



## The Publication of Human Rights Foundation of Monland (BURMA)

### Contents

#### News:

- (1) Villagers are forced to build government servants' residences

#### Report:

- (1) Brief Records of Gross Human Rights in Mon Areas in 2004

### Some Acronyms in This Issue

<b>NC-</b>	National Convention
<b>SPDC-</b>	State Peace and Development Council,
<b>SLORC-</b>	State Law and Order Restoration Council,
<b>IB -</b>	Infantry Battalion (of Burmese Army),
<b>LIB-</b>	Light Infantry Battalion (of Burmese Army),
<b>MOMC-</b>	Military Operational Management Command
<b>KNU-</b>	Karen National Union
<b>NMSP-</b>	New Mon State Party
<b>MNLA-</b>	Mon National Liberation Army
<b>MNDR-</b>	Mon National Democratic Front
<b>MI-</b>	Military Intelligence

### News

#### Villagers are forced to build government servants' residences

(December 2004, Ye Township)

In order to upgrade a Mon village, Khaw-za to be a 'Sub-Town' in southern part of Ye Township in Mon State, the Burmese Army in the village forced the villagers from the villages nearby not only to build many types of infrastructures, they also forced villagers to build about 80 houses for the government servants without any payment for their labour cost, informed by the villagers.

Each village near Khaw-za had responsibility to build at least 10 houses in Khaw-za Sub-Town. There are 8 villages including Khaw-za village had to construct the government servant houses with villagers' money and their labour contribution.

#### Accordingly to a villager,

"In order to build the houses, our villagers had to buy all types of building materials such as wood, iron-nails, cement and others. The military did not provide or pay any thing. The village headmen also collected money from the villagers to buy these things.

"Then they also had to manage to send the villagers to work in the construction site. We had to go and work on a rotation basis."



Local Burmese Army's battalion's troops forced the villagers to build the army fence in southern part of Ye township, Mon State

# Commentary

## SPDC's Plan to grip on power in 2005

Recently, the military regime in Rangoon, SPDC, declared that they will resume the National Convention and expects the participants in the recent NC will attend again.

This convening of the NC is the first step of SPDC's 7 points road map - in which the SPDC planned to hold in the political power in another name after it completed the 7 steps implementation.

However, the regime still keeps thousands of political prisoners including Daw Aung San Suu Kyi in the house arrest, and will hold the NC even there is a lot of international condemnation.

On the other hand, to get ethnic nationalities in the NC, the regime invited the representatives from ceasefire groups, which demanded for 'separation of power' between the central and state governments. But the regime did not give clear answers to the proposal.

Although this NC is not recognized by the international community because for the absence of Daw Aung San Suu Kyi's National League for Democracy and other ethnic political party which won 1990 Elections, however, the SPDC will continue with their own process to maintain in power as long as possible.

Before the construction of government servants' resident houses, the villagers in the area were already forced to construct 30 houses for the Burmese Army's commanders to live when they come and performed their military duties.

In order to install a full administration in the area, the Burmese Army's soldiers also forced the local villagers to construct roads, hospital, school, police station, military camps and others since June 2004.

In this Sub-Town administration, the SPDC planned to influence to many Mon villages, which have been under the control of Mon rebel armed force for four decades.

After a serious offensive against a Mon splinter group, the Burmese Army could control nearly the whole area in June 2004. Then, some top generals from Rangoon came and visited to the area and instructed the area commanders to create the villages, which has about 1000 households to be a 'Sub-Town'. Since then, the villagers in the area have been constantly suffered from conscription of forced labour.

Accordingly to the politicians in the area, this is the plan of SPDC to extend its army up to a half million (500,000) troops in 2005.

Besides practically organizing the new recruits in the field, the Burmese Army also released some movies in the national TV about how the members

of Burmese Army have sacrificed for the country and have showed in TV frequently.

However, accordingly to a displaced villager, 'they never showed about how the soldiers (of Burmese Army) are treating the villagers in the rural villages and even their new soldiers. As I know, the young soldiers are always are always mis-treated in the battle-fields.'

Burmese Army or *tatmadaw* is also well-know in the world for the recruitment of thousands of child soldiers even the regime, SPDC, ratified 'Convention of the Rights of the Child', in 1992. Human Rights Watch also reported that there are about 70000 child soldiers in 400, 000 strong Burmese Army.

# Report

## Brief Records of Gross Human Rights in Mon Areas in 2004

### I. Brief Situation in 2004

In 2004, when the regime in Rangoon, State Peace and Development Council (SPDC) held a National Convention (NC), although a main Mon political party, New Mon State Party (NMSP), by collaborating with other ethnic ceasefire groups, attended the Convention for nearly 2-months, the political oppression against the Mon political parties in Mon State and the members of NMSP have not decreased down. A few number of NMSP members have been still in detention and although the political leaders from Mon National Democratic Front (MNDF) were released, but they could not actively involve in the political activities.

