

# The Mon Forum

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## Contents

### News:

- (1) Security Beefs Up in Mon State and Illegal Tax from Civilians
- (2) Commander Interrupts in Judicial Power of the Courts

### Report:

- (1) Terror Continues in Ye Township

## Some Acronyms in This Issue

MOMC-	Military Operational Management Command,
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

### Security Beefs Up in Mon State and Illegal Tax from Civilians

*(Mon State, August 2005)*

After the SPDC and the commanders from South-East Command in Mon State warned to the local military battalion, police departments and SPDC authorities about the possible carrying of explosives from Thailand-Burma border to Rangoon, the local Mon State authorities has set up more check-points along the main motor roads, but also collected more money from the passengers.

The main purpose of the check-points arranged by the authorities is to check the passengers and explosive materials. They are set in the main roads, at the entrance to the towns or cities, on the bridges and some other important places.

Some rumors broke up among the people that the Mon State authorities also found some bombs in the Moulmein-Muttama or Salween Bridge (the longest bridge in Burma), which was completely built just recently.

The security force by the authorities has tightened up in Salween bridge. They set up a combined security team that comprised of soldiers (from Burmese Army), police officers, immigration officers, militiamen, administrative authorities, USDA (Union of Solidarity and Development Association) members, firemen from Mon State's fire brigade and members from Myanmar Women Affair Committee



A check point of SPDC's Security team on Moulmein - Kyaik-ma-yaw motor road, Mon State.

## Criminal Responsibility for Human Rights Violations

In most human rights violations committed by the troops of Burmese Army against the rural civilians in term of summary execution, torture, rape and slavery are violations of international humanitarian laws.

Although many human rights violations are committed individually or in gang like in the cases of rapes in Mon State, Karen State, Karenni State and Tenasserim Division, it will be more or less related to systematic orders adopted in the military commands.

A person who planned, instigated, ordered, committed, aided and abetted to commit a human rights violation or abuses have individually responsibility for committing crimes in the scope of Burma's human rights situation today.

Normally, the chief commanders always ignored for many human rights violations and have no intention to punish their men and so that many perpetrators in Burmese Army are getting immunity. Therefore, it is a question that whether the chief commanders shall be relieved for their subordinates' involvement in violations against innocent civilians in various parts of Burma.

(SPDC's organized Women's Organization) in every check-point in Mon State.

The tight security put just a few days before the end of August and the authorities plan to put many security check-points till border town. The authorities have been checking more than before and interrogating the passengers. The authorities checked identity card in every check-point, searched things seriously in the cars in order to find out explosive materials carried from Thailand border, according to a car driver.

Some passengers claimed that the authorities took a good opportunity from the emergency security order and they are involving in money extortion from the passengers.

"They tell me to give them 1, 000 Kyat because I was a passenger to Tavoy. Every passenger from Tavoy or to Tavoy has to pay the same amount of money, because we don't want to argue with them," a male passenger explained.

But the civilians believed that if there is a security concern in Burma, the authorities will have a good opportunity to collect more money from the passengers. "If the country is insecure, the authorities are not really busy and worrying about that. They are busy with making money like this. If the country is insecure more, the authorities can make more money and will be happy," a local villager said.

After May 7 bomb blasts in Rangoon, the SPDC has a great concern 'unrest' happened in the country. SPDC leaders also accused some organizations based in Thailand-Burma for that incident, but many opposition groups totally denied because they said they have no capacity to carry explosive materials to Rangoon.

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## Commander Interrupts in Judicial Power of the Courts

(Thanbyuzayat Township, Mon State)

A leader of Mon civil society organization, (Thanbyuzayat Township) Mon Literature and Culture Committee (MLCC), Nai Sein Aye was in 3<sup>rd</sup> week of July and a local commander has geared up his pressure to the Judges in Thanbyuzayat Township's Court to imprison him even without proper evidence.

The man, who normally involve and lead the activities of Mon literature and cultural programs was arrested by the Commander of No. 4 Military Training School with accusation of he is involving in 'creating unrest to the country'. But the military commanders ordered to detain him at Township police station without trial for many days.

