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Some Acronyms in This Issue

- SPDC-** State Peace and Development Council,
- SLORC-** State Law and Order Restoration Council,
- DDSI-** Directorate of Defense Service Intelligence,
- BADP-** Border Area Development Program,
- IB -** Infantry Battalion (*of Burmese Army*),
- LIB-** Light Infantry Battalion (*of Burmese Army*),
- KNU-** Karen National Union,

News

Forced Labour in Motor Road for TOTAL Oil and Gas Company

(March 2000)

Since the end of 1999 until February 2000, the local villagers near Yatana on-shore gas-pipeline area have to contribute free labour in building a 6 miles long road from The-chaung to Kin-taung, under the order of LIB No. 273, which received an agreement contract from France's oil and gas company, TOTAL.

Since November, 1999 until February, without using any type of machines, the soldiers from LIB No. 273 have forced the villagers from The-chaung village tract to contribute free labour in the building of this 6-miles-long motor road. In The-chaung village tract, there are totally 6 villages and they are The-chaung, Talaing-myaw, Thingun-taw, Taput-chaung, Kadot-chaung and Kin-taung. In these villages, there are over 700 households and the population are Mon and Tavoyan inhabitants, who have occupations as farmers and fishermen.

In building The-chaung-Kin-taung road, LIB No. 273 has used



TOTAL oil and gas company: *This company is also indirectly involving for the use of forced labour*

30-50 villagers every day and the village headmen from the above mentioned villages have to provide the labourers with rotation basis. In conscripting of villagers to work in the construction, LIB No. 273 battalion commander Col. Htin Kyaw, his two column commanders, Maj. Ngwe Lin and Maj. Kyaw Win have taken responsibility. They have instructed and ordered the villagers to provide how many villagers for how many days and when.

When the army ordered, every household have to send at least one villager and depending on the pieces of works in the construction, the 30-50 villagers everyday have to work for 3-5 days. After one group of villagers completed one piece of work, another group would replace them. When the villagers went to their work-sites they also have to bring their own foods and tools along with them. If one villager failed to go to the designated construction site, they also have to pay 500 Kyat per day fine to the army or to hire a substitute with payment 500 Kyat per day.

Types of works in the construction are, digging the earth, carrying dusts and stones, collecting stones and crushing stones into small pieces, and building the embankment. In carrying stones from the far places to the embankment, the army also conscripted the oxen-carts from every village. So, the oxen-carts and driving villagers also lasted many days in carrying stones. If one family could not provide the requested oxen-cart to the army, the also have to pay 1,000 Kyat to army.

This motor road also passed some paddy farms owned by Thingun-taw villagers and the army did not give them compensation cost for those pieces of land. When the road passed a stream and built a bridge, the villagers also have to contribute their free labour in building the bridges.

According to villagers, although they knew that LIB No. 273 received some budget from TOTAL company for construction contract, the army never paid them for their labour or fed them during they were working in the construction. However, this road is directly supporting the oil and gas companies in the area including Unocal and Premier Oil for better communication to carry their staff, workers and facilities that they brought from the sea.

More Land Confiscation in Northern Part of Ye Township for Military Deployment

(February, 2000)

Besides the previous land confiscation in northern part of Ye Township, additionally, SPDC's LIB No. 343 confiscated another about 100 acres of land from 13 fruit and rubber plantations Mon farmers in February 2000 for military deployment. Previously in September 1999, the same military battalion also confiscated about 800 acres of land from 90 Mon farmers of Aru-taung and Kundo villagers of Ye township, to deploy LIB No. 343 troops and another one artillery battalion. These new confiscated lands

about were also owned by Aru-taung villagers, and the government authorities and army did not give them compensation costs for the lands.

The new confiscated lands were owned by (1) Nai Kun Ba, (2) Nai Myo Lwin, (3) Nai Nyan Thein, (4) Nai Na, (5) Nai Dar, (6) Nai Thar, (7); Nai Aung Shein, (8) Nai Taung Aye, (9) Mi Kin, (10) Nai Tee, (11) Nai Pan Tin, (12) Nai Khin Aung and (13) Nai Yeah. Among these farmers, 8 farmers grew both betel-nut fruits and rubber trees in their plantations while 3 farmers owned betel-nut plantations and the remaining 2 farmers grew rubber trees. According the farmers estimation, the total worth for these plantations is about 9.75 million Kyat.