The oppression and the restriction against Mon national culture, literature and education have been still ongoing situation in 2004. SPDC authorities and its armed force, Burmese Army's attempts to close down the Mon National Schools (MNS) have frequently happened in 2004.

2004 is the suffering year for the Mon people who live in southern part of Ye Township and northern part of Yebyu Township in Tenasserim Division when the Burmese Army's both South-East Command and Coastal Region Command launched a military offensives against a Mon splinter group. The local villagers have been accused as rebel-supporters and they have been **mainly** suffered from inhumane treatments by the Burmese Army's troops. The local villagers in southern part of Ye Township had been suffered from summary execution, inhumane and cruel torture, arbitrary arrests and detention and many women are suffered from sexual assaults and rape.

Although the International Labour Organization enforced the military regime to eradicate 'the requisition of forced labour' in the whole areas of Burma, the law enforcement to the members of Burmese Army is not effective. Under the name of border area development program, the local military battalions of Burmese Army in southern part of Mon State have still continued conscription of forced against the will of civilians in the construction of road, schools, hospital, military camps and others. However, the people in the middle part of Mon State, in Moulmein, Kyaikmayaw and Mudon Townships face less suffering from the conscription of forced labour.

The military regime also has a serious concern for a gas-pipeline that passes through into Mon State of the possible explosion by rebels. Therefore, the local villages where the pipeline passes through are still forced to contribute their labour - fencing the pipeline and covering the pipe with earth.

At the same time, in order to strengthen their control in southern part of Ye Township, the Burmese Army also recruited the local villagers to attend military training schools against their will.

A serious problem of 'land confiscation' along the military deployment of the Burmese Army in southern part of Mon State created a deprivation of livelihood to the local Mon civilians in the area.

Accompanying with no improvement in politics, there was no improvement in human rights in Mon State. Due to human rights violations and the related problems of social degrading, population displacement, land less situation and ashamed of sexual violations have forced many men and women from the Mon communities to leave from their homes.

The facts of Gross Human Rights Violations in Mon Areas are as below:

### II. Extra-judicial. Summary, or Arbitrary Executions

During their military offensives in July and August of 2004, the soldiers by the No. 3 Tactical Command and LIB No. 273 in Ye Township (in Mon State) and Yebyu Township (in Tenasserim Division) area, they also killed some Mon villagers. Almost along with the arbitrary arrest against the villagers, the Burmese Army soldiers kill some Mon villagers. The LIB No. 273's military column was led by Maj. Khin Kyaw Soe.

- LIB No. 273 also killed the village headman of Mi-htaw-hla-gyi village: Secretary Nai Kon Pha, without trail in the first week of July. He is the Village Secretary and was accused by the The village situates in the southernmost area of Mon State and it was accused as a rebel base for a Mon splinter group that operates military activities against the Burmese Army.

- Similarly together with the village headman, another villager Nai Ngae from Magyi village were killed by this battalion LIB No. 273's commander with a suspicion of supporting Mon splinter group in the first week of July.
- On August 27, 2004, a villager was killed and other eight villagers from Mi-htaw-hlar-kalay were arrested with the suspicion of supporting a Mon rebel group by Burmese Army's Light Infantry Battalion No.273. Nai Chit Htwe, 35 years old a train ticket seller, from Pauk-pin-gwin village of southern Ye township was killed on August 27, 2004 and 8 villagers from Mi-htaw-hlar-kalay village were arrested after fighting between Mon rebels broke out on August 29 that killed 4 Burmese soldiers and a 14 years old schoolboy.

Similarly to LIB No. 273, the commander from No. 3 Tactical Command and the 5 battalions under this command also involved in summary execution of the local Mon villagers especially in southern part of Ye Township.

### III. Arbitrary Detention

#### **A. 8 New Mon State Party are arrested without a trial in August 2004**

While the Mon ceasefire group, New Mon State Party (NMSP), was attending and supporting the Burmese military regime, SPDC, sponsored National Convention, some of its middle-rank and low-rank level 8 officials were arrested without an exact trial, and they are still under detention without trail.

Even though the NMSP has asked to release their members while refusing they are not criminals but performed the organization's duties, but the SPDC's South-East Command, based in Moulmen, the capital of Mon State, still refuse to release.

The SPDC local authorities and Military Intelligence (MI) Officers have accused them that they were frightening the villagers during they levied taxes in a rural village, in northern part of Ye Township. But there was no strong evidence and any villager did not found of the NMSP members' threat against the villagers, said a local villagers.

