

# The Mon Forum

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## Some Acronyms in This Issue

|        |   |
|--------|---|
| MOMC-  | Military Operational Management Com-mand, |
| NMSP-  | New Mon State Party,                      |
| MNLA-  | Mon National Liberation Army,             |
| SLORC- | State Law and Order Restoration Council,  |
| KNLA-  | Karen National Liberation Army,           |
| KNU-   | Karen National Union                      |
| NLD-   | National League for Democracy             |
| NUP-   | National Unity Party                      |
| SNLD-  | Shan National League for Democracy        |
| WCRP-  | Woman and Child Rights Project            |

## News

### Confiscated land owners are allowed to collect rubber latex with tax payment

March 2005, Ye Township Mon State

The land owners whose lands were confiscated by the Burmese Army's LIB No. 586 in Ye Township of Mon State are re-allowed to collect rubber latex but they have to pay tax 30, 000 Kyat per month to the battalion.

"It is surprising that the lands and trees are belonged to us, but when we collect rubber latex, we have to pay money to the battalion. Our life are already terrible, why they try making more troubles to us", said a land owner in the condition of anonymity.

About 36 land owners are re-allowed to collect rubber latex in their former piece of rubber plantations, which were confiscated during 2000. However, the lands are labeled as 'army lands'.

Since the land owners have requested the military battalion and its top command, MOMC No. 19 for the re-permit of collecting their crops and rubber latex for many years since their lands were confiscated, LIB No. 586 re-allowed the land owners for the first to collect their crops or products.

However, LIB No. 586 instructed the land owners to pay the battalion with 30, 000 Kyat per month, restrict to not cut trees and collect other



A rubber plantation which were confiscated by MOMC No. 19 of Mon State in Ye Township, Mon State

## **A dangerous political tension and protracted civil war in Shan State**

The recent arrest of Shan political leaders and forcing the Shan commanders to lay down by the SPDC is a dangerous move for the national reconciliation and this move can prolong the civil war in Burma.

Those Shan leaders from Shan State National Army (SSNA) agreed for ceasefire with the SPDC for over 10 years in order to seek its political rights for Shan people peacefully. Other Shan leaders from Shan National League for Democracy (SNLD) were the elected MPs in 1990 General Elections. Those leaders have tried to seek the rights of Shan people in peaceful way.

However, the SPDC uses means of 'violence' in arrests of those Shan leaders and forced some SSNA commanders to lay down their arms against their will.

This situation could separate to other areas of Burma, where the ethnic people have dealt for ceasefire with the regime.

If the fighting breaks out in eastern and southern part of Burma along the border, it will create serious to the ethnic population and the civilians will suffer from gross human rights violations.

International community needs to stop this worst condition and should demand the Burmese military regime to stop resuming civil war in Burma.

crops from plantation, to not move or cross into other plantations, etc. They allowed the land owners or labourers to enter their plantations at 4: 00 a. m.

During the Burmese Army deployed 10 battalions of troops under the command of MOMC No. 19, in northern part of Ye Township, they confiscated many acres of lands from the local Mon villagers who live in the area. When the Burmese Army confiscated lands, they just took some lands with valuable orchid trees and rubber trees.

They have confiscated the lands without any compensation to the people those belonged the lands since their ancestry time, and declared those lands are not registered to the government. Later even some registered lands to the government were confiscated. After land confiscation, they did not allow land owners to harvest their crops or collect their rubber latex.

The Burmese Army totally restricted the villagers to not enter and work in the own lands. The land owners also approached the New Mon State Party, the Mon armed political party that agreed for ceasefire with regime SPDC, to request the regime to return back their lands.

The NMSP leaders have talked to the SPDC leaders and commanders of South-East Command several times on the land issues, but the Burmese Army constantly refused to give back the lands. Later the land owners themselves approached the battalion commanders to get permission to collect their crops and collect their products. But it had been always rejected.

While many other battalions that took the civilians' lands are not allowing the land owners to collect their products, currently only LIB No. 586 is allowing them to collect rubber latex in the confiscated lands.



## **A Burmese soldier killed a pregnant woman**

*(March 2005, Thanbyuzayat Township, Mon State)*

On March 1, 2005, when the passengers were taking shelters in Anan-gwin village, which is on Three-Pagoda-Pass – Thanbyuzayat motor road, a Burmese soldier from unknown battalion shot into a house and killed a pregnant woman.

The woman, Ms. Mi Hla Aye (34 years) died on the spot and another 6 villagers got serious and minor injuries. The dead woman was from Yaung-daung village of Mudon Township in Mon State.

A group of passengers who came from the border town, Three-Pagoda-Pass, used this motor road and returned back to their homes in Mon State. During their travel, they slept at Anan-gwin village as the dark falls. All passengers (over 10 people) including the pregnant woman and her husbands slept in one house that had a grocery shop.

About 10 o'clock at night, a soldier also approached into the house and looked the entire house with his touch light, accordingly to villagers who saw the brand of Burmese Army. And then he shot into the house with a rifle gun without warning until all bullets in the gun ended up, explained a villager who got minor injuries.

Two women, who got serious injuries were also sent to the hospital in Thanbyuzayat Town for treatment. After the incident, the Burmese Army in the base did not make any inquiry on the case and it became 'silence'. No villager or shop owners dared to complain for the case.