All these land confiscation ordered by Southeast Military Command bases in Moulmein, the capital of Mon State and LIB No. 343 has actively participated in this land confiscation. After the previous land confiscation, LIB No. 343 has managed in clearing some spaces of lands but not all. The army also planned too take betel-nut fruits and rubber from the plantations and so they have instructed the villagers, who were conscripted as forced labourers, to clear only required lands for the building of military barracks and training grounds.

After land confiscation, when the villagers knew the army plan not only to use their lands for military deployment, but also to take their fruits for battalion profit, 97 farmers, who lost the lands also wrote a letter to Southeast Military Command and requested three points as compensation from their views. The first request was to give compensation costs for their lands and the second request was, if the army did not agreed to give compensation costs, another choice is to give them another equal spaces of land to create new plantations. The third request that the villagers applied to army was, if the army could not allow the above two requests, to allow them taking their own fruits for three years.

After that request was applied to army, a strategic commander, Col. Cho Tun Aung also called a meeting with farmers who lost the lands on January 31, 2000. In the meeting, the commander explained that due to urgent requirement by the army, they have no choice but to confiscate these lands and said the army would allow the farmers to collect their fruits for three years if their plantations are not cleared to build the buildings in there. But the commanders also threatened and instructed the farmers that if they enter to their plantations, they must take permission letters along with them, the origin owners must come and take fruits and the army must not allow any other persons and if something happens in their plantations that harms to the army, the plantation owners must be arrested and taken trials according to laws. Then the plantation lands must be confiscated immediately.

After the strategic commanders explanation and threat, one commander of LIB No. 343, Maj. Lin Oo, also instructed the farmers that after they are allowed to gather their fruits for three years, they must have to give or pay

battalion fund with one-fourth of products produced from the plantations. The battalion only requests fund as cash after they sell one-fourth of fruit products of rubber and fruits.

Because of this restriction from the battalion, most farmers decided to not re-enter into their plantation again. Some who tried to go also face various restriction and delay made by army and authorities. As result, the villagers have totally abandoned their lands.



Forced Labour in Taking Security along Railway in Ye Township

(March 2000)

Since the beginning of dry season, September 1999 until March 2000, under the instruction of Township PDC and the local military battalions, at least about 4-5 villagers from each village have to take security along the road, both northern and southern part of Ye town, Mon State. The railways are from Moulmein to Ye and then, from Ye to Tavoy. Because of the regular conscription of villagers' labour, many villagers lose opportunity to work in their works full time and also lose income.

As the railway authorities and military battalions in this area worry for the possible destruction of railway due to land-slide and sabotages done by rebels, they have forced the local villagers from every village to build at least one hut for one village in the designated places and instructed them to take security. The authorities and local army officers always give order to village headmen to provide villagers and send them to the security huts on a rotation basis. One family must send one villager and so, in one village, the headmen must send 4-5 villagers for one round. Those villagers must take security for 24 hours.

Besides waiting in the huts, the villagers were or-

dered to walk along the roads and if they faced something wrong on the way or suspicious rebel activities, they must inform the officers in the nearest railway stations. In the railway from Moulmein that connects to Ye, the road was built over 50 years and was not strong enough and it could be easily destroyed. Similarly, the regular land-slides always occur in Ye-Tavoy motor road, and the villagers are also ordered to check the possible land-slide. The authorities worry for the possible sabotages in both parts of railway, because the rebel troops have been active near the whole rural area of Ye Township.

During the villagers are taking security along the road in many huts, the authorities or the troops also came and made surprise check to them. If one villager from a village failed to take security accordingly their instruction, that villager will have to pay fine 500 Kyat. In this forcing the villagers to take security in the railway, although big villages which have more population have less problems in arranging and providing the villagers, the small villages which have few number of household are facing a lot of difficulties because the villagers have to go many rounds to take security. The small villages in the northern part of Ye Township such as Sontalin, Pingone, Thingun-taw, Saung-phan and Pharan-maw are facing a lot of difficulties because the villagers have less time to do their own works, because they have to go to take security in railway about 4-5 rounds in one month. By combining with the time, that the villagers traveled to the security huts, one villager from those small villages has to spend nearly 10 days within one month.

