaw*. In one notorious incident in February 1991, two teenage girls from Papun High School in the Karen State, Naw Aye Hla and Ne Law Win, were reportedly killed when they stepped on mines after being press-ganged as porters. At the time they were preparing to take their end of year exams.

Opposition groups are also guilty of human rights violations against children. A number recruit children as young as 11 and 12 into their armies. The practice appears widespread, but the main perpetrators recently have been the KNU, the United Wa State Party, the Karenni National Progressive Party, the New Mon State Party and the Mong Tai Army. Insurgent commanders have claimed that the children are orphans whose parents were killed by the *Tatmadaw*, and that they volunteer to be

CHILD SOLDIERS

The UN Convention on the Rights of the Child (Article 38) requires that:

States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.

States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces.

mess-boys. But ASI has observed that boys are often armed and deployed in front-line positions.

In November 1992 a Western journalist described the death of a boy soldier in a front-line trench near the Thai border. Eleven year-old Da Ley, a Karenni from Demawsoe township, was virtually cut in half by a 120mm mortar explosion. "He did not duck. He didn't seem to understand the ferocity of these weapons."[23]

Since 1988 there has also been disturbing evidence from several corners of Burma of the SLORC recruiting under-age schoolboys. Ethnic leaders fear that the military leadership is now even using children to help change the fabric and structure of society and counter political opposition by training a new generation of young hard-core supporters around the country.

Ever since Ne Win's coup, the *Tatmadaw* has concentrated on recruiting adult teenagers (in this context, 16 and over) from peasant backgrounds for its basic army of foot soldiers. Recruitment has been from virtually every ethnic group, making it, the generals claim, the only integrated ethnic force in Burma. (The original 'ethnic' regiments, such as the Kachin and Karen Rifles, have long since been disbanded and reformed). But there are other gains. With the Burman-majority heart of the country in its firm control, the *Tatmadaw* has been able to consolidate positions elsewhere with a steady supply of local volunteers, or through frequent recruitment-drives into surrounding ethnic minority areas.

Since 1988 this system appears to have been greatly strained by the rapid expansion of the *Tatmadaw*. Ethnic opposition parties claim that, in the face of continuing opposition in the towns, the SLORC has been recruiting ethnic minority village youngsters to spread *Tatmadaw* influence into new areas, and at the same time increasing the armed forces from 200,000 to an eventual 500,000 troops under arms. UNICEF officials, for example, have discovered that boys can now be 'informally conscripted' into the army at

the age of 14. They have also identified at least one residential military camp in Kengtung in the Shan State where children of seven and above, believed to be orphans, have been recruited for a future life with the *Tatmadaw*.

Reports from all over Burma, from the Tenasserim Division to the Kachin State, indicate that the SLORC is trying to force or persuade village boys to join the army in a way guaranteed to bring a *Tatmadaw* presence into every community in the country. According to orders issued, copies of which ASI has seen, recruitment depends on village size. For villages of less than 100 houses one youth must be supplied; for villages of up to 200 houses two youths - and so on up to a maximum five youths for villages of more than 400 houses.

The scale of this mobilisation led to public criticism from ex-Brigadier Aung Gyi, Ne Win's deputy at the time of the 1962 coup and present-day leader of the Union Nationals Democracy Party. "The SLORC has issued quiet orders that every district and every village will provide one soldier," he told *Reuters* on 25 March 1993; "this is compulsory." Shortly afterwards, Aung Gyi was arrested and sentenced to six months' imprisonment on what most citizens believed were trumped-up corruption charges.

Evidence of an aggressive conscription policy is only circumstantial and

Boy soldiers in the Mong Tai Army

SLORC officials absolutely deny that it exists. But KNU leaders have alleged that young conscripts were used, after minimal training, for tidal-wave attacks in the unsuccessful assault on Mannerplaw during January-April 1992. Even battle-hardened KNU commanders were astonished by the continued waves of daylight attacks on heavily fortified defence lines; more experienced troops, they believed, were being kept in reserve. Certainly, a number of 16 and 17 year-old prisoners were taken.