A Mon grocery shop owners in the village said, the reason of shooting could be that the Burmese soldiers tried to threaten the Mon ethnic shops as those shops operate their businesses independently and far from

## Report

# Past and Present Suffering of Civilians in Yebyu Township Under the Name of Security to Gas Pipelines

### I. Background of Yebyu Township

Since over many decades, during the course of civil war in Burma which has been waged between many different ethnic armed opposition groups and governments' Burmese Army (BA), nearly all parts of Yebyu township area is used as battle grounds. This township is the northernmost area of Tenasserim Division and is connecting with Mon State.

The main livelihoods of the local ethnic civilians are agriculture and fishing. As the Township situates along the seacoast of Andaman Sea (look in the map on Page 9), it has good soil for growing rice and therefore, the Mon people in the area mainly involved in agriculture activities such as – growing of paddy, rubber and other orchid plantations. While the Mon and Tavoyan people are involving in agriculture and fishing, the Karen people also cultivate the rice and other crops in the hilly or mountainous areas in eastern part of Township.

Historically, the Karen and Mon rebellion had taken place in the area and they had control nearly the whole area of Township, while some Tavoyan ethnic rebellion also rose up during 1990s. The Mon rebellion under the leadership of New Mon State Party (NMSP) and the Karen rebellion under the leadership of Karen National Union (KNU) have been active in the most part of Township since 1970s<sup>1</sup>.

This Township is also a strategic township for SPDC and since early 1990s, the previous regime with a different name of State Law and Order Restoration Council (SLORC) has deployed more troops in their preparation to sell gas to Thailand and to build a strategic 110 miles railway road.

In the preparation to sell gas to Thailand by the Burmese military regime, SLORC, it also closely cooperated with Thai authorities during 1992-1998 for the safety of gas pipeline that would pass through the area. The SLORC and Burmese Army in the area have conducted the following processes during 1992-1998 in order to uproot the rebellion activities in the area and protect gas pipeline project.

- During 1992-1993, the Burmese Army operated an intensive military offensives in the area against the NMSP's armed force, Mon National Liberation Army (MNLA), and KNU's armed force, Karen National Liberation Army (KNLA), under the name of Than-la-yet offensive. In this offensives, the Burmese Army forcibly relocated over 20 Mon, Karen and Tavoyan villages – that were in eastern part of Ye – Tavoy motor road and relocated them in villages along Ye – Tavoy motor road. Because of this offensives and forced relocation, thousands of villagers fled into Thailand and took safe shelters while many of them displaced in areas under the NMSP and KNU's controlled area<sup>2</sup>.
- After offensives in 1993 – 1994, the Burmese Army deployed 10 more military battalions: the number of LIB No. 401 to LIB No. 410 under the command of Military Operational Management Command (MOMC) No. 8 which is also under the senior command of Coastal Regional Command. These battalions deployed and took the positions along Ye – Tavoy motor road, in Mon and Tavoyan villages along the seacoast, in the strategic villages where the proposed 'Yatana' gas pipeline passed through. These 10 military battalions deployed their troops in three Townships – Yebyu, Tavoy and Thayet-chaung – in the northern part of Tenasserim Division<sup>3</sup>.
- In late 1993, the SLORC and Burmese Army began building 110 miles long strategic Ye – Tavoy railway in order to fully protect gas pipeline. The railway passed the proposed 'Yatana' gas pipeline in Yebyu Township in Kalein-aung village. The SLORC wanted to construct this motor road and after the construction of this road, they could get easy access to the whole areas in order to provide security to gas pipeline, solved the logistics problems and control the whole area. In the construction of this railway road, over 15 military battalions of Burmese Army – 10 battalions under MOMC No. 8, IB No. 273, IB No. 282, IB No. 61, LIB No. 343 and IB No. 299 supervised the construction of railway and these battalions have forced hundreds of thousands of villagers to construct this road. Forced conscription of labour took place for nearly five years and as a result, thousands of villagers have fled from their homes. Many of displaced and some of them arrived into Mon and Karen refugee camps in Thailand<sup>4</sup>.

<sup>1</sup> KNU started its armed resistant against the central government since 1948 and NMSP was established in 1958 and started fighting against the central governments for equal racial rights and establishment of Federal Union of Burma.

<sup>2</sup> The Mon Forum, March 1999, the number of villages which were relocated described.

<sup>3</sup> Before the plan of gas pipeline construction, Tenasserim Division had only five military battalions in its northern areas.

<sup>4</sup> Mon Information Service: Forced labour on the construction of Ye-Tavoy railway road (1995) and (1996) described that the SLORC authorities and 15 Burmese Army battalions used hundreds of thousands of villagers in the construction in all seasons.