Then the commander, Col. Khin Maung Zee (from No 4 Military Training School) instructed Township's Chief (Female) Judge, Daw Win Win Htay, to trial against Nai Sein Aye and imprisoned him as she like.

However, the female Judge denied for three times to listen the orders from the commanders and imprisoned an innocent man. She wanted to release her unconditionally, but was afraid of having problem with the commander.

After three times of pressure by the commander including some threatening, she could not tolerate longer and then sent a resignation letter to Mon State Justice Department to resign as 'judge'.

About the resignation of a female judge has separate in the small town in Mon State and she showed to the town residents that she wanted to independent in her decision and works to those accused persons because of their activities.

Continued on Page 11

## Report

### Terror Continues in Ye Township

#### I. Background of Ye Township, Mon State

Ye Township is in Mon State<sup>1</sup> and it situates in southernmost part of the State and the majority of local inhabitants in this township are Mon people and some Karen villagers also stay in eastern part of township area. Since the beginning of civil war in Burma until NMSP ceasefire deal with the then military government, SLORC, in mid-1995, the whole township area, except Ye Town, was under the control of rebel armies and the whole township area was in war zone.

The eastern part of this township borders with Thailand and western part of township has a long seacoast with Andaman Sea. As geographical location, the local inhabitants are mainly farmers who are growing paddy and fruit trees in the area. Many villagers who are inhabitants in coastal area involve in fishing works along the area.

In this township, most of the areas are covered with rubber, fruit and betel nut plantations in eastern part of Township area and with paddy-fields in western part of the area. And, there are also many thousands acres of forests also cover in many part of the area. Therefore, geographically, both Mon and Karen rebels could take base and launch their military activities against the Burmese Army properly. For many decades, the troops of Burmese Army could not suppress the rebellion.

As the local people are Mon and Karen inhabitants, normally, the rebel soldiers have gotten supports from the civilians and so that the villagers in the area were constantly accused as rebel-supporters. With this accusation, many Mon civilians from this township area had been killed, tortured and some women were raped during the course of armed conflict between NMSP and successive military regimes in Rangoon until NMSP dealt ceasefire with the then military regime, SLORC.

After NMSP entered for ceasefire, the abuses that related to suspicion of rebel-supporters have been reduced. But a Mon splinter armed group still operated their military activities against the Burmese Army in both southern and northern parts of Township along the seacoast since 6 years ago, while NMSP controls in eastern part of Township area and along Ye river area (*look in the map in page 9*). Thus, the civilians outside of NMSP control area have been still suffered from human rights violations that related to suspicion of rebel-supporters.

Additionally, in duration before and after NMSP ceasefire, the civilians in both Ye town and villagers in various township area had to provide various types of taxation, contribute unpaid labour and food and other supplies for the military battalions, which have been active in the whole township area. Previously, in this township area, the Burmese Army four military battalions, namely, IB No. 61, IB No. 106, LIB No. 343 and IB No. 299. When these military battalions operated military activities against rebel armies in the area, the soldiers constantly took foods from villagers and conscripted the villagers to be porters to carry their ammunitions and food supplies. And, whenever the army or township authorities implemented road construction and other development projects, the civilians in the concerned area are forced to be unpaid labourers.

When many BA troops entered into the area, the Mon population has been greatly suffered and the following accounts are gross human rights violations and abuses committed by mostly the soldiers from those battalions.

Recently during the period from 1999 to 2001, the Burmese Army deployed a main military force, Military Operational Management Command (MOMC No. 19) and its 10 light infantry battalions and 3 artillery battalions in the area and thousands acres of land belonged to the Mon civilians were confiscated without confiscation. Currently, hundreds of Burmese soldiers arrived into the areas and they have constantly restricted the movement of the people, forced them to contribute labour in development projects and in military deployment.

From late 2004 until June 2005, the Burmese Army launched a military offensive against a Mon splinter group in southern part of Ye Township and have committed various types of human rights violations against the local civilians. After June, although the offensives have reduced down, the Burmese Army

<sup>1</sup> Mon State has 10 Townships and they are: Bee Lin, Thaton, Kyaik-hto, Paung, Chaung-zone, Moulmein, Kyaikmayaw, Mudon, Thanbyuzayat and Ye.

has kept control in the area and committed violations. The following accounts are how the Burmese Army involved in gross human rights violations.