Children who do protest against the SLORC and its policies can face the same harsh treatment as adults. Both middle school and high school students took a prominent part in the 1988 democracy protests and, according to eyewitness testimony, unknown numbers were shot dead by the security forces. But oppression has not stopped the protests. In April 1990 three 14 year-old boys, Win Thein, Kyaw Soe and Thein Tun U, were reportedly sentenced to 13 years' imprisonment for putting up anti-SLORC posters at their school in North Okkalapa. In August the same year Aung Soe, a 15 year-old pupil at May agon Township State High School, was reportedly sentenced to seven years' imprisonment for taking part in another student protest.

Despite this background of ill-treatment, there have been recent signs of a growing awareness by parties on all sides of the depth of the abuses against children and the long-overdue need to put an end to all such practices. Despite the government's record, UN officials, in particular, have put much weight on Burma's accession in 1991 to the Convention on the Rights of the Child. Certainly, in principle, this agreement greatly broadens the possible scope of the UN mandate in Burma and can be interpreted as a positive sign.

The SLORC's critics, however, were quick to point out that, when ratifying the Convention, it registered two extraordinary reservations: on Article 37, which prohibits the use of torture or other inhumane treatment, and Article 15, on the right of free association and assembly. As the UN Special Rapporteur on Human Rights reported after his own visit to Burma:

> *When taking into consideration that these reservations and understandings are in the context of the treatment of children, they must be seen as absolutely contrary to the object and purpose of the Convention.*[24]

In October 1993, the SLORC eventually withdrew these two reservations. But the fact that the *Tatmadaw* leaders could have considered that they had the right to use such repressive measures against their country's youngest citizens is indicative of the magnitude of the task ahead

in ensuring that the human rights of all the peoples of Burma are respected, a task made more difficult by the long years of civil war.

1. *Working People's Daily,* 25 July 1992.
2. See, e.g., *The Nation* (Bangkok), 13 March 1992.
3. Ta Saw Lu, Foreign Affairs department of the UWSP, *The Bondage of Opium: The Agony of the Wa People* (1993), p.1.
4. The Government of Kawthoolei, *The Karens and their Struggle for Independence* (1984), pp.2-3.
5. Rangoon Home Service radio, 1 June 1991; for a study of Burma's press laws, see, Article 19, *State of Fear: Censorship in Burma* (ref: Ch.3, n.5).
6. For a summary of the state of education in Burma, see, Martin Smith, Burma: Myanmar', in John Daniel (ed.), *Academic Freedom 2: A Human Rights Report* (Zed Books: World University Service, 1993), pp.17-38.
7. Ta Saw Lu, *The Bondage of Opium,* p.4.
8. *Rehmonnya Bulletin,* December 1992, p.37.
9. Interview, 9 June 1993.
10. See e.g., Asia Watch, *Burma: Rape, Forced Labour and Religious Persecution in Northern Arakan* (ref: Ch.2, *n.10),* pp. 15-20.
11. Amnesty International, *Myanmar: 'No law at all'* (ref: Ch.2, w.3), pp.23-4
12. Interview, 16 April 1993.
13. J. Boyden, *Myanmar Children in Especially Difficult Circumstances* (c h . 3 , n.l3),pp.4-5.
14. Asia Watch, *Burma: Rape, Forced Labour and Religious Persecution,* p.6 see also, Amnesty International, *Union of Myanmar (Burma): Human rights violations against Muslims in the Rakhine (Arakan) State* (ref: Ch.2, n. 10), pp. 15-24
15. For a number of other reports of the recent rape or ill-treatment of women, see e.g., Amnesty International, *Myanmar: The climate of fear continues, members of ethnic minorities and political prisoners are still targeted* (October 1993), pp. 18-20.
16. See, *The Nation,* 16 July 1993, and *Bangkok Post,* 31 July 1993.
17. *Burma Alert,* June 1991; for a detailed investigation into the prostitution traffic see, Asia Watch, *A Modern Form of Slavery: Trafficking of Burmese Women and Girls into Brothels in Thailand* (New York, 1993).
18. While this estimate is suggested by UN officials, there are no reliable figures on HIV-infection in Burma. With little testing completed, just over 7,000 cases have been reported, although the health minister, Than Nyunt, has himself admitted the true number could be over 200,000 *(AFP,* 30 June 1994); see also, David Winters, 'Facing the Challenges of AIDS', in *Burma Debate,* July/August 1994, pp 2 2 - .
19. Boyden, *Myanmar Children,* p.3.
20. UNICEF, *Possibilities for a United Nations Peace and Development Initiative for Myanmar* (Draft for consultation, 16 March 1992), p.2.
21. Ibid.
22. Boyden, *Myanmar Children,* p.22.
23. Dean Chapman, *Associated Press,* 15 November 1992.
24. UN Economic and Social Council, *Report on the situation of human rights in Myanmar* (ref: Ch.l, n.l*),* p.45.