On June 29, 1995. On the same day of 9th Anniverary ceasefire, the local SPDC authorities and MI officials came and arrested their members.

The NMSP's General Secretary also expressed that the levying tax from the local Mon people in the community is a normal practice from the NMSP and they did not force the villagers to pay for it. Accordingly to him, the NMSP's revolutionary fund has relied on the Mon people and they have supported the NMSP for years.

The NMSP's Township level officials are: Nai Ron Nai, Nai Tala Lawi and Nai Aung Yin and other 5 are the low-rank officials who are taking for the administration of northern part of Ye Township. Currently, they are detained in South-East Command's headquarters and some of them are also sick due to insufficient of foods and sheltering, according to the NMSP's General Secretary.

Because of the pressure from NMSP leaders and after several requests, these NMSP members were released in late September 2004.

There are about 1500 political prisoners from pro-democracy political parties in Burma's notorious jails that excluded the prisoners whom belonged to ethnic armed groups. There are many still ethnic political prisoners who has been detained with trial of supporting the armed groups, and involving in the armed forces opposing the government and Burmese Army.

#### **B. Arresting and Detention for the Suspicion of Rebel-supporters**

In the third week September 2004, the Burmese Army's LIB No. 586 arrested five villagers with suspicion rebels' parents and detained them in their battalion bases.

LIB No. 586, Colonel Ngwe Soe arrested four parents of Mon rebels in Kaw-hlaing village in southern part of Ye Township, Mon State, informed by a villager. The arrested village civilians are Mr. Nai Aung Tin and Mrs. Mi Phae, Mrs Daw Nu, Mrs. Daw Mya Sein, and another one man (*Mrs. Mi Oud's husband*).

Although Mrs. Mi Oud's son, Mr. Nai Ani and Mrs Daw Mya Sein's son, Mr. Nai Dorkhae retired from the Mon rebel group and fled to Thailand for seeking works, Col. Ngwe Soe still arrested their parents, a villager Mr. Nai Myaing said.

Colonel Ngwe Soe also ordered the villagers if one villager who kept the Mon rebel at his/her houses or if the fighting happened in the village; they (*the Burmese soldiers*) will kill the villagers and arrest the villagers and they will also burn down the whole village.

Colonel also accused the villagers of bringing the Mon rebels to fight against them on the August 29, 2004, near Mi-htaw-hlar Kalay village, a village in southernmost area of the Township. If the villager does not bring the rebel, the rebel could not be able to come and fight them. The accusation of the Colonel was groundless said by the villagers from the area.

In the fighting near Mi-htaw-hlar Kalay village, four Burmese soldiers were killed in the ambush of Mon rebels. The house which the Burmese soldiers took shelter was also burnt down and the house owners and other 13 people including village headman were arrested by the Burmese Army.

### **C. House burnt and arrest**

On September 12, 2004, a house to which the Mon rebels fired to 6 BA's soldiers while they were falling in asleep was totally burnt down by the Burmese soldiers and household heads were also arrested on the next day. The burnt house was in Mi-Htaw-hlar-kalay village, southern Ye Township, where 4 Burmese soldiers among 6 under the command of LIB No. 282 were shot to death by the Mon rebels while they were sleeping on August 29.

The Burmese soldier came and arrested the owners of the house, Mr. Nai Yein and Ms. Mi Dot and our village headman on the next day morning. The soldiers took three of them to the Tavoy (*Dmvai*) Town, accordingly to Mi Htaw-hlar-kalay villagers said. During the soldiers burnt their houses, they did not allow the house owners to collect any goods from their houses, they burnt down the whole houses with valuable things.

Tavoy town is situating south of Ye Town and is in Tenasserim Division where LIB No. 282 took base. "Another 6 villagers who were on duty of patrolling the village (*under the command of Burmese soldiers*) also arrested by Infantry Battalion No. 61. The 6 villagers have been still investigated by the Burmese Army in Ye Town now," a villager explained.

According the villagers, the Burmese Army is so angry to the villagers because of the Mon rebels could surround their soldiers and shot them death while the Burmese Army and the instructed patrolling groups have taken intensive security in the area.

## **IV. Torture and Other Cruel. Inhuman. Degrading Treatment or Punishment**

### **A. Serious torture to NMSP former medic**

Most torture and cruel, inhuman, degrading treatment against the civilians are always related to the Burmese Army's suspicion of the villagers as rebel-supporters during their military offensives against Mon splinter group in southern part of Ye Township and Yebyu Township.