- In order to secure the Yatana gas pipeline, the SLORC closely cooperated with Thai authorities and Thai business communities in order to pressure NMSP leaders and KNU leaders to talk for ceasefire agreement with SLORC. After the pressure from some authorities, the NMSP leaders decided to talk for ceasefire to SLORC<sup>5</sup>. After five rounds of ceasefire talks, NMSP leaders agreed for ceasefire in June 1995. Although Thai authorities and business communities have approached KNU leaders to have ceasefire talks to SLORC during the same time, but both sides did not reach for agreement as the military regime SLORC pressed KNU leaders to give promise to lay down their arms in the future. After the failure of ceasefire talks, SLORC intensified its military offensive against KNLA's 4<sup>th</sup> Brigade in 1997 and uprooted the KNLA's activities in the area.
- In 1997, the Burmese Army operated a military offensive against KNU/KNLA<sup>6</sup>, especially against 4<sup>th</sup> Brigade, which had military activities near gas pipeline area. Burmese Army brought thousands of troops into lower Burma, where KNLA have operated military activities and planned to uproot all Karen rebellions. Because of this offensive, thousands of Karen people have fled from their homes after suffering of Burmese Army's persecution as they are Karen ethnic people and many of them took refuge in Thailand's refugee camps.
- The multinational gas and oil companies – UNOCAL and TotalFinaElf (Known as TOTAL)– completed gas pipeline construction in 1998 and started sending the gas to Thailand under the thick security of Burmese Army. From 1992 to 1998, the Burmese Army have mainly conducted various military activities until the gas companies completed pipeline construction. In the construction of gas pipeline, firstly TOTAL staff mainly cooperated the local commanders of Burmese Army in the area for building of helicopter pad, road construction near Kanbauk area, stores and other building construction, digging of canals to lay down iron pipe, and other works, the troops of Burmese Army forced the local villagers to contribute unpaid labour. They normally took companies' money into their pockets.

In western part of Mon State and Tenasserim Division, there are many gas fields tested by western companies and currently Thailand is buying gas from Burma. Three main gas pipelines are passed through in this township area, which have provided main revenues the military regime since 1998. Therefore, the Township is a strategic location for SPDC.

Another gas pipeline, Yetagun Gas Pipeline, that also sell gas to Thailand was built by France's TotalFinaElf, United Kingdom's Premier Oil (United Kingdom), Japan's Nippon Oil and Thailand's PTTEP in 2000 and its route is the same to Yatana gas pipeline to Thailand's border.

A Kanbauk-Myaingkalay gas pipeline, which takes gas from Yatana gas field to provide a cement factory, was also built in 2000<sup>7</sup>. This gas pipeline passes through into five Townships of Mon State and one Township in Karen State. The local farmers and villagers also their lands in where the gas pipeline passes through.

## II. Important location for SPDC

Since there are three gas pipelines that mainly provides 'revenue' for the regime in Rangoon<sup>8</sup> are passing through in this area and over 60 miles of railway are crossing in the areas, and additionally on-shore gas stock-pile bases are there, Yebyu Township is strategically and geographically so important for the current military regime, SPDC (State Peace and Development Council) in Rangoon. Therefore, it has deployed more troops in the area and has tried to keep firm control the whole Township.

After 1997 military offensive, which was known as 'Nagar-min' military operation, the troops of Burmese Army could have controlled the whole gas pipeline route and the area nearby. They could also prevent the access of KNLA into the area and have controlled many Karen villages in the area. Since then, there have been less military activities in the area operated by KNLA's 4<sup>th</sup> Brigade. KNLA also did not have any ability to disturb the gas pipeline.

After NMSP-SLORC ceasefire in mid-1995, the Burmese Army and SLORC authorities in Yebyu Township have pressured MNLA troops to leave from the area accordingly to ceasefire agreement<sup>9</sup>. In agreement, the NMSP received only two temporary ceasefire zone in Yebyu Township and it is in eastern part of Ye-Tavoy motor road and is close to Thailand's border. Therefore, in 1996, MNLA troops that deployed in some Mon

<sup>5</sup> Mon National Relief Committee – Hunger for Protection: In 1994, in order to pressure the NMSP leaders to deal in ceasefire, Thai authorities and army also forced 5000 refugees in Thailand to move back into dangerous territory of Burma. The make-shift shelters of the refugees were also burnt down by the Burmese Army.

<sup>6</sup> This offensive is also known as 'Nagar-min' operation by the Burmese Army.

<sup>7</sup> In this construction of Kanbauk-Myaingkalay gas pipeline, some villagers' lands that comprised of gardens, plantations and paddy-fields along the gas pipeline route were confiscated.

<sup>8</sup> Yatana gas field alone provides 400 Million US Dollar to the regime in Rangoon, that has strengthen and prolong the life of it.

<sup>9</sup> Most NMSP ceasefire zones are in Mon State and the MNLA troops also had to withdraw into these ceasefire zones.

villages in the area have to withdraw their troops and moved into the temporary ceasefire zones. Since there is no more MNLA troops in the area, the Burmese Army have founded more safe for the gas pipeline and railway.

Recently, MNLA also conducted the military operations in the sea and it also posed danger to the navy of Burmese Army that took security for gas pipeline in the seashore. After the withdrawal of MNLA force, the SLORC/SPDC founded more safety in the area.

However, in order to fully control the whole area of Ye Township, the Burmese Army had built the Ye-Tavoy railway with forced labour. The former or retired MNLA soldiers who returned their homes to build the family life or to involve in establishment of economic life also suffered from the conscription of forced labour. Most of them were very unhappy for the treatment of Burmese Army and therefore, some of them complained to NMSP. But NMSP leaders could not solve the problems and just wrote a letter to the Commander of South-East Command. But the situation did not improve and the SLORC authorities and Burmese Army continuously forced the local villagers including the families of former MNLA members in railway construction.