In Ye Township area, the villagers are forced not only for taking security in the railways, they are always conscripted to contribute their labour in many types of works such as clearing small trees and bushes alongside of railway and motor roads, using them as civilian porters for army, making fence or building for army bases and others. Therefore, within one month, the villagers have to do their own works for 10 days to 15 days.



Security porters:
*even women and children
are forced to take security
of the main road*

Report

Levying Tax for Porter Fee and Development Project in Mon State

I. Analysis on SPDC's Taxation

Under the rule of the current military regime, SPDC, since it could not allocate enough budgets in its various branches of administration and hundreds of army battalions, and the government gave new instruction to support themselves, *or* creating battalion business fund. As a result, the government authorities and army have collected various kinds of tax from the local civilians in many parts of Burma, where they have more activities for military operation, adopting administration and other cases related maintaining their power. Similarly, the authorities and army in Mon State also collected various kinds of tax from the civilians.

As our analysis, in levying tax from the local civilians, the government *or* the higher administration office in SPDC has no systematic procedures and the higher authorities just give instructions to the local level authorities and army battalion officers to find the way by themselves to get tax from civilians *or* from our sources. The amount of tax even for the same purpose, it was varied from one township to another.

Sometimes, the civilians were arrested for some days and the remaining families have to find the requested amount of tax *or* crops such as paddy and others to give the authorities for the releases of their family members. Sometimes, the army also requested tax from the civilians and when they did not receive the set amount of tax, *or* the villagers failed to give, the armed troops suddenly went into villages and made looting and sometimes, kidnapping the villagers for tax. These are terrible violations that normally have happened in many villages in Black Area, where the rebel troops have more control and the government has less control. So, the civilians also said "the acts of the government authorities are not accordingly to the laws, and we have been suffered from the looting, stealing and kidnapping."

Depending on the geographical area, the authorities and army collected tax from various civilians, farmers, fishermen, plantation owners, day-labourers and sometimes even the government servants. Under unsystematic and unequal situation in levying tax from the civilians, although rich families, who own more properties, could manage paying the regular tax accordingly to the authorities and army requested, many poor families in poor villages could not manage and harder and harder to pay all kinds of tax.

Most types of tax are, (1) porter fees for the local military battalions *or* for military operations, (2) tax for government's and army's development projects, (3) tax for army battalion fund and other occasional activities, (4) taxation from farmers, fishermen and day-labourers cashes *or* crops, and (5) unofficial tax, by looting, stealing and confiscation of belongings by army. The last type of unofficial tax is always related to the punishment to the civilians in Black Area, by the SPDC battalions. The rural civilians' native villages are always suspected as rebel bases. (One type of taxation that the government authorities and army are taking crops from farmers by purchasing at low price which the farmers have to sell the set amount of crop already mentioned in the previous *The Mon Forum Issue No. 1/2000 and 2/2000*.)

Note: In this report, we focus on only the issue of taxation as porter fee and tax *or* fund for development projects.

II. Levying Porter Fee

Although the recent military government SLORC and current SPDC agreed for ceasefire with NMSP, main armed group that has fought against the Rangoon government over forty years, the civilians in Mon State still suffered from paying regular and emergency porter fee to the military battalions that base in their areas. After ceasefire, the government has no major offensives in Mon State, but still operates offensives against KNU and other rebel groups in Karen State and Tenasserim Division.

NMSP leaders also expressed to Mon civilians soon after 1995 ceasefire that the government authorities and army officers might discontinue collecting porter fee because of ceasefire. They also said there was one point in the agreement that both sides of armed forces (*SLORC and NMSP*) must not take any illegal tax collection from the civilians and some SLORC officials gave promise to not collect porter fee.

However, the agreement was done with DDSI (*Directorate of Defense Services Intelligence*) led by Lt. Gen. Khin Nyunt, and most military officials under the supervision of the military commands have not cared on the agreement

and so the troops from the Light Infantry Divisions and Southeast Military Command still require porter fee from civilians.