## II. Recent Conflict and Offensives by the Burmese Army

Since before the end of 2004, in order to up-root the activities of a Mon splinter group, that had been active since 1998 after 3-years ceasefire agreement reached between the New Mon State Party (NMSP) and the ruling regime in Rangoon, SPDC (the then State Law and Order Restoration Council – SLORC).

Although the NMSP agreed for the ceasefire, only the fighting between the government and rebel armies have stopped, but there is no real political and human rights problems have been solved. The SPDC authorities and the troops of Burmese Army still have used thousands of Mon and other ethnic villagers in southern part of Mon State, especially in Ye Township to build a 110 miles long railway and other infrastructure projects under the name of border region development program.

Some Mon ethnic villagers and the retired the commanders and soldiers from the Mon National Liberation Army (MNLA) has not happy with the continuous human rights violations after ceasefire and disappointed with the situation. Even before they could not start up their livelihood and stable re-integration into the communities, some of them were forced by the Burmese Army.

Therefore, some of them have grouped gradually and they had grouped up as a group and started fighting against the Burmese Army's troops by guerrilla tactics in the whole Ye Township and Yebyu Township. As their force had not grown until 2002, the Burmese Army's troops never paid attention to them. In 2004, there was another Mon splinter armed groups, Nai Chan Dein group and San She group has declared to fight against the Rangoon government. Then, the new group tried to organize all armed groups under their subordination.

Then the Burmese Army launched more offensives than before because of the new group. However, later some members from the Mon splinter groups could not stabilize their activities and many of their soldiers returned to NMSP. But many small remaining armed groups (the splinter group) still operated their fighting against the Burmese Army's troops.

Starting from early of December 2005, the Burmese Army, the military faction of the current military regime in Burma, State Peace and Development Council (SPDC), have launched an intensive offensives against a Mon armed splinter group in southern part of Ye Township, Mon State. Until the end of February, the offensives took about three months, and nearly 25% of the total population, which has over 40000 ethnic Mon people, have displaced because of human rights violations and terror against the innocent civilians<sup>2</sup>.

In this offensive, the Burmese Army's Southeast Command formed a No. 3 Tactical Command and put the five military battalions, Infantry Battalion No. 97; IB No. 61, IB No. 31, Light Infantry Battalion No. 586, LIB No. 591 and sent nearly 2000 troops into the areas to launch the offensives against 100 troops strong the Mon splinter group<sup>3</sup>.

In this offensive, the No. 3 Tactical Command and the battalions under its command have tried not only to win war on the rebel group, but also to win on the civilians psychologically to halt all the Mon villagers' supports to the rebel group.

Accompanying with this offensive, the Burmese Army have put 'terror' that more inhumane and serious than 'four cuts campaign'<sup>4</sup>, which just it has tried to cut supports: such as food supplies, information, recruits and shelters to the rebel soldiers. In the Burmese Army's recent four cuts campaign, the Burmese Army mainly relocated the local villagers and tried to keep control on the civilians. In the current offensives, the Burmese Army has mistreated against the civilians to totally decide that they must not support to any rebel troops.

Because of this offensive, many villagers were killed, tortured and detained with accusation of rebel-supporters. The civilians are totally blocked in their villages and they were not allowed to get out of

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<sup>2</sup> See The Mon Forum 1/2004, January 2004

<sup>3</sup> See The Mon Forum 1/2004, January 2004

<sup>4</sup> Four Cuts Campaign was used by the Burmese Army's troops during 1970s and 1980s offensives against many ethnic nationalities' armed groups.

villages. Some villagers including children and women were killed when the Burmese soldiers found them outside of their villages.

Women were seriously suffered from sexual harassment and raped or gang-raped by the commanders of Burmese Army or their ordinary soldiers. Many women have tried to flee from the homes to escape such sexual violations. Women are not safe to stay at homes at all. Many women displaced not only in Mon State, but also some of them fled into Thailand illegally.