On 3rd September 2004, a former NMSP medic worker who was suspected supporting the Mon rebels escaped to Thailand-Burma border after he was inhumanely beaten by the Burmese Army's soldiers recently in Yephu Township. Mr. Nai Toe, 27 years old, who had left his family: wife and 2 years old baby, in Kywe-ta-lin village of Yebyu Township (*in Tenasserim Division*) after Burmese army from Light Infantry Battalion LIB No. 282 forced him to leave the village and abandon all of his belonging. He said with softly voice, "I can't go back to Burma. They suspected me as Mon rebel (Mon splinter groups) supporter. They arrested and detained me for 9 days with serious beating during interrogation."

He was in detention and under the interrogation by torture from 4\* September to 12th and was beaten by LIB No. 282 soldiers led by Captain Min Lwin. Then they forced him to leave the village and all of his belonging in his small clinic were seized by the army. His small clinic cost was about 800,000 Kyat (~800 US Dollar).

He also expressed his condition as: "After they forced me to leave the villages, I came back to my parent village Pa-nga, Thanpyuzayat Township. But, Burmese Military Intelligent (MI) followed me at my mom's house and asked my mother where I was. Then I moved to Ye and some police followed to where I stay at my home in Ye. They asked my friend where I was again. I think I can't stay in Burma and decided to leave," said Nai Toe, who also wrote a letter to his family that he will come back home when there was peace.

He lost consciousness many times when he was beaten by the Burmese soldiers. "After I asked the soldiers back why I was arrested, they beat me in my chest many time till I lost consciousness. They put me under the heavy rain all night. No foods, No water they gave me during two days arrest," he added.

He was released after the battalion commander asked 10 sack of rice and 100, 000 Kyat of ransom from his wife.

## **B. Arrest and Torture of Women**

While hundreds of Mon innocent civilians in southern part of Ye Township, Mon State escaped the Burmese Army's inhumane treatments: killing, torture, sexual violations: the local battalions of the regime army still continue arresting many people and inhumanely torture them with accusation of (they are) rebel-supporters. Among many women are also suffered from the suspicion of rebel-supporters and were also arrested and tortured.

- On February 4 2004, the troops of LIB No. 586 arrested two women: Ms. Mi Tin Shein (~ 55 years old) and Ms. Mi Pa Khin (~ 50 years old) in Kabya-wa village. Ms. Mi Tin Shein is the wife of the rebel leader, Nai Hlein, and Ms. Mi Pa Khin is the one who helped the wife of the rebel leader by providing shelter in her houses.

Both of them are brought by the soldiers after arrest to Ye Town. Accordingly to the witness who provides information to HURFOM said both women were seriously tortured. During the interrogation, the Burmese soldiers beat them with bamboo sticks in their whole-body and cut their faces with knives until the other villagers could not recognize them. The wife of the rebel leader was more inhumanely and seriously tortured by the soldiers when they tried more information about the rebels and other names of rebel-supporters from her.

Because of the serious torture, Ms. Shein told the names of 6 villagers, who even have contacts to the rebel soldiers. Therefore, the Burmese soldiers arrested another 6 villagers: Mr. Nai Hara and his wife Ms. Mi Hla Tin (from Win-tamort village); Mr. Nai Suu and Mr. Nai Gone Sakar (they are village headmen from Kyone-kanya village); Nai Hit and his wife Ms. Mi Mya Kyi (they are from Kyone-kanya village).

All of them were seriously and inhumanely tortured. The soldiers beat them with bamboo sticks or gun-boots in various parts of their bodies. According to Mr. Suu, 59 years old, the Chairman of Kyone-kanya village, they beat the whole of his body while they he was tied up. They hanged him from the roof and burnt him with cigarette fire. After inhumane torture and got sufficient information from them, they released them with a ransom. Each of them had to pay 100,000.00 - 300,000 Kyat to get release.

Before the release, they were brought by the LIB No. 586 soldiers into forests and jungles to find the hidden guns which were left behind by the rebels and to show the rebels' temporary bases. When the villagers could not find guns and show the bases, they were constantly tortured. The soldiers pointed the throats with knives and asked them to show guns and the rebels' bases.

But the soldiers have kept Ms. Mi Mya Kyi as they knew she was the key person who contacted and constantly supported the Mon rebels with foods and information. They tortured more seriously than other villagers. They kept her for over 2 weeks and continued tortured her.

## **C. Torture to forced labors during the road construction**

On August 19, 2004, some villagers who were used to contribute unpaid labour were beaten by the soldier in the road construction site, when the labors took a rest for a while.

Everyday about 10 village from one quarter in Khaw-zar village (or Sub-Town) and 10 villagers from each village in that area were forced to work to repair the road construction.

Accordingly to the villagers who involved in the construction in August 2004, he said,

"At least three or four people were beaten in a day from a village," said Mr. Nai Kon Mon who witness the torture during he was forced to work in the construction.