During 1997 offensives against KNU, the collection of porter fees was enormous and the arrest of porters were widespread in Mon State again. Before the offensives started, SLORC's Southeast Military Command from Moulmein ordered to its concerned local battalion battalions to provide the possible number of porters to the military operations that would launch offensives to carry ammunitions and foods for troops. As a good chance, the local military battalions arrested more number of porters from every township of Mon State and requested cash from the remaining family members to pay for the releases. This was one type of kidnapping the villagers for cash. Or, sometimes, the battalions instructed in the villages to provide how many porters and how much for the porter fees. For example, when a battalion instructed one village to provide four porters, they required only two civilian porters but asked money for another two porters with amount from 10,000 Kyat to 50,000 Kyat per head depending on the wealthy of that village. Normally, to avoid being porters, many wealthier villages gave money to the battalions. The more households in one village, the more porter fees the army would receive. Some villages with over 500 households had to pay army porter fee from 100, 000 Kyat to 300, 000 Kyat and during 1997 offensives, the army could make a lot of income from the porter fees. However to get the set number of porters, the soldiers from the battalions tried to arrest many hundred of civilian porters in public places such as markets, theaters and coffee-shops in some middle of cities, town and villages. Then the military operations were conducted in the battle-fields, the soldiers went into villages in black area and arrested all men and took them as porters.

After 1997 offensives, the government have not launched such big offensives later, and however the levying tax as porter fees has continued until the beginning of 2000. In every dry season, the Burmese army always operated offensives, the levying of porter fees have been conducted by the local military battalions. Moreover, whether the Burmese Army operates offensives or not, the local military always collect porter fees from the civilians in a sregular basis, once a month *or* twice a month. The amount of porter fee for each month is differed from one area to another, and the rate of it is from 100 to 500 Kyat per household in every month. When the Burmese Army launched the military operations, the local authorities and army battalion took more porter fee from the civilians.

For an instance,

Before the Burmese Army launched on offensives against KNU and God's Army which based in Tenasserim Division during September and October, 1999, the local military battalions in Mon State, by coordinating with local Township/ Village tracts/ Village PDC authorities had collected porter fees from every villages and towns under the government control area or "White Area", and the battalion arrested many porters in government loose control area or "Brown Area". So, many villages in White Area have pay porter fee from 10, 000 Kyat to 100, 000 Kyat depending on the population and household number of a village. In collecting porter fees, the headmen in the village or town ward had to take responsibility and gave the money to army. In some villages and town wards, the corrupted headmen collected more porter fee than instructed by battalions and took them into their pockets. For examples, a Mon village with name Zinkyaik in Paung Township, with about 500 household have to pay 50, 000 Kyat porter fee and the headmen collected about 150 Kyat per household. The headmen also took some extra porter fee into their pockets. Similarly, the headmen and militia troops in Kwan-hla village of Mudon township also collected porter fee about 200 Kyat from every household.



Civilian porters: *While the army uses porters in frontline, at the same time, they also collected porter fee from civilians*

In this offensives, the local authorities and army received many millions Kyat porter fee in Mon State alone. Similarly, the authorities and army also collected porter fee from Karen State and Tenassrim Division. As the government *or* army has no tax procedures or accounting system for the levying such porter fee, the civilians could not estimate how much the army received porter fee and how it spent these cash.

Besides the offensives against the rebel groups, SPDC authorities and army always take regular porters to take security on

the main motor roads and railway roads and in their military patrol or operation in the rural area. Whenever the concerned battalions requested some number of porters from one village, sometimes they just asked for porter fee, because they really did not want porters. Or, sometimes, if one battalion needed 2 porters from one village to carry ammunitions and food supplies for military patrol (*different from offensives*) around the rural villages, they requested four porters from headmen and actually took two porters and asked money from another two porters from that village. Similarly, when the army asked porters to take security along the motor roads or railway roads to act as informers to inform about the activities of the rebels, if one village failed to go to the designated places, they might have to pay 500 Kyat per head for one day to the nearest military battalions or to headmen.

Besides this type of porter fee, the authorities also collected the regular tax from the local villages. Depending on the area condition, the authorities have less levy tax from the area in their control, White Area, while they have collected more in Brown Area, where they felt the civilians in that area are the supporters of rebel armies. Most Brown Areas are situating in some part of Ye and Thanbyuzayat townships in Mon State, and the civilians in these areas have been suffered more from the levying of porter fee.