PART III

Conclusions and Recommendations

CHAPTER FIVE

The Way Forward: Unity in Diversity

Peace is the crucial starting point on the road to development, democracy and human rights, but on its own it will not solve the long-standing problems of Burma's ethnic minority groups. In the words of Major-General Zau Mai, the Kachin Independence Organisation's chief of staff who signed a cease-fire with the State Law and Order Restoration Council in February 1994 after 33 years of armed conflict:

> *What we need now is for the cease-fire to spread across the country. As long as there is peace, we believe the political discussions can continue. But after all these years of conflict, all parties must realise that reconciliation is likely to be a long process.*

By 1994 four major groupings had emerged as representative of political opinion in Burma: the military, the National League for Democracy and other democratic opposition parties, the legally-recognised ethnic minority political parties, and the armed opposition (see box). Although there were similarities in rhetoric over the need for change, each had its own ideas and agenda for political reform; there were also some deep internal divisions. Nevertheless, in marked contrast to the polarisation of the past, there was the first evidence of common ground as well as increasing dialogue between a number of key protagonists. The growing numbers of peace talks between the SLORC and armed ethnic groups appeared to indicate a new mood in which solutions to Burma's problems were being actively pursued in different ways from the past. However on all sides, it needs to be stressed, there were still many who maintained their entrenched positions.

The moves towards dialogue were also being prompted by two deepening concerns: the precarious state of the economy and the health of Burma's ageing military strongman, the octogenarian General Ne Win. The more alarmist analogies made by many political observers with Yugoslavia in the years after Tito may seem extreme, but it is certain that whatever government is in power, Burma in the coming years faces enormous difficulties.

By 1994 it was also clear that the SLORC would like to loosen its

Contemporary Viewpoints: the Major Players

The Military

While a younger generation of officers, led by Than Shwe and Khin Nyunt, is beginning to break away from the style of Ne Win, decades of military rule have cast a huge shadow over political change. Military leaders protest that critics of the *Tatmadaw* overlook the scale of armed opposition which the central government has constantly faced since 1948. In their view, it is only the military which has held the country together, and they have a deeply-held belief that no politician can be trusted.

Many Burmese, however, believe the *Tatmadaw* has long since changed from its legitimate role as the defender of the people to a central problem in itself. Rather than addressing the real causes of social and ethnic discontent, the first loyalty of officers is now to defend the position of the *Tatmadaw* and the ruling military government.[1]

In defence of its actions, the SLORC regards itself as the only neutral force capable of overseeing a transitional stage to a new, third constitution and a new system of multi-party government. Once this task is completed, spokesmen say it will be only too willing to hand over power.[2] While no coherent philosophy has emerged, the SLORC has however stated that it will steadfastly strive for the 'Three Main Causes': 'non-disintegration of the Union; non-disintegration of the National Solidarity; and perpetuation of National Sovereignty'.[3]

There is also some fear among many officers of retribution if power is handed over too quickly to a civilian government. The SLORC's opponents counter that the NLD and other parties have been pledged to reconciliation and dialogue all along.

The New Democracy Movement

The political climate has made it virtually impossible for opposition parties to produce substantive policy papers since 1988. But there appears to be considerable agreement between them, especially on the need to address ethnic minority issues. They largely support a return to the main aims and objectives of the 1947 constitution, which was 'federal' in principle.

The NLD is by far the largest and most influential group. Its supporters say it is more a 'mass movement for democracy' than a specific political party. By winning 392 of the 485 available seats in the 1990 election, the NLD clearly emerged as the main voice of the people. However, its ability to function has been severely hampered through constant

isolation and have greater international involvement, both at home and abroad. Suspicions, however, remain. Many opposition groups have been critical of the way in which the SLORC has been able to consolidate its position as the government of Burma by increasing its contacts with the outside world, mainly through trade.

pressure and arrests, with some MPs in jail, some in exile and others at the National Convention. As a result, Aung San Suu Kyi remains the main focus for democratic hopes.

Ethnic Minority Political Parties

The ethnic minority political parties share many of the same aspirations as the NLD for which many minority citizens voted. They also act as a bridge to the fourth grouping: the armed opposition.