Accordingly to the local community leaders, the current offensive is most inhumane. Recently for many years, although the Burmese Army launched the offensives in every dry season, the killing of the civilians was less if compared with this offensive. Similarly, a very little number of women were sexually violated by the soldiers in general.

The Burmese Army also sent only one or two military columns with troop number less than 500 soldiers into this area, and the measurement of human rights violation was less. In the recent offensives, although the religious leaders, especially Buddhist Monks, acted as 'human rights defenders' to protect innocent people, women and children, but this time, the Burmese Army's soldiers also arrested, detained and tortured some senior Buddhist monks. Considerably, therefore, how serious the local village headmen were tortured badly by the Burmese soldiers.

The Burmese Army generally has attempted to impose 'great fear' psychologically among the civilians to think seriously fear if they think to support the rebel army. Not only men, even women were serious afraid of being arrested, killed and raped by the Burmese soldiers if they contacted or supported the rebellion activities in the area.

Many family members or the relatives of the rebel soldiers in the areas were killed, tortured and kidnapped the Burmese soldiers. Their houses were burnt down and their properties are confiscated, as the Burmese Army believed that these things are belonged to the rebels. This is one type of imposing fear to the civilians to bar their husbands or sons or the relatives to not join the rebel force.

On the other hand, as the women in the community are believed as rebels' relatives, they have been similarly suffered from sexual violations committed by the Burmese Army.

In 2005, even the troops of Burmese Army has remained less number in southern part of Ye Township and no movement in the northern part of Ye Town, but the Burmese Army still launched the offensives against the splinter group and adopted a concrete plan to control the whole area of Ye Township.

The former local battalion of the Burmese Army, which deployed their troops during 2000-2002 by confiscating hundreds acres of land from Mon farmers, have continuously confiscated more lands in northern part of Ye Township and eastern part of Ye Township. This is their plans in order to deploy more troops in the area and involved for the battalion's self-reliance program.

During 2005's military operations or military offensives against the Mon splinter group in order to control the whole southern part of Ye Township, there are LIB No. 586, LIB No. 587 and LIB No. 566 which based in Ye Township have involved in this offensive.

Treatments against the local villagers have been terrible with the suspicion of the rebel-supporters. Some rural villagers, especially men, were tortured inhumanely and some are killed. The troops of Burmese Army still use 'forced laborers' from the conscription of villagers including the porter service to carry ammunitions and food supplies for the army during along the military offensives or operations. Like in 2004, some ethnic Mon women were raped or gang-raped by the Burmese Army during 2005. Movement restriction against the local villagers to go their farms or other villages is a serious block to the access of food and income for the families in Ye Township.

The following accounts are the human rights violations against Mon and other ethnic villagers in a specific time before the end of 2004 and until July 2005.

### **III. Gross Human Rights Violation**

#### **A. Killing or Summary Execution**

Killing or summary execution is still happening in both northern and southern part of Ye Township. Killing against the local villagers by the soldiers on the spot with accusation of rebels or rebel-supporters were taken place in the local areas. Sometimes, even village headmen (the supporters to the SPDC and Burmese Army), the militiamen or USDA leaders also involved in summary killing of the local villagers.

In most killing or summary execution, the concerned commanders of Burmese Army have not put those suspected people onto trials in order to show the evidence how they are relating to rebels and how they are supporting the rebel soldiers. In almost situation, the commanders or his troops will torture the suspected persons and killed them at the end.

Torture or inhumane treatment is conducted while the commanders and his troops interrogated the suspected persons or villagers in order to get more information about the activities of rebel army.

Not only the commanders and troops of Burmese Army based in Ye Township has involved in killing and summary execution, but the SPDC authorities, USDA members are also involving in killing, because their over power use. Normally, many corrupted village headmen and USDA members are the main supporters to SPDC and they have abused their power like the commanders and troops in Burmese Army.

The following accounts are how about the killing and tortures have been committed by the Burmese Army under the name of No. 3 Tactical Command (it is also under the command of South-East Command) during their offensives in June-August 2005.