"A week ago, when our group was forced to work three men: Nai Take, Nai Thein Zaw and Nai Pu father, *about 60 year old*, from Khawza village were beaten because of they took a rest for a while," Nai Kon Mon who regularly forced to work in the army battalion explained.

"When they beat other people, you could not look the soldiers. If you looked the torture, they will also come to beat you with truncheon," said Nai Kon Mon. "For a man even you was ill, you have to go and work in road construction. If they saw you at homes, you were beaten and had to pay fine," said the Nai Kon Mon.

Colonel Nyi Nyi was taking responsibility in taking forced labor from the villagers from Khaw-za and villages nearby.

In the No. 3 Tactical Command's plan, they would change the big Mon villages like Khaw-za and Lamine villages in the area, to be Sub-Town and they would put full administration as a small town. Those villages has about 500-1000 households and SPDC local authorities considered to create them as Sub-Town.

In creating of Sub-Town, in order to have good communication, the BA battalions in the area have to take responsibilities to build road, hospital and high school, police station and local military battalion, etc. In most of these constructions, the BA battalions constantly request the labour from the civilians.

The BA is not only conscripting forced labor, but they also collecting money from the villager: twice or more per month as development fund. The BA collected at least 30, 000 Kyat from a family who have money, and 3, 000 Kyat from a poor family each time. The BA is also using villagers as porters to carry army supplies during army lunch military operation against the Mon splinter armed groups around the area. The use of the porter is also on a rotation basis.

Therefore, in term of forced labor, the villagers are not only suffered from contributing their labor in the construction site, but they also suffered from torture, fund contribution and other serious types of forced labour - porter service to the BA local battalions.

## V. Sexual violation against women

The sexual violations against women as punishment against the villagers for their support to the rebel armed force have continued since December 2003. Women are raped by the soldiers at villages or some are raped during the military offensives.

In August 2004, there are some instances when women are often raped by the commanders of BA military battalions who launched the offensives in southern part of Ye Township.

The instances are:

In the third week of August, 2004, during the troops of No. 3 Tactical Command and LIB No. 273 lunched their military offensives in Mi-htaw-hlar-kalay village of southern part of Ye Township, the Sergeant Min Oo raped a Mon woman, Ms. Mi Yee, 23 years old at night time.

"Mi Yee, 23 years old was raped by Sergeant Min Oo and about 5 young women moved to town after the soldier committed harassment against them," Nai Win who is a villager from Mi-htaw-hlar-kalay explained.

At night, the soldiers also climbed up many houses and looted livestock, clothing, and other valuable things and had argument with villagers. Later, after the villagers were frightened to be killed, most of them kept quite even they found looting in front of them, reported by a villager.

Another rape case was occurred in Kwethonyima village of Yebyu Township which is the border town of Ye Township. On August 10, 2004, when a young Mon woman was on a travel near her village, Kwethonyima of Yebyu township, she was repeatedly raped by a Sergeant from the Burmese Army's Light Infantry Battalion No. 406, according to the source close to woman. *Note: HURFOM did not get exact name of the commander.*)

"Mi A—M—, 18 years old woman, traveled with a group of 5 male villagers from her village to Mae-than-taung village by boats in the morning of August 10. On the halfway, lonely the army Sergeant stopped their board and asked them to approach to the river bank. When the boat stopped, he robbed the passengers and took all their belongings. The passengers have to give their properties such as gold-wares, silver-wares and other valuable things to him.

After that, the Sergeant took the woman, Mi A—M—, along with him and let the boat and passengers travel continuously. Then, he raped the woman for one day and one night. On the next day's morning around 10 a.m, he brought the young woman to the village.

The young woman was suddenly brought to the clinic in village for treatment injuries. She had to stay for 3 days in clinic and then became better.

On August 12, 2004, the Sergeant came into village and as the villagers could recognize him, they tried to arrest him. He also tried to shoot some villagers and some of them also got injuries. However, the villagers could arrest him and tied him up. They sent him to LIB No. 406 base nearby

According to the news from the villagers, the LIB No. 406 commander killed the Sergeant after the villagers arrested and offered to the battalion. But this information is unreliable. It could be, accordingly to some villagers, the battalion commander released some mis-information of killing his man as punishment. By this way, they could protect their man who involved in crime. Might be, the commander would transfer his man secretly to another battalion.

Previously there are many evidences that the BA soldiers are not punished even they committed crimes against the villagers or raped the women.