Of the 27 parties which won seats in the 1990 election, 19 represented different ethnic nationalities. They shared many common goals and a similar four-point platform: self-determination, free speech, the right to their own languages, and a genuine federal union. Virtually all were allied in the United Nationalities League for Democracy, which would have formed, if allowed, a 65-seat block in the new parliament, making the ethnic minority parties the most powerful elected grouping after the NLD.

Despite the subsequent banning of most UNLD parties, five ethnic minority parties, which are still legal, were allowed by the SLORC to attend the National Convention. They were joined by representatives of several 'deregistered' parties, and together put up some of the most articulate opposition to the SLORC's proposals. One popular idea, which is also voiced by most armed opposition groups, is that there should be a new 'Burman State' in addition to the seven ethnic minority states so that the Burman majority are represented on the same nationality basis as the minorities in the future constitution and legislature.

The Armed Opposition

In 1994 there were still over 20 opposition forces under arms in Burma, 13 of which had cease-fires with the SLORC. Virtually all represent ethnic minorities and, in general, all support the idea of a return to a 'federal' system of government with new autonomous territories and rights for smaller ethnic groups that have been unrecognised in the past. Only the Mong Tai Army in the Shan State is still publicly seeking independence. The opposition armies support nearly all the UNLD's ideas, and some have close links to its members. Almost all support the NLD's role in the political reform process. However with powerful forces such as the Wa and Kachin having cease-fires with the SLORC, while groups like the Karen and Shan remain outside the peace process, in 1994 ethnic and political unity appeared badly divided within such formerly powerful insurgent fronts as the National Democratic Front and the Democratic Alliance of Burma.

None the less, under international pressure, the political language of Burma is imperceptibly changing. From the beginning the SLORC has placed great store on its legal basis as a *de facto* government, recognised by the United Nations. In apparent compliance with these responsibilities, the SLORC has signed a growing number of international conventions and

protocols in the past six years. The SLORC has also always accepted the official visits of the Special Rapporteur of the UN Commission on Human Rights, despite subsequently rejecting his conclusions.

The challenge and responsibility is to translate this public commitment to international standards of government behaviour into substantive action and political reform. Progress will continue to be hampered until all political prisoners are freed and genuine cease-fires are established across the country. In September 1994 the two main SLORC leaders, General Than Shwe and Lieutenant-General Khin Nyunt, met publicly with Aung San Suu Kyi after she had been held for over five years in detention. An important gesture after such a meeting will be not only her release from house arrest but also her freedom to take part in the political process.

Despite the peace talks and the SLORC's meeting with Aung San Suu Kyi, political ideas have, to date, not been discussed at the table. The cease-fire terms are still purely military, and the last major round of countrywide peace negotiations was as long ago as 1963-64. Nevertheless, indications have continued to emerge from the National Convention in Rangoon, which began in January 1993, of the political direction the SLORC would like to move in. Although Thailand was mentioned, the model most commonly suggested by SLORC officials was Indonesia; indeed the formation of the new mass movement Union Solidarity and Development Association in September 1993 was seen by many analysts as an early imitation of Indonesia's ruling GOLKAR party.

Rather like Ne Win's 1974 constitution, the new constitution would apparently guarantee many political and cultural rights to the people. There would be a 'genuine multi-party system of democracy'. However, as a 'basic principle', the military would be designated as having the 'leading role' in national political life and run its own system of administration, which would operate parallel to any civilian government. In Burma's future parliament, too, 25 per cent of the seats would have to be occupied by military appointees or candidates.

While the peace talks continue, however, the question of ethnic rights is still unclear. Sceptics think there are still plans to break up ethnic minority territories. For example, claiming to be responsible for all '135 races of Burma', SLORC officials have repeatedly argued that few ethnic minority states are ethnically homogenous. "Today the term ethnic minority no longer conveys a profound meaning," claimed the *Working People's Daily* in 1991.[4]

None the less, while still rejecting the word 'federal' (which many soldiers incorrectly equate with secession), the SLORC does seem to have

taken some of the ideas of ethnic minority parties on board. A new degree of local autonomy for all minority groups has been envisaged. For day-to-day government, the seven ethnic minority 'states' on the present map would be retained with equal status to the seven existing Burman-majority divisions, which would be renamed as 'regions'. Each state and region would have an assembly of its own and there would also be the right to create new 'self-administered zones' or 'divisions' for smaller minorities within each territory. The parliament or national 'people's assembly' in Rangoon would also consist of two chambers: one, the House of Representatives, elected on the basis of population with 330 seats (plus 110 unelected members of the military); and the other, the House of Nationalities, with 168 members (plus 56 military seats) in equal numbers from the 14 states and regions.