### Case: I

On 27 July 2005, Nai Kyaw Myint was killed by a commander of No. 3 Tactical Command in southern part of Ye Township. He was tortured for one-month after he was arrested without permission for traveling outside of the village<sup>5</sup>. He was suspected as a Mon rebel supporter in the area. After seriously tortured, he was killed.

Nai Kyaw Myint was arrested in the 1<sup>st</sup> week, June 2005 by the village headman of Hangan village, Ye township and the Captain. Zaw Linn Own, from Tactical Command with a suspicion of a rebel member. When he was arrested, he was at his plantation in east of Wing-Pop village and waited for father and other family members who came and harvest fruits.

After the 8 days of arrest, the Commander (our HR workers did not get his rank information) Than Toe of LIB No. 586 moved Nai Kyaw Myint to Khaw-Za Sub-Town, where they have a military base. In the base, the soldiers seriously tortured him with accusation of a rebel-supporter until he died. They interrogated him to get more information about a Mon rebel group which has about 10 members<sup>6</sup> and accused him that he was the supporters to that group.

He was killed in the military base and then the soldiers informed to his family that he died. But they did not say for what reason he died and did not give back corpse to family and the soldiers buried somewhere near Khaw-zar Sub-Town.

### Case: II

On May 21, 2005, Village headman or a leader of Union Solidarity and Development Association in Duya village, (northern) Ye Township killed an innocent villager without having evidences that he is a criminal.

The victim, Nai Maung Phyu Pyin, who is a son of Nai Khway and Mi Ka-Li from Duya village, northern Ye Township was shot to dead by the leader of Union Solidarity and Development Association and his members, Aung Soe, Kon Poe and Yin Lon at about 10:00 p.m. of May 21, 2005.

There was just a small reason of killing a man. He was an aggressive man for talking against the authorities, village headmen and USDA members. In order to take revenge against him they arrested and tortured him. Then they shot at him.

After killing, USDA leaders and members are not punished by Ye Township authorities for their arbitrary killing to a innocent. But the villagers believed that they would send internal reporting to Township authorities and put some accusations against him.

In the villages in most Ye Township area, SPDC Township authorities and commanders of Burmese Army equipped guns to trusted village headmen, USDA members, firemen and militiamen in

<sup>5</sup>

The Burmese Army also apply a serious movement restriction order against the local farmers in the area and suspected those who live and work at farms as rebels or rebel-supporters.

<sup>6</sup>

The group was led by Nai Chan Done, who is involving in robbery from the passengers who use the main car roads for travel in the area and killing some innocent villagers.

order to have power to the villages. But these people, who never had 'power' before, started using gun in inappropriate way in treatment against the villagers.

### Case III:

On June 5, 2005, another man from the similar village of Duya village from northern part of Ye Township was killed with accusation of he made 'noisy' in village after arguing. One man was killed after he argued with her wife and created 'noisy' in the village.

Nai Soe Naing, about 38 years old man had an argument with his wife after his return from liquor shop. After his loud voice appeared, village Fire Brigade members led by the commander Nai Kun Blai and some men came and took him. They detained him at village court's detention center.

Then Fire Brigade commander Nai Kun Blai seriously tortured him. They beat him, kicked, and said to teach him to not drink liquor in village and create 'noisy' in the village. After serious torture or beating, he got a lot of internal injuries.

Then, they asked his wife and family to bring him to Ye Town's hospital. The doctor founded that there were many external and internal injuries and he had a very limited time to treat him. He died in the morning of June 6. The man has two children when he died.

No punishment against the commander and members of fire brigade have been taken place. As the villagers knew there was too much 'power' among the village headmen and their good relations with the local commanders of Burmese Army, they could not apply the cases to headmen.

On the other hand, many of them believed that the Township authorities and village leaders are having good relations, they could not mention about the case to the authorities again.

In 2004, during a military offensive operated by the troops of Burmese Army, more killing or summary execution were committed by the commanders and troops of Burmese Army. Over 10 men especially those who are living outside of the villages were killed by soldiers with accusation that they are rebel-supporters.

But in 2005, after the Burmese Army equipped arms to some village headmen, USDA members and firemen, those they trusted in order to help them, the arm equipped people who stay outside of Burmese Army committed killing even with a small suspicion.