## VI. Forced Labour

### **A. Road Construction:**

Construction of Khawza-Magyi Motor Road: In this road construction, the (*Burmese Army*) No. 3 Tactical Command used the villagers from 8 Mon villages on a rotation basis. The villagers from (1) Khaw-za; (2) Khaw-za Chaungwa; (3) Kyone-kanya; (4) Mi-htaw-hla-kalay; (5) Mi-htaw-hla-gyi; (6) Danikyar; (7) Doe-baung; and (8) Magyi villages suffered for the constant construction. There are about 1800 families in these villages. The Burmese Army had conscripted them on a rotation basis and at least one person from each family had to contribute their labour when their duty rotation reached to them.

The road was an old oxen-track route and the Burmese Army commanders ordered the villagers to build a new higher embankment and widen it. The Burmese Army commanders required the local villagers to build up a 12 feet in width and 3 feet in height embankment. Accordingly to the villagers, the Burmese Army commanders firstly provided the villagers with pieces of works in January and February 2004. Each family had to complete constructing 6 feet of embankment (*with 12feetin width and 3 feet in height*). Generally, the villages had to dig earth from outside of the embankment, carry it to fill to embankment and press the earth to have strong embankment. But after the end of February, the road construction was not really completed. Then, the commanders of Burmese Army continuously forced the villagers to complete the construction, but the instruction from March was on a rotation basis. A member of each family had to go and work in the set workplaces for 3-7 days depending on the piece of works under the guard of the soldiers. The conscription of forced labour continued until June.

Additionally, the Burmese Army also fined the household who failed to perform their duties on the set dates and in the set workplaces. The fine is around 800-1000 Kyat (~ 1 US Dollar) per day for their failure of duty performance.

### **B. Forced labour in Army/Police Camps**

Forced labour in police force deployment by Burmese Army: After the intensive military offensives against a Mon splinter group since the beginning of 2004, the Burmese Army under South-East Command's Tactical Command No. 3 has deployed more troops in southern part of Ye Township and continuously forced the local Mon civilians to contribute free labour.

Light Infantry Battalion No. 586 led by Maj. Ngwe Soe planned to build a police outpost in Yin-ye village and the villagers are forced to collect building materials, prepare grounds for construction and involve in construction of barracks, said a man who fled from the area said.

Similarly to Yin-ye village, LIB No. 586 also deployed another police outpost in an another Mon village, Toe-tat-ywa-thit,. The villagers were similarly forced to collect building materials and involve in the construction of infrastructure for the outpost. In this village, LIB No. 586 also destroyed village's market in the middle of the village and forcibly built the outpost.

For both construction, the Burmese commander collected money from the village. Accordingly to the villagers, each household has to provide 2000 Kyat, and other building materials such as 0.5 tons of wooden lumbers, 30 sheets of roofing thatches and others.

If a family failed to contribute labour or provide building materials, the members of that family must be seriously tortured by the Burmese Army. On the other hand, the Burmese Army totally restricted the movement of local farmers and villagers to not get out from villages.

### **C. Forced Labour in Gas Pipe-line**

Forced labour along Kanbauk-Myaingkalay Gas Pipeline: As ever' in the beginning of rainy season, the Mon State's local SPDC authorities have forced hundreds of civilians who live along Kanbauk-Myaingkalay Gas Pipeline to fence the pipeline and to cover the pipe with earth in order to prevent the attack from the rebel

armed force and protect water flood during rainy season. Additionally, the villagers are also forced to clear grasses and bushes along the pipeline.

Accordingly to a villager from Thanbyuzayat Township the local military battalion based in the town ordered the villagers from villages near gas pipeline route to fence the pipeline route which across rivers or streams and cover the disclosed parts of the route with earth.

Because of the rain at the early monsoon weather of Burma in June, water flood threw away earth and soil covering some of the pipe route and some parts of pipeline were disclosed on earth. The local authorities are so concerning about the possible sabotage of the pipeline by the rebel armed force and then ordered the villagers to cover them with earth.

When the pipeline crosses on the rivers or streams, it is totally exposed to the scene, and so the local military battalions ordered the villagers to fence the parts of pipeline across streams and river. The villagers themselves have to find building materials and bring them to the closest river or streams. And, they have to manage to fence the pipeline with their own materials.

In the conscription of forced labour, the Burmese Army's local commanders ordered the village headmen directly, the headmen concerned had to inform every household to send one of their family whether to find building materials or fence the pipeline or cover the pipeline with earth.

Additionally, the local authorities and Burmese Army also ordered the villagers to clear grasses and bushes alongside of the gas pipeline route. They ordered them to clear about 30 meter in width in each side of the route in order to prevent if the rebel soldiers approach the pipeline.

Even though the local battalions of Burmese Army has collected 'security fee' from many villages along the pipeline route on a monthly basis, some villagers have been still forced to guard the pipeline. The villagers have to set up small huts along the route. 3 huts in one-mile distance and they have to guard the pipeline for 24 hours each on a rotation basis.