These new tiers of assemblies, although controversial, are in fact a development many ethnic groups have long demanded. However to make such a countrywide reorganisation really work will need considerable planning, conciliation and discussion if it is not to create a new generation of ethnic and political problems.

The potential scale of these new problems became clear at the National Convention in September 1994 in the first announcement of new 'self-administered' areas for unrepresented ethnic minorities. For while new zones or divisions would be created for the Pao, Palaung, Kokang and Danu in the Shan State and the Naga in the Sagaing Division, no such nationality representation was indicated for minorities such as the Karens in the Irrawaddy and Rangoon Divisions, who number over one million, or the numerous Chins living outside the Chin State's borders. Moreover, despite the recent cease-fires, many ethnic parties still reject the military's unelected preponderance in any future government and, at this critical time of transition, want the debate broadened out to involve Aung San Suu Kyi, the whole NLD, the Karen National Union and all other parties and politicians who are presently barred. Not least, territorial disputes between the different groups, such as the Wa and Shan or Karen and Mon, will also have to be resolved.

The key to solutions, ethnic leaders now believe, lies in peace and long-term consultation, equal economic development, real respect for the constitutional and human rights of minorities, and a proper regard for free expression of their languages and cultures. In such actions by any party or government lie the seeds of reconciliation and sustainable development. Burma's political and social crisis remains grave. But according to this new scenario, it is the spirit of peace in the ethnic minority regions which

Basic Principles of the New Constitution

Process

The National Convention began in January 1993 with 702 delegates, chosen from eight 'social categories' which the SLORC deemed to be representative of Burmese society. However, major national figures such as Aung San Suu Kyi were not allowed to participate, insurgent ethnic minority groups were barred, and dissension emerged from the outset.

Result

The Convention produced 15 chapter headings and 104 principles on a wide range of issues, prescribing in particular:

- the leading role of the military in national political life;
- a president chosen by electoral college but required to have military as well as political experience;
- three branches of government: executive, legislative and judicial, but with military officers at every level of the executive;
- a bi-cameral parliament with elected representatives sitting alongside military appointees;
- 25 per cent of all seats in the new House of Representatives and House of Nationalities to go to military appointees;
- preservation of the 14 existing political divisions and ethnic minority states, but new 'self-administered' areas for smaller ethnic groups;
- an 'open-door' economic policy.

Major issues outstanding:

- countrywide acceptance of the *Tatmadaw's* political role;
- ethnic minority territories and rights;
- the delineation of other human rights, including the rights to freedom of expression and association as well as environmental and land rights;
- peace and discussion with groups and leaders still outside the political process, including detainees;
- a free and fair general election or referendum for the constitution to gain the consent of the people.

will eventually break the political deadlock in Rangoon.

Recommendations

Democratic elections alone will not be sufficient to transform Burma into a country where the human rights of individuals and groups are equally respected. For this to be achieved, there has to be action across the whole

spectrum of human rights, civil and political rights as well as economic, social and cultural rights.

Anti-Slavery International recognises that Burma's problems are complex and that, since independence in 1948, there have been insurgent groups in armed opposition to the central government. It is for the Burmese peoples themselves, from every ethnic background, to solve the country's deep-rooted problems and decide Burma's political future for themselves.

Nevertheless, ASI believes that there are universal values and standards which apply to the rights of all, regardless of country, race, religion or frontiers. In addition, as a member of the United Nations, Burma is bound by the Universal Declaration of Human Rights and the other UN human rights instruments which it has ratified.

ASI also recognises that human rights abuses have been committed by groups in opposition to the central government and that the same standards of action and behaviour apply to all groups in Burma equally: there can be no double standards.