In late 1997, the former Mon soldiers rose up as a gang and started fighting the Burmese Army's troops. And, on the other hand, as they were not under the command of any political opposition party, they have involved in many abusive activities against the local villagers. However, since they have posed danger to the gas pipeline and the railway, the Burmese Army's troops have seriously fought against the Mon splinter group.

Some local villagers have also supported the splinter group because of their constant suffering created by the troops of Burmese Army. The numbers of troops in the splinter group have grown up and they also get supports from the local villagers. Again, the Burmese Army has launched a 'four cuts campaign' against the Mon splinter groups in order to cut all civilians supports such as information, food, recruitment and sheltering, to the Mon rebels.

In late 2003 and early 2004, the Burmese Army operated the most intensive military offensives against the Mon splinter group. As a result, many hundreds of villagers fled from their homes and have displaced. Some villagers were killed and the Burmese Army soldiers, who involved in the military offensive, raped some women.

The military operations against the Mon splinter groups and human rights violations against the local villagers are almost happened outside of 'Yatana and Yetagun' gas pipeline's 'corridor zone' created by the regime and foreign oil and gas companies<sup>10</sup>. Thus, the foreign companies, which made enormous profit from gas exploitation do not really realize for the suffering of the people who are living, outside of their corridor zone. The offensive of the Burmese Army is more or less relating 'security' of 'Yatana and Yetagun' gas pipelines.

The following accounts are the human rights violations in the area that forced thousands of people to leave from their homes.

### **III. Gross Human Rights Violations**

#### **A. House Burnt and Forced Dislocation**

Accordingly to villagers, who fled from Ye Township and Yebyu Township informed to HURFOM workers that the troops of Burmese Army burnt down three villages in southern Ye Township and in northern part of Yebyu Township on the house-by-house basis on each day in January and February of 2005.

About 100 houses in these villages were already burnt down and hundred of villagers escaped away from the villages. The houses those burnt down were suspected as 'shelters' provided to the soldiers of the splinter group in the past.

South-East Command's No. 3 Tactical Command and troops of MOMC No. 8 has been burning down the civilians' houses in Wae-kwao (Paukpingwin) in Yebyu Township (in Tenasserim Division); Magyi, and Dani-kyar villages in Ye Township (in Mon State). All of these villages are Mon villages they have from 100 to 300 households in the village.

Burmese soldiers burned down the houses in which the Mon soldiers from the splinter group or the NMSP authorities have used them as their temporary shelters during their past activities in the area (probably during 2003 and 2004).

According to villagers, the Burmese soldiers have been investigating from the villagers which houses were used by the Mon soldiers as shelters and burnt those houses. About 40 houses were already burnt down in Paukpingwin village and about 60 houses in another two villages.

<sup>10</sup> Corridor zone has about 24 villages belonged to Karen, Mon and Tavoyan ethnic villagers and they suffer less abuses than other villagers because the TotalFinaElf is in the area.

“Before they burned down my house, they told me to collect our properties in the house. Then they burnt down it. But in some houses, before the house owners completed collecting properties they burnt them down,” a villager whose house was burned down said.

According to villagers, the soldiers normally burned down the houses in the evening time after night dark fell. After they burning down, the house owners and neighbors were forced to clean the damages, so that when the villagers came to the house in the morning they did not know what were happening to the house.

About 70 homeless families fled to a Mon IDPs village in Tavoy district under the control of NMSP. Some homeless villagers run away from the villages and stayed with their relatives in another villages.

According to an escaped villager, “if the Burmese soldiers are continuing burning down the houses and torturing the villagers, nobody are dare to live in the villages. The villages will be empty soon.”

Paukpinkwin, Magyi, and Dani-kyar villages are recently used as bases by the Mon splinter group, which already moved from the area.

## B. Sexual violations against women

In most cases, accompanying with the military offensives, the soldiers of Burmese Army always involved in rape against ethnic women in the rural areas. Similarly to Mon State and Tenasserim Division, there have been many evidence of sexual violations against women by the troops of Burmese Army in Karen State, Kayah (Karenni State) and Shan State.

‘Rape’ is also used as ‘punishment’ by the Burmese Army in order to stop the supports of the local villagers to the splinter group or rebel groups. But later, as there has been no punishment to the perpetrators, the low-rank commanders and ordinary soldiers including retired soldiers have dealt in sexual violations against ethnic women.

Some instance of sexual violations documented by HURFOM and its project – Woman and Child Rights Project (WCRP) - in Ye Township recently are:

### Case 1:

|                  |  |
|------------------|--|
| Name             | – Mi A...M... <sup>11</sup>                                  |
| Age              | – 18 Years   |
| Status           | – unmarried  |
| Religion         | – Buddhist   |
| Occupation       | – Dependent (on parents)                                     |
| Location         | – Kwe-tho-nyima village, Yebyu Township, Tenasserim Division |
| Date of incident | – August 10, 2004  |
| Perpetrator      | – Sergeant (Tin Oo) from LIB No. 406                         |
| Ethnicity        | – Mon  |

On August 10, 2004, when a young Mon woman was traveling near her village, in Yebyu Township, Tenasserim Division, she was repeatedly raped by a Sergeant from the Burmese Army’s LIB No, 406, according to the source close to woman.