This gas pipeline was many times sabotaged by the rebel groups since the construction in 2001. The pipeline is starting from Kanbauk village, carrying gas from Yatana gas field and bring to Myaingkaia, where a cement factory is operating in order to provide energy for the factor).

#### D. Porter Service

In southern part of Ye Township: During the Burmese Army was launching a military offensive against a Mon splinter group in southern part of Ye Township in the period from December 2003 to June 2004, all battalions under the command of No. 3 Tactical Command, had taken 'front civilians porters' from over 20 villages in the area. The civilian porters were taken by the various battalions on a rotation basis or on the random arrests in villages or outside of the villages.

Like Khawza village, which has about 600 households, where the Burmese Army took a temporary base, the commanders of No. 3 Tactical Command ordered the village headmen to arrange 10 to 20 men ready every day in order to provide the required porters for the troops that came into the village. Those men were taken for a few days (*3 to 7 days*) along with troops, and when the troops arrived back to the village, they were replaced with another group of porters.

As in late July 2004, while there was a flood in a Mon village, Hangan, south of Ye Town, the Burmese Army still arrested the villagers to be porters, said the villagers who fled to the border area. He added the soldiers came suddenly into the villagers and arrested some villagers and took them away as porters.

Normally, during the porter service, the civilian porters are not fed with sufficient foods. They have to walk for many hours, at least 10 hours and up to 16 hours a day, and also have to climb mountains and cross the rivers or streams.

Hence, the porter service in Burma is the most serious and inhumane type 'forced labour' in Burma.

Along Three Pagoda Pass - Thanbyuzayat Motor Road: The Burmese Army's South-East Command, which bases in the capital of Mon State, Moulmein, also arranged in exchanging of troops in Three Pagoda Pass town, on a quarterly basis. The whole battalion (*about 200 troops*) exchanged with another whole battalion every three months, those troops have almost traveled by trucks in the dry season or by foot in the rainy season. When they launched for troops' exchange, they always take the civilians to be porters to carry the ammunitions and other logistics.

When the troops of Burmese Army moved between Thanbyuzayat and Three Pagoda Pass which has a distance of 37 miles long, they always take civilians porters from the villages along the road. If in the rainy

season, they have to walk nearly 7 days because the road conditions are so bad and have to cross several streams. Sometimes, they have to twist the ways to avoid the ambush attacks by the rebel soldiers.

The last incident of using the civilians as 'porters' are on June 1, 2004. When Infantry Battalion No. 289 went back to Three Pagoda Pass Town to Thanbyuzayat, that battalion took about 30 porters from the various villages near Three Pagoda Pass town.

While the Burmese Army was using the villagers in the dangerous porter service along this motor road, some military battalions paid them if they could collect money from town residents or villagers.

## VII. Land Confiscation

SPDC planned to confiscate another 1700 acres of land: Burmese military regime, SPDC, planned and measured about 1700 acres land belonging to the civilians in July 2004 for new confiscation in the middle part of Mon State and in southern Mon State Burma in order to build a dam, the local Mon people said.

In southern part of Ye township, the military government measured more than 700 acres land in eastern part of Ka-lort village near a water fall in 2002 where the government planned to build a dam for hydroelectric power and water **for** cultivation.

In eastern of Thanbyuzayat Township near the Wae-khami village, some government soldier and land surveyors measured about 1000 acres of land, according to a source close to the land surveyor said.

According to source, the military government is planning to build a new dam in the area, where it has a river called Win-yaw and a valley area. Win-yaw river flows from Karen State, which is in eastern part of Mon State.

In both areas where the military government measured the lands and planned to build dams have rubber plantations and fruit plantations which are belonged to the Mon civilians in Thanbyuzayat Township and Ye Township, Mon State. Because of it, the local people are worrying about their loss of their lands, according to the community leader.

These lands converted from the forestry lands to plantation lands since over 20 years ago, and the civilians could have opportunity to grow rubber trees and various orchid plantation and they have main income from these plantations.

Land confiscation for infrastructure projects in northern part of Ye Township: On August 20, 2004, the Ye Township Peace and Development Council authorities surveyed more lands for a government projects in northern part of Ye Township, southern Mon State according to local witnesses.

The Ye Township PDC authorities also confiscated some lands in Duya village, northern part of Ye Township in order to build hospital. For the building of the hospital in village as it is beneficial to the villagers, the SPDC authorities claimed they would not have to pay compensation cost for the land-loss villagers.

'Duya' Village Peace and Development Council announced that the government would offer 2 million Kyat to build a local hospital in Du-Yar. But accordingly to a villager, Nai Za:

"Villagers were very happy to hear the news, but they were very upset when they confiscated 8 acres of land in village from the villagers. Then, we are forced to pay out huge sums of money, about 10 million Kyat for the hospital project".