As an instance,

In Ye Township, there are over 50 small villages in Brown Area, recognized by authorities and army. Since November 1999, when the army launched offensives in Tenasserim Division, the authorities and army instructed the village headmen to collect porter fee with amount 500 Kyat per household. Thus, the headmen took responsibility and collected porter fee from villagers. On December 7, when the headmen collected porter fee from Duya village of Ye Township, they also had argument with villagers and some villagers refused to pay porter fee, because they complained that since there was no offensives in Mon area or against NMSP, they did not want to pay. Many households did not porter fee to headmen and at the end, headmen said if the villagers did not give porter fee, the army would come and take porter fee. On the next day, the soldiers from IB No. 61 went to that village and threatened the villagers that if someone refused to pay porter fees, they might arrest and use them as porters in front lines or detain in battalion headquarters in Ye to use them as permanent porters. Then, every household has to pay 500 Kyat per month until now. With this rate of porter fee, the authorities and army could get about 15 million Kyat porter fees every month.

However, the people had no rights to complain against the illegal collection of porter fees which does not exist in the laws or constitution. The general population has not satisfied to the government and army's abuses of power in levying porter fees after NMSP-SLORC ceasefire. According to their belief, when the government has agreed ceasefire with many ethnic armed oppositions, such arrest of porters and collection of porter fees should not be widespread or exist.

III. Levying Tax for Development Projects

When the government and army are implementing development projects, such as new land exploration; building roads, bridges, hospitals, schools, telephone exchange offices; and establishment new satellite town section, they also collected tax from villagers and also have conscripted their labour. In this report, we just focus on how the authorities and army have levied tax from civilians in the whole Mon State for their development projects, but not about conscription of forced labour.

After NMSP-SLORC ceasefire, under the name of Border Area Development Program (BADP), SPDC's Ministry of Progress of Border Areas and National Races and Development Affairs also created a department for development projects in Mon area and have implemented various types of projects such as building roads, dams, dikes, water canals, schools, hospitals and others. Whenever the Department of BADP implemented one project, sometimes, the government allocates only small amount of budget, which could not cover for all expenditures of the projects, and so the authorities and army battalions in the area again collected tax for these development projects. Or, the department just gave order to the local authorities and did not provide any budget and instructed to do such development with self-help fund. The authorities and army also enjoyed in collecting fund from the civilians in the area, because they could get some extra amount of cash from civilians.

As an instance,

When Ye Township authorities and army from LIB No. 299, which bases near Ye town, planned to build a 12 miles-long motor road from Hangan village to Khawza under the direction of department of BADP, the authorities have collected about 2,400 Kyat tax from every household in January, 2000 for that road building project. About 7 Mon villages of about 2,000 households which were on the road had to pay this tax. Before the authorities came and collected tax from the villages, an officer Lt. Col Myint Aye from Department of BADP came to Ye township and explained to the villagers that the government adopted budget for the building of that road and he asked the villagers to help the government. In meaning of help the government, the villagers must have to provide tax to the authorities and army battalion, who took responsibility of building the road. According the local authorities, every household near the road or on the road, who may use the road, when it is completely constructed must have to provide with two Kyins of stones for the road. These 2 kyins of stones had a cost about



A road construction: *In building the roads in many areas in Mon State, the authorities levied tax for the costs of the small pieces of stones.*

2, 400 Kyat and so every household had to pay for that amount of cash. So, the authorities received a lot of fund for the building of the road and on the other hand, they still have conscripted the villagers to contribute free labour in the construction.

Similarly to this project, when the government widen and re-build Ye-Tavoy motor road; bridge that connects Mon State and Karen State, and other infrastructure, the government collected a lot of tax from the civilians. Not only infrastructure projects, when the government planned to build

hospitals, schools, and other buildings for public, the government had adopted very lack amount of budget, and then the authorities collected fund from the civilians.