*Mi A... M..., 18 years old woman was from Kwe-tho-nyima village, Yebyu Township and she traveled with a group of 5 male villagers from her village to Mae-than-taung village by boat in the morning of August 10.*

*On the halfway, the Sergeant stopped their boat 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 property such as gold-wares, silver-wares, and other valuable belongings to the Sergeant.*

*After the robbery, the Sergeant<sup>12</sup> also 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, about 10 a.m., he brought the young woman to the village.*

<sup>11</sup> Report does not include the real name of the victims because it worried for the following punishment by the Burmese Army.

<sup>12</sup> Sometimes, as the villagers are so afraid of the Burmese Army and even they never asked the name of commanders. When we collected information, sometimes we would not get the exact name of the perpetrator.

*The young woman was suddenly brought to the clinic in village for treatment of injuries. She received 3 days hospitalization and then became better.*

*On August 12, the Sergeant also came into their village, Kwe-tho-nyima, 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.*

*The incident happened near Kanbauk area, Where US's Unocal and France's TotalFinElf oil and gas companies involve in 'Yatana' gas exploitation. LIB No.406, LIB No, 273 battalions are mainly taking responsibility for the security of Yatana gas- pipeline's area in order to protect the attacks from the rebels.*

## Case 2:

|                  |   |
|------------------|---|
| Name             | – Mi Y- and Mi K— Y—  |
| Age              | – 18 & 24 Years old   |
| Status           | – Unmarried   |
| Religion         | – Buddhist  |
| Occupation       | – Dependents (on parents)   |
| Location         | – Kyauk-kadin village (on Ye-Tavoy car road), Yepyu township, Tenasserim Division |
| Date of incident | – 1 <sup>st</sup> Week September 2004   |
| Perpetrator      | – Troops from LIB No.282  |
| Ethnicity        | – Mon   |

A teenager and a young woman from Kyauk-kadin village, Yepyu Township of Tenasserim Division in southern Burma were raped by the Burmese Army soldiers in their village, while the troops of LIB No. 282 took temporary base in village. Although the villagers complained against the rapist for the cases, the commander of the Burmese Army denied it.

*“(Ms) Mi Y-, 18 years old, daughter of Daw Than Myint, was raped by Burmese Army soldier from LIB No.282 on September 3's night at her house after her family was threatened to be killed if they shout,” said a witness, a medic worker where the victim took treatment from him.*

*“(Ms) Mi K— Y—, 24 years old married woman was also raped by the same battalion soldier from LIB No.282 when she went to the river for a bathing. She was also threatened to be killed if she asked for help when the soldier raped her”, said the same witness.*

*“Her mother told me a (low-rank) commander of Burmese Army climbed up her house and told her he would like to have sex with her daughter. He gave her with some money but she denied and she was afraid to accept it. But the commander forced her and she had to allow him what he did. The commander also warned that if someone from her family shouted for help, all of her family would be killed. The army commander raped her daughter at that night the presence of the parents and other family members,” added by the witness.*

*In the next morning (Ms. Mi Y- mother) Daw Than Myint and Kyuak-kadin village headmen went to meet LIB No.282 commander and complained about the rape case to him. But the commander denied it. The commander also shouted to them and he denied that his soldier is not cruel like in the complaint, said the witness.*

*“Even (Ms) Mi K— Y— case, nobody can take action. Her family had kept silence. However if the Burmese Army does not stop its military operation against the Mon splinter groups such violations against women will not stop in his village,” said, Mr. T—, a medic who explained about the rape cases in his villages and who treated the victims.*

During the military operation, Burmese Army based in the villages do not launch serious offensives but just close the villages to stop the rebels from getting access to foods and communication from the civilians. Then, they often committed sexual violations against women.

**Case 3:**

|                  |  |
|------------------|--|
| Name             | - Mi M—  |
| Age              | - 14 Years   |
| Status           | -Unmarried   |
| Religion         | -Buddhist  |
| Occupation       | - Dependent (on parents)                                     |
| Location         | - Pauk-pin-gwin village, Yebyu Township, Tenasserim Division |
| Date of accident | - September 19, 2004   |
| Perpetrator      | - Troops from LIB No.409 led Captain Nay Lin                 |

*On September 19, 2004, Mi M—, 14 years old girl from Pauk-pin-gwin village, southern part of Ye township, was raped by LIB No. 409's Commander Captain Nay Lin. The rape happened when his troops were in the village in order to check the activities of a Mon splinter group in the area.*

*At night about 10 p.m. of September 19, the soldiers from that battalion into village and the commander and some of his soldiers arrived into Mi Moe house and threatened her and her mother with knife for killing. When the commander raped her, although she tried to fight back, she got injuries on her hand with knife cuts and thus become a victim of the commander.*

*Before the incident, the Commander did not inquire for the age of the girl. During the rape, the soldiers under his command were guarding outside of the house.*

During the Burmese Army's military offensive during 2004, many women in southern part of Ye Township were also raped by the soldiers and low-rank commanders. 'Rape' also becomes a normal practice by the Burmese Army, and no legal action was conducted by the higher authorities or high rank commanders.