8 acres of lands in a crowded Mon villages occupied about 50 households, those families were ordered to move from their lands. The authorities also did not provide the space of lands for them where they could resettle their houses. Additionally, the authorities did not provide them without any compensation cost.

## VIII. Rights to Education

Mon National School is not permitted for repairs: After the firm control in southern part of Ye Township area by the Burmese Army, the commander from Tactical Command No. 3 does not allow the local Mon villagers to repair the existing Mon national schools in the area, which provided education for the Mon children for years.

In November 2004, Tactical Commander, Lt. Col. Nyi Nyi ordered the village headmen from Khaw-za Sub-Town to not repair a Mon National Middle School in the village diat provides education to 300 Mon children with age range of 5-14 years old by 8 Mon teachers.

## 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 e-mail as below:

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Webpages: [http://www.rehmonnya.org/monforum\\_main.php](http://www.rehmonnya.org/monforum_main.php)

With regards,

Director  
Human Rights Foundation of Monland

Commander's instruction is normally related to the establishment of SPDC or government school in the Sub-Town to compete against the Mon schools in the area.

The whole Ye Township which includes northern and southern part of Township areas was under the control of New Mon State Party (NMSP) before its ceasefire with the regime in mid-1995, and the NMSP's Education Department established many Mon national schools in various Mon villages that have 50 households to 1000 households. Under the protection of the NMSP, the Mon teachers were recruited and they provided education to Mon children in the villages.

There are about 80 Mon national schools established in both northern and southern part of Ye Township and around 10000 students get education from these schools.

New Burmese Army's commander still tried to convert Mon schools under the regime control: In May 2004, there was a tension in April, after the NMSP officially complained about Col. Myo Winn's disturbance against the Mon teachers and Mon national schools. NMSP also sent the letters up to the Commander of South-East Command, to respect the operation of Mon national schools. The Commander replied that the disturbance is just the acts of the commander concerned which was not acknowledged by the South-East Command.

Later Col. Myo Winn was also replaced by another commander. In stead of a new commander, Captain Htay Aung, the battalion commander of IB No. 61, which based on Ye Town has involved in threats against Mon teachers. However, the new commander was still forcing the Mon teachers to abandon their positions as Mon teachers and converted as government teachers.

A source from southern part of Ye Township reported that Captain Htay Aung of Infantry Battalion No. 61 called a meeting with Mon teachers on May 16 in Yinye (*Tang-rae in Mon*) village and warned them that they must immediately stop providing education to the children in Mon language and operation of Mon national schools.

Captain Htay Aung, at the meeting, also added that the Mon national schools must be under the government control starting from the next school year in June 2004 and all teachers needed to use all curriculums or textbook produced by SPDC's Education Ministry and follow the teaching instructions provided by 'Ye' Township Education Department.

Forced changing of Mon schools' signboard to government's schools: In July 2004, After the SPDC's s senior leaders' official declaration for the competition against the Mon schools, the regime's supporters: the local

military commanders, village headmen, members of USDA, government's education officials, have had more encouragement to destroy Mon schools or created another disturbance.

Soon after the return of the SPDC leaders, on the next day, the local commanders of Burmese Army adopted a plan to destroy Mon schools' signboard and replaced with government schools' signboard in front of some of Mon schools.

A monk, who came from the area said the school signboards in Mon schools in Mon villages such as Khawzar, Yin-ye, Shwe-hinda, Mi-htaw-hlar-kalay and Kyonekanya were replaced with government's school signboard as 'State Basic Education Primary School' and 'State Basic Education Middle School' in Khawza village.



The villagers are forced to work to build the government school in Khaw-za village of Mon State

The order of changing schools' signboard came from the new commander Col. Nyi Nyi, who was recently positioned before the visit of Lt. Gen. Maung Bo. Although many commanders changed one by one since January 2004, but the commanders have hold the same policy with a plan of establishing of government schools and to abolish the Mon education. A Mon teacher said "during the SPDC's National Convention, Col. Myo Win, a tactical military commander, planned to turn Mon schools to government schools and forced some Mon teachers to close the school. It was their origin policy. I think the policy has constantly remained".

## IX. Conclusion

Besides the above mentioned abuses, the troops of Burmese Army in southern part of Ye Township also seriously committed sexual violations against women and also used children in the road construction and other workplaces.

Because of human rights violations, thousands of the people displaced and abandoned their native village. Accordingly to Mon Relief and Development Committee (MRDC), they have taken care of over 40000 years currently in NMSP controlled ceasefire zone. Thousands of Mon civilians also fled into Thailand, but as they could not get any protection from the international community, especially UNHCR, they are just remaining as 'illegal migrant workers'.

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