As an instance,

When Ye Township authorities built a clinic in Kyaung-ywa village in the township, at the beginning of 1999, the authorities have ordered the headman near that village to give donation with amount 100, 000 Kyat per village. According to authorities, the government has not provide any budget and instructed them to build that clinic with self-help fund. Thus, the headmen in 6 wards on the towns and over 15 villages collected fund from the civilians. Some villages had only 50-60 households, the headmen were quite difficult to manage to get the full amount of fund from their villagers. So, some villages could not give the set amount of fund to authorities, while some that had over 100 households could give the set amount of fund. Thus, at the end, after the authorities could not receive the set amount of budget to build that clinic, an army battalion LIB No. 343 also set checkpoint or gate in one place on Ye river and collected tax from fruit growing farmers who use the river for travel. The farmers who have fruit plantations along Ye river travel in the river and send their fruits, such as betel-nut, cashew-nut, lime, orange, durian and others to Ye Town. When the farmers arrived to checkpoint, they had to pay tax to army with amount 500-1500 Kyat per boat depending on the amounts of fruits carried in their boats. Similarly, they also collected tax from passenger boats, which carried the travelers from villages along Ye river to Ye Town. Sometimes, some immigrants from Thailand returned to their natives and used this river. If the army met someone who came back from Thailand, they took 2000-5000 Kyat from one immigrant worker.

The above mentioned instance for the building a clinic was under the program of border area development project. Not only in the areas close to border or government's loose control area, the authorities also collected various types of tax for development projects in their firm control area. The implementation of these development projects under the government firm control areas are not under the BADP. Under the different ministries, or sometimes under the supervision of Southeast Military Command or local battalions, the government authorities or soldiers implemented some type of development project, normally collected tax from the civilians, to complete the whole project.

As an instance,

In December 1999, when the authorities in Chaungzon Township, Mon State planned to buy teaching supporting facilities for 5 government high school in the whole township, the authorities ordered to headmen in all villages and town ward to collect 100 Kyat per household. Under the plan of State Education Committee led by Lt. Gen. Khin Nyunt, it has a slogan that to uplift the educational level in the whole country, and so the committee ordered Chaung-zon township authorities to implement the plan to fix computers in all high schools in the township. However, the government did not provide any budget but instructed township authorities to seek township fund.

Such type of tax collection for upgrading education and health always taken place in government control area and the civilians are always suffered from various type of levying tax by authorities. According civilians, they have to

regularly provide tax to authorities for many types of developments, road building, bridge building, dam and dike construction and others, every month.

On the other hand, for the stabilization of local military battalions and creation of battalion's regular income, many military battalions in southern part of Burma, under the command of Southeast and Coastal Region Military Commands, the local battalions have planned to explore new lands and to build dams, dikes and water canals to get available water for their farmers. According to State instruction, the battalions must grow 2 seasons' crops for more paddy crop production in their own farms. As the battalions require water for their farms, they have built dams, dikes and water canals. When the army battalions implemented these types of development projects, they always collected fund or tax from the civilians, by showing reasons that this water storage system could also be profitable to the local farmers.

As an instance,

At the beginning of 1999, when Kyaikmayaw township authorities, including Township PDC, police station and army from the Southeast Military Command planned to build 20 feet wide 14 water canals in their confiscated 1,000 acres of land, they also ordered the headmen in villages and town wards to collect 1,000 Kyat from each farmer family and 500 Kyat from non-farmer family to get fund for canal construction. So, from the whole Kyaikmayaw township, the authorities received many millions Kyat for this construction.

Under the rule of the military government, since the government has no accounting system to check the income and expenses of the authorities that they have collected fund from civilians and how they have spent them, most authorities and army officers have enjoyed in corruption of taking public money into their pockets. Therefore, those authorities and army officers have been getting unusual rich under the slogan of SPDC to do development in the whole country.



Information on HURFOM and Invitation for Feedbacks from Readers

Dear Readers,

Human Rights Foundation of Monland (HURFOM) was founded in 1995, by a group of young Mon people. The main objectives of HURFOM are:

- To monitor human rights situations in Mon territory and other areas southern part of Burma,
- To protect and promote internationally recognized human rights in Burma,

In order to implement these objectives, HURFOM has produced "The Mon Forum" newsletters monthly and sometimes it has been delayed because we wait to confirm some information. We apologize for the delay.

However, we also invite your feedbacks on the information we described in each newsletter and if you know anyone who would like to receive the newsletter, please send name and address to our address or fax number or e-mail as below:

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