**C. Forced labour in Porter Service**

Troops of Burmese Army, which does not belong the modernized logistic system, have used the civilians in the rural area to carry their ammunitions and food supplies along with them in the jungles, forests, mountains and streams. Similarly the troops those who are taking responsibility for the security of well-known Yadana gas pipeline to Thailand border, have constantly used villagers as unpaid porters during their military offensives against the Mon Splinter group in 2004 in Yebyu Township in the northern of Tenasserim Division.

A local villager, who would not like to identify his name explained as:

*"Until 3<sup>rd</sup> week of December (from October 2004), the Light Infantry Battalion (LIB) No. 408 soldiers under the command of Major Aung Naing Myint used some villagers around Yebyu Township as porters for carrying foods and ammunition during their operations against the Mon splinter moving are there".*

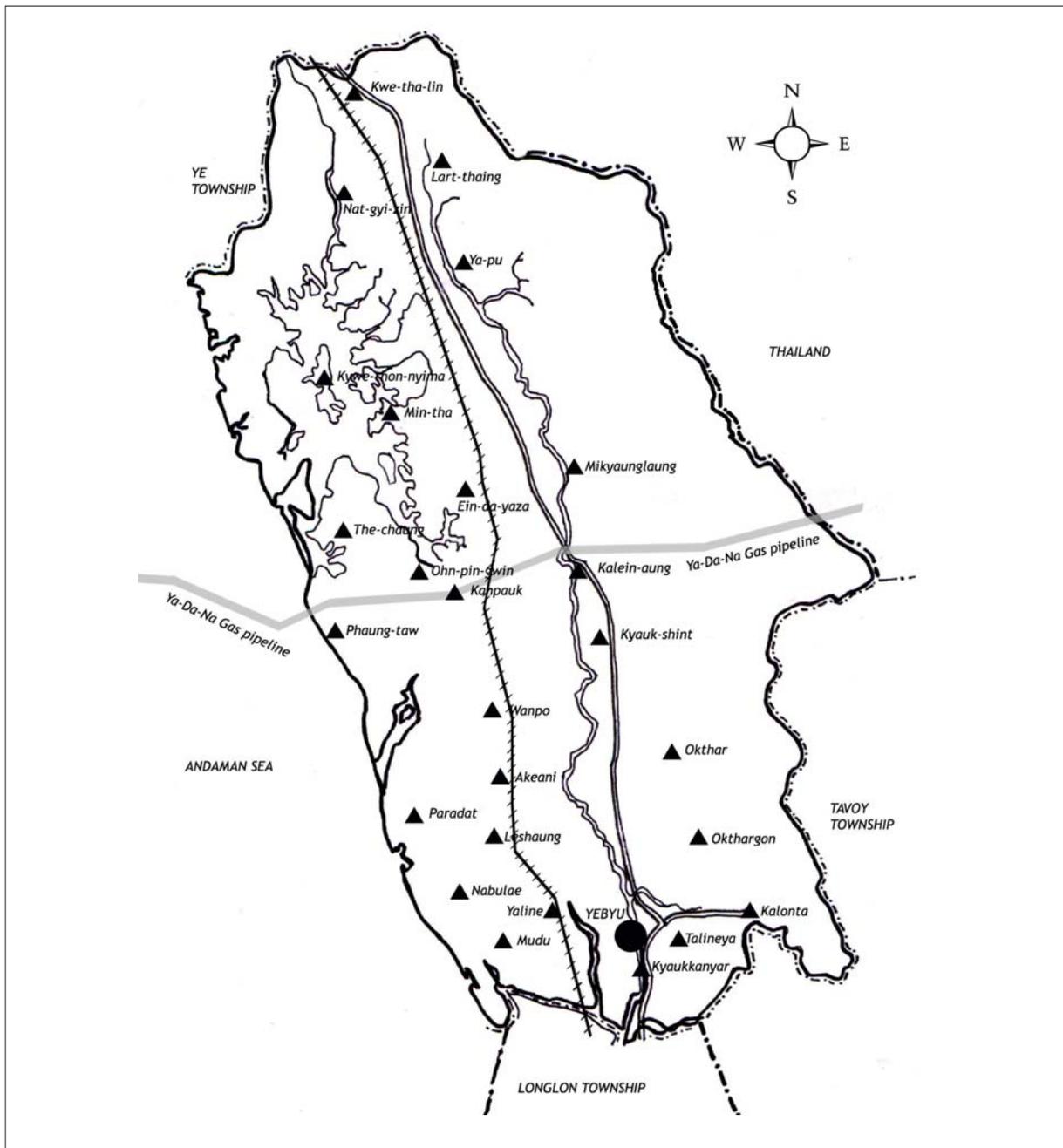
*"During the operations, they also took a 60 years old man as porter and he was later brought to the hospital for treatment on 16<sup>th</sup> December. The Burmese soldiers recruited the villagers as porters twice a month Lort-thaing, Kyauk-kadin, Alae-sakan, and Kwe-talin village during they lunch operation."*

*"Tarkalaw, a Karen ethnic porter of 60 years old age told me that the soldiers used them for 5 days between December 12 and 16. They took them from Lort-thaing to Wae-peer village (in local names of the villages) in the jungle way. Before that, the porters told me that soldier also took them for two days on December 4. They have to carry army's food and ammunition supplies for about 30 miles in the jungle way".*

In the first time recruitment of porters in early December, the soldiers from LIB No. 408 took two villagers from Kwe-talin village: Nai Pyay (25) and Mehm Arholl (17) and two villagers from Kyauk-din village, and one villager from Alae-sakan village. In the second time of porter recruitment, they took many villagers from Lort-thaing village, which is a Karen ethnic village.