Recent developments have indicated that the SLORC is willing to listen to international views. Therefore, the international community has a role to play in encouraging the Burmese authorities to take measures that would lead to progress. ASI urges the government of Burma to:

free all citizens imprisoned for the expression of their political, religious or ethnic beliefs;

allow open public debate on the country's proposed new constitution;

make positive attempts to address the grievances of the ethnic minority groups;

immediately halt the inhumane practices involved in forced labour, including forced portering, and abide by the ILO Convention to which it is a signatory;

immediately halt the 'Four Cuts' operation and other reprisals against the civilian population in areas where armed opposition groups are believed to be active;

respect the right of all citizens to make a living on their own land and stop all land appropriations and forcible relocations;

abide by all the international conventions on human rights which it has ratified;

take steps to ratify other major human rights conventions;

request the assistance of the United Nations Centre for Human Rights

and others to implement these conventions and especially to incorporate their principles into the new constitution;

enshrine human and ethnic rights in the new constitution and ensure they are observed;

allow unrestricted publication of literature in ethnic minority languages.

A growing number of inter-governmental agencies, multinational companies and non-governmental organisations are already working and operating in Burma. The SLORC is seeking to increase international investment, assistance and co-operation. It is openly inviting NGOs, on a tentative basis, to work in some of the war-torn areas. Some may feel that they do not want to have operations in Burma until there have been significant humanitarian, political and economic changes. But for those who wish to follow an approach of 'constructive engagement', there are some principles which could guide their actions:

contracts and agreements should state that there must be no abuse of human rights in the implementation of the projects;

ethnic minority groups and local communities must be consulted about projects that affect them and they should be encouraged, and assisted, to participate in their preparation and implementation;

advice and assistance should be made available to ethnic minority groups which may need assistance to strengthen their ability to protect and further their interests as a group;

programmes should be implemented which seek to redress the imbalance resulting from inequalities in economic development and discrimination against minority groups in the past, as such inequalities are a continuing source of instability.

The solution to Burma's many grave problems will not come overnight, but as a result of a careful process of talks, which all concerned can support, aiming at reconciliation and peace through dialogue. Throughout this process, the recognition and maintenance of universal standards of human rights remains the key factor.

1. For example, on 4 October 1988, less than three weeks after the SLORC assumed power, the *Working People's Daily* warned the Burmese peoples: "The *Tatmadaw* in all its historical glory shall continue to fight and annihilate all enemies."
2. E.g., Rangoon Home Service, 8 September 1991, in BBC, *Summary of World Broadcasts*, 11 September 1991.
3. General Than Shwe, chairman of SLORC, speaking on Armed Forces Day, 27 March 1993.
4. *Working People's Daily*, 6 August 1991.

A Chronology of Important Dates

1824-86		British annexation of Burma began
1941-45		Japanese occupation
1947	February	Panglong Conference and Agreement KNU formed
	July	Aung San's assassination
	September	Constitution finalised
1948	January	Independence: the AFPFL forms Burma's first government, with U Nu as prime minister
1948-49		The CPB and 'ethnic' armed uprisings start, including the Karen, Karenni, Mon, Rakhine and Muslims of Arakan
1958-60		Gen. Ne Win's 'Military Caretaker' administration
1960		U Nu becomes prime minister again after elections
1960-61		Ethnic rebellion spreads in the Shan and Kachin States
1962	March	Ne Win's military coup; formation of the BSPP
1963-64		Unsuccessful countrywide peace talks
1964-70		Large upsurge in fighting with insurgent forces; U Nu also goes underground after release from detention
1974	January	New constitution replaces 1947 constitution
1976		Ethnic forces form NDF to seek a federal union of Burma
1980		Amnesty announced; U Nu and many exiles return; unsuccessful peace talks with KIO and CPB
1982		Tough citizenship law introduced
1987	December	Burma admitted to Least Developed Country status at UN
1988	March	Dozens of students killed in protests against BSPP rule
	July	Ne Win resigns as BSPP chairman; the protests escalate
	August	Millions of democracy supporters take to the streets; demonstrators shot in Rangoon, Sagaing and Moulmein; Aung San Suu Kyi makes her first appearance before the crowds
	September	The SLORC assumes power; martial law declared; hundreds of protestors killed in countrywide shootings; thousands of students go underground to join insurgent forces; new political parties, including the NLD, permitted to form
	October	Virtually all Western aid suspended
	November	The DAB formed by armed ethnic, student and exile democracy groups; the SLORC promulgates a foreign investment law to attract international funds
	December	First SLORC logging and fishing deals with Thai companies
1988-89		Fighting escalates between ethnic and government forces
1989	March	Kokang, Wa and other minority forces mutiny from the CPB
	April	Peace talks start between SLORC and ex-CPB ethnic groups
	June	Burma renamed 'Myanmar' by the military government
	July	Aung San Suu Kyi and NLD leaders detained; military tribunals established; thousands more arrested
	September	Shan State Army from NDF signs peace agreement with SLORC
	October	First multinational oil companies return to Burma; trade with China starts to boom