LIB No.408 was a battalion that taking responsibility for security of Yadana Gas Pipeline that transferring gas from Kanbauk area, Tavoy District to Thailand, together with another 9 battalions of Burmese Army in the area. Those battalions are also under the command of Coastal Region Command based in Mergui, another city of Tenasserim Division.

The villagers in all villages in Yebyu Township, except the villagers from SPDC and foreign companies' corridor zones, have been forced to be porters during the military offensives in 2004.



Map of Yebyu Township, Tenasserim Division

As the Burmese Army does not belong modernized logistics for the security of the pipeline, its troops mainly use civilian porters without payment to carry food and ammunition supplies along with them. It also becomes a normal human rights violation against the civilians during five-decades long civil war in Burma.

#### **D. Looting and Taxation**

While the troops of the Burma Army are guarding gas pipelines, motor road and railway road in southern Burma especially in Yebyu Township, they consistently violates human rights by forcefully collecting taxes from poor villagers.

Especially the troops in the area do not have sufficient wages and income from their military commands and they also tried to get extra money from the villagers in order to cover all of their expenses. Accordingly to the instructions by senior commanders, the battalion commanders have to take responsibility to seek income for expenses in the battalion or during military operations.

In order to collect tax from the villagers, the local commanders have shown a various reason of security and then tried to get money from them.

As an instance (from the source of Kao Wao News Group),

*For example, the Second Commander of LIB No. 273, Maj. Moe San Winn, demanded Kyat 200,000 from two villages for allowing the local villagers to hold their own villages' traditional Buddhist festivals in January.*

*The village headmen from Ohn-pin-gwin and Phaung-daw villages are in the area, near TOTALFINAELF's gas station in Yebyu Township, Tenasserim Division where the LIB No.273 is in charge of providing security to the pipeline were forced to pay this amount of money.*

*According to a headman who spoke under condition of anonymity, the villagers were not allowed to celebrate annual festival and were threatened with a security reason. The commander told them that he is responsible for the security of the gas pipeline and it shouldn't be interrupted because of the crowd in the festival. But later the village headmen negotiated with him and paid a bribe of 200, 000 Kyat.*

Besides the tax collection from the local villagers, the troops from LIB No. 273 also looted civilians' belongings. Accordingly to a trader, about 13 buffalos belonged to villagers (from various villagers) were seized by the Burmese troops in January 2005 and the owners were brutally tortured being accused of trying to transport them across the border to sell in Thailand.

Sometimes, when the troops of Burmese Army could not find any income from the other sources, they also forced the local farmers who have rubber or orchid plantations to pay them for their crops.

As an instance (news source from Independent Mon News Agency),

*As the first time in Yebyu Township, a battalion that took security for gas pipeline, LIB No. 282, collected tax for betel-nut crops from the people who belonged the plantations and they instructed the farmers must give 1000 betel-nut from each betel-nut plantation who belonged some plantations, but the other villagers who have bigger need to give more for the tax..*

*"The military Infantry battalion No.282, ordered to village headman in Yebyu Township by order letter to collect the tax," a village headman said.*

*"I sent to village headman home 2000 betal-nuts by myself with motorbike for the tax. My village headman took from our family two thousands because we have 6000 betel plants in our plantation," Myit Htwe explained.*

*Village headmen have to manage for collecting the tax, which orchid plantation owners have to provide through them.*

*In order, the commander said that they collected the betel fruits for planting, but the villagers do not believe them and they think they collected for the battalion's fund or to cover their expenses in the battalion.*

*In Yebyu Township area, many villagers belonged the betel trees plantations and this is the main livelihood of the villagers. They can sell one betel-nut fruit for 7 Kyat per a fruit and they also produced many fruits from the plantains. For a thousand betal trees owner, they will have income more than 1 Million Kyat a year.*

*Accordingly to the villagers, the local Burmese Army commanders will receive many million Kyat from selling the betel-nut fruits in town, because they would get some million pieces of betel-nut from this collection.*

*Some area, the Burmese Army's soldiers also stole the villager betel-nut fruits while they are restricting the local villagers to not go to their farms. "Sometimes they stole even in front of us. But they do not ask any permission to collect the fruits. We also afraid of making complaint to the high ranks commanders, because the military lunched military operations against the Mon splinter groups in our area and the soldiers are very cruel to people," said a woman.*

Although the troops of Burmese Army those taking security for the gas pipeline are instructed to not collect tax from the local villagers by higher command in order avoid the complaints from the gas and oil companies, some of these troops which launched military activities as military columns outside of 'gas pipeline corridor' have also involved in collecting tax from the civilians by many ways.