1990	January	Aung San Suu Kyi barred from standing in election; forcible relocations of town-dwellers escalates
	February	KNU and NMSP bases fall in fierce fighting; UN Human Rights Commission appoints 'Independent Expert' on Burma
	May	NLD wins landslide victory in general election
	July	SLORC announces National Convention will be set up; NLD MPs demand transfer of power
	September	Arrest of Kyi Maung and other NLD MPs in new clampdown
	October	Buddhist monasteries raided and many monks arrested
	December	NCGUB set up by exile NLD MPs in DAB territory
1991	January	KIO 4th Brigade makes cease-fire with SLORC
	March	Pao forces from NDF make peace with SLORC
	April	Palaung forces from NDF also sign truce
	May	Universities and colleges finally reopen
	June	SLORC's 'cultural revolution' begins
	December	Aung San Suu Kyi awarded Nobel Peace Prize
1991-92		Mass exodus into Bangladesh of over 260,000 Muslims
1992	January	SLORC begins offensive against KNU HQ at Mannerplaw; ASEAN calls for 'constructive engagement' with SLORC
	March	UN to appoint 'Special Rapporteur' on Human Rights
	April	Gen. Than Shwe replaces Gen. Saw Maung as SLORC chairman; SLORC announces halt to offensive against ethnic forces; first release of political prisoners begins
	September	Curfew lifted and military tribunals closed
1993	January	National Convention begins drafting principles of new constitution
	February	UN Special Rapporteur condemns SLORC for human rights abuses
	June	SLORC claims 'leading role' for military in new constitution
	November	Lt-Gen. Khin Nyunt invites all armed opposition groups to peace talks; heavy fighting begins with Mong Tai Army
1994	January	National Convention resumes after another delay; peace talks start with Mon and more ethnic forces
	February	KIO signs formal military cease-fire; UN Special Rapporteur again condemns SLORC; US Congressman Richardson visits Aung San Suu Kyi
	May	One Karenni faction agrees cease-fire with SLORC
	July	Kayan forces also sign truce; SLORC attends sessions of ASEAN ministerial meeting
	September	Gen. Than Shwe and Lt-Gen. Khin Nyunt meet for first time with Aung San Suu Kyi after five years' house arrest; creation of new 'self-administered' zones announced for several unrepresented ethnic groups in new constitution; military to control 25 per cent of all future parliamentary seats
	October	UN secretary-general's office begins dialogue with SLORC

ABBREVIATIONS

ASEAN	Association of South East Asian Nations
ASI	Anti-Slavery International
AFPFL	Anti-Fascist People's Freedom League
BADP	Border Areas Development Programme
BSPP	Burma Socialist Programme Party
CPB	Communist Party of Burma
DAB	Democratic Alliance of Burma
ICCPR	International Covenant on Civil and Political Rights
ILO	International Labour Organisation
KIO	Kachin Independence Organisation
KNU	Karen National Union
LORC	Law and Order Restoration Council
MNDF	Mon National Democratic Front
NCGUB	National Coalition Government Union of Burma
NDF	National Democratic Front
NGO	Non-Governmental Organisation
NLD	National League for Democracy
NMSP	New Mon State Party
NUP	National Unity Party
SLORC	State Law and Order Restoration Council
SNLD	Shan Nationalities League for Democracy
UMEH	Union of Myanmar Economic Holdings
UN	United Nations
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund
UNLD	United Nationalities League for Democracy
USDA	Union Solidarity and Development Association
UWSP	United Wa State Party

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Extracts from ILO Convention No. 29 concerning Forced or Compulsory Labour, 1930

Article 1

1. Each member of the International Labour Organisation which ratifies this Convention undertakes to suppress the use of forced or compulsory labour in all its forms within the shortest possible period.

Article 2

1. For the purposes of this Convention the term "forced or compulsory labour" shall mean all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.

2. Nevertheless, for the purposes of this Convention, the term "forced or compulsory labour" shall not include -

(a) any work or service exacted in virtue of compulsory military service laws for work of a purely military character;

(b) any work or service which forms part of the normal civic obligations of the citizens of a fully self-governing country;

(c) any work or service exacted from any person as a consequence of a conviction in a court of law, provided that the said work or service is carried out under the supervision and control of a public authority and that the said person is not hired to or placed at the disposal of private individuals, companies or associations;

(d) any work or service exacted in cases of emergency, that is to say, in the event of war or of a calamity or threatened calamity, such as fire, flood, famine, earthquake, violent epidemic or epizootic diseases, invasion by animal, insect or vegetable pests, and in general any circumstance that would endanger the existence or the well-being of the whole or part of the population;

(e) minor communal services of a kind which, being performed by the members of the community in the direct interest of the said community, can therefore be considered as normal civic obligations incumbent upon the members of the community, provided that the members of the community or their direct representatives shall have the right to be consulted in regard to the need for such

Article 3

For the purposes of this Convention the term "competent authority" shall mean either an authority of the metropolitan country or the highest central authority in the territory concerned.

Article 4

1. The competent authority shall not impose or permit the imposition of forced or compulsory labour for the benefit of private individuals, companies or associations.

2. Where such forced or compulsory labour for the benefit of private individuals, companies or associations exists at the date on which a Member's ratification of this Convention is registered by the Director-General of the International Labour Office, the Member shall completely suppress such forced or compulsory labour from the date on which this Convention comes into force for that Member.

Article 5

1. No concession granted to private individuals, companies or associations shall involve any form of forced or compulsory labour for the production or the collection of products which such private individuals, companies or associations utilise or in which they trade.

2. Where concessions exist containing provisions involving such forced or compulsory labour, such provisions shall be rescinded as soon as possible, in order to comply with Article 1 of this Convention.

Article 8

1. The responsibility for every decision to have recourse to forced or compulsory

labour shall rest with the highest civil authority in the territory concerned.
2. Nevertheless, that authority may delegate powers to the highest local authorities to exact forced or compulsory labour which does not involve the removal of the workers from their place of habitual residence.

Article 11

1. Only adult able-bodied males who are of an apparent age of not less than 18 and not more than 45 years may be called upon for forced or compulsory labour. Except in respect of the kinds of labour provided for in Article 10 of this Convention,* the following limitations and conditions shall apply:
(a) whenever possible prior determination by a medical officer appointed by the administration that the persons concerned are not suffering from any infectious or contagious disease and that they are physically fit for the work required and for the conditions under which it is to be carried out;
(b) exemption of school teachers and pupils and officials of the administration in general;
(c) the maintenance in each community of the number of adult able-bodied men indispensable for family and social life;
(d) respect for conjugal and family ties.

Article 12

1. The maximum period for which any person may be taken for forced or compulsory labour of all kinds in any one period of twelve months shall not exceed sixty days, including the time spent in going to and from the place of work.
2. Every person from whom forced or compulsory labour is exacted shall be furnished with a certificate indicating the periods of such labour which he has completed.

Article 13

1. The normal working hours of any person from whom forced or compulsory labour is exacted shall be the same as those prevailing in the case of voluntary labour, and the hours worked in excess of the normal working hours shall be remunerated at the rates prevailing in the case of overtime for voluntary labour.
2. A weekly day of rest shall be granted to all persons from whom forced or compulsory labour of any kind is exacted and this day shall coincide as far as possible with the day fixed by tradition or custom in the territories or regions concerned.

Article 14

1. With the exception of the forced or compulsory labour provided for in Article 10 of this Convention,* forced or compulsory labour of all kinds shall be remunerated in cash at rates not less than those prevailing for similar kinds of work either in the district in which the labour is employed or in the district from which the labour is recruited, whichever may be the higher.

Article 16

1. Except in cases of special necessity, persons from whom forced or compulsory labour is exacted shall not be transferred to districts where the food and climate differ so considerably from those to which they have been accustomed as to endanger their health.
3. When such transfer cannot be avoided, measures of gradual habituation to the new conditions of diet and of climate shall be adopted on competent medical advice.

Article 18

1. Forced or compulsory labour for the transport of persons or goods, such as the labour of porters or boatmen, shall be abolished within the shortest possible period....

**forced labour exacted as a tax, to be progressively abolished*