#### **IV. Result: Population Displacement**

Since 1992, the population from Yebyu Township also migrated to Thailand and to areas, which are under the control of NMSP and KNU that base in eastern part of the border. During 1993-1998, while the Burmese Army conscripted forced labour for the construction of 110 miles long Ye-Tavoy railway, thousands of villagers fled from their homes.

Many of these displaced persons have taken shelters in NMSP areas for over 10 years and some stayed in Thailand for years. As they heard every detail news at their own villages, many displaced villagers do not want to return to their homes. However, at the same time, many hundreds of villagers from Yebyu Township still flee from their homes.

## 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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E-mail: [hurformcontact@yahoo.com](mailto:hurfomcontact@yahoo.com)  
Webpages: [http://www.rehmonnya.org/monforum\\_main.php](http://www.rehmonnya.org/monforum_main.php)

With regards,

Director  
Human Rights Foundation of Monland

A woman, name: Ms Mi A—, aged 38 Years old from a village near gas-pipeline, Kwe-tho-nyima, who recently fled to NMSP controlled area, explained her reasons of abandoning her homes as below:

"Troops of Burmese Army are deploying in our villages. Since the beginning of military deployment we have no safety to live and work in village. While we (her family) could not raise sufficient income, we often to pay for forced labour fee, porter fee, self-reliance development fee for road construction. We also have to pay two to three times each month for militia fee. These various fees made us so terrible to live in the villages and therefore, I decided to flee.

"One type of a regular fee is 'porter fee'. The headmen collected it one time per month, we have to pay 8,000 Kyat to 10,000 Kyat each month. Some wealthy house could pay this huge amount of fee, but like our families it was so hard. We had to sell something and then pay them. If you could not, you will be taken as porter.

"Conscription of forced labour is not regular. If the Burmese Army or village headmen, we have to go and work. If you don't want to do forced labour, you have to pay 2000 Kyat to 3000 Kyat. They said they would hire a substitute. Normally, I went for labour contribution. What I had to do is to clear grasses, bushes and trees (along the roads and military barracks) and rooted out grasses. Men had to work more heavily than us as they had to fence the barracks' compounds, dig bunkers and trenches round the barracks. If they could not quickly, they must suffer from kicking (by soldiers).

"Our village militia force was formed with some people, and the village headmen themselves collect money for militia fee. It is not on a monthly basis but we have to pay 5000 Kyat each time to provide food cost, uniform cost and other facilities for all militiamen in village. They collected 'twice' quarterly

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the bases of Burmese Army. Some shops operated by the families and friends of Burmese soldiers are near the army base and they have good relations with Burmese soldiers. As the Mon shops operate their businesses separately and they are in competition with shops close to army base. Mon traders and passengers, the majority of the people who use the road, also take shelters and buy foods from Mon shops.

After some period of competition since the road opened in November 2004, the Burmese soldiers did not satisfy to the Mon shops.

The owners of Mon shops believed and expressed that because of this 'conflict of interest', the soldier chose the Mon shop with many passengers and shot into it. This is also a threat to Mon shops and created 'fear' among the passengers who support the Mon shops.

Three-Pagoda-Pass – Thanbyuzayat motor road is 70 miles long and it is the main road that connects Three Pagoda Pass border town and Mon State. This road is normally opened from November to May, Burma's dry season.

(or in three months period). We also have to pay for the village security fee. That is for soldiers in village. We paid 500 Kyat to 800 Kyat each month.

“I never followed as a porter (for Burmese Army). I always have to pay for porter fee. If we could not pay, we will be suffered from portering for sure. As I told before, I have to contribute unpaid labour in military barracks. Our works were not so heavy like men. We had to do just carrying earth, clearing grasses and bushes.”

There are many similar stories of displacement for the villagers. Normally, the villagers in the rural villages would not like to abandon their villages, houses in villages, properties – lands and others – if the living situation in the village is not dangerous for them.

Violations especially forced labor in porter service and restriction against the local civilians always created difficulty for the local villagers to have enough time to work at their farms or domestic works.

The villagers displaced because of two main reasons: first reason is to flee from daily human rights violations and second, some also fled because of the fighting in the area and are afraid to stay on in their villages.



A group of villagers were forced to work in Kanbauk-Myaingkalay gas pipeline in Yebyu Township, Tenasserim Division

#### V. Conclusion:

Even the SLORC/SPDC does not mention that the increase number of troops in the area and consistent offensives against the Mon splinter group and other rebel armed force in the area are the activities for the protection of gas pipeline, but they did not openly admitted. On the other hand, the oil and gas companies which operates their businesses and investment do not agree to admit that the Burmese Army have involved in terror against the civilians in order to protect their businesses. They tried to pretend that the activities of Burmese Army are ‘normal’ like in other areas in order to control their State power.

But for the civilians who suffer from various types of abuses in the area have not found ‘justice’ for over a decade and they just have known that the measure of oppression has increased.

‘Population displacement’ is a serious issue in this area and it have many serious suffering – food shortage, no access to basic health care, could not conduct for freedom of movement, no business relationship and suffering of human rights violations.

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