Additionally, some villagers are also killed by the soldiers from the Mon splinter group. The splinter group normally involved in robbing from the villagers and sometimes they killed them.

## B. Inhumane Torture

Normally, an inhumane torture is always relating to 'suspicion' of rebel-supporters to the Mon splinter group. In most cases, although the troops of Burmese Army does not have strong evidence, but they just asked the villagers or men and interrogated them. In most interrogation in Burma, the soldiers always a method of beating to the suspected villagers.

Accordingly to the villagers who escaped from the villages, many of them said that most villagers were suffered from the beating of the soldiers during they were staying in the villages. When the soldiers came into their villages especially in southern part of Ye Township, they normally tried to arrest men in the villages and then tortured them.

In 'free fire zone' in southern part of Ye Township, the troops of Burmese Army can arrest anyone and beat them in order to get information from them.

Accordingly to a villager from Toe-tat Ywa-thit village, he told the HR worker that:

"The villagers are always beaten by the soldiers. Even they did nothing and living in villages the soldiers came into villages and beat them. Sometimes, they asked all men to gather in the middle parts of the village and beat them all. Most seriously is when the villagers were beaten during the porter service. They were forced to carry heavy loads of ammunitions and rice. If you could not walk like a soldier, you will be beaten. Another case, while you are in your plantations or outside of the villages. When the soldiers of Burmese Army met you, they will accused you as 'rebel-supporters' or 'rebels'. And they suddenly beat you".

When HR workers talked with many displaced persons, many of them especially men, shared their experience of how they were beaten by the soldiers while they were in villages or outside of the villages.

Torture or inhumane and degrading treatment against the local villagers have daily happened in the rural areas in southern part of Ye Township. Troops of No. 3 Tactical Command, who have operated military activities since 2004 have widely involved in mis-treatment toward innocent civilians.

### **C. Rape or Sexual Violations against Women**

In July 2004, our Human Rights Foundation of Monland (HURFOM) and its project – Woman and Child Rights Project (WCRP) released a report on the sexual violations against Mon women in rural areas especially under the name of “Catwalk to The Barracks”. The report comprises of how the conscription of women has happened for sexual slavery and other practices of sexual violence by the troops of the Burmese military regime in Mon areas.

The report documents many cases of sexual violations against women until the end of 2004. In early 2004, the military commanders under No. 3 Tactical Command had forced many young to involve in ‘catwalk’ of a show contest during the regime’s Independence Day that fell on January 4.

Since 2004, the commanders and troops who base in southern part of Ye Township got practices of raping women and they have never been punished. Thus, although there is media attention on these rape case since 2004, the troops or commanders of Burmese Army in the area do not care.

Therefore, they continued committing sexual violence against women in 2005. Our HR workers and Mon media organizations have received some information of detail rape cases in both northern and southern part of Ye Township, in where the troops of Burmese Army raped many women in 2004.

#### **Case I:**

On May 30, 2005, Mi Txxx Mxxx, a 18 years old girl who is a daughter of Nai Txx and Mi Hx Dxx from XXX XXXX village of Ye Township was gang-raped by the soldiers from LIB No. 587, which base in near XXX XXXX village. The rape happened when Mi Txxx Mxxx returned from her rubber plantation to her home in village.

At about 4: 00 a.m. in the morning (the time is still dark), when the LIB No. 587 troops were outside of the village in their patrol operation for the security of the area in order to check the activities of rebel groups in the area, they met Mi Txxx Mxxx and one of them (the Burmese soldiers from LIB No. 587) started to rape Mi Txx Mxxx in rubber plantation. Then more soldiers involved in rape.

Note: The villagers always collect rubber latex in the morning. So that the villagers who have the rubber plantation or labourers have to wake up early in the morning about 3: 00 – 4: 00 a.m. and went to their plantation. So that it is so vulnerable for the women and girls while they were traveling to rubber plantations.

In the morning, the rape victim and the village headmen went to meet the LIB No. 587’s commander and complained about the rape case to him. But the commander denied that the incident had never occurred under his commands. He accused the villagers were making up stories. The commander also shouted at them, saying it was impossible that any of his soldiers had acted like this, said the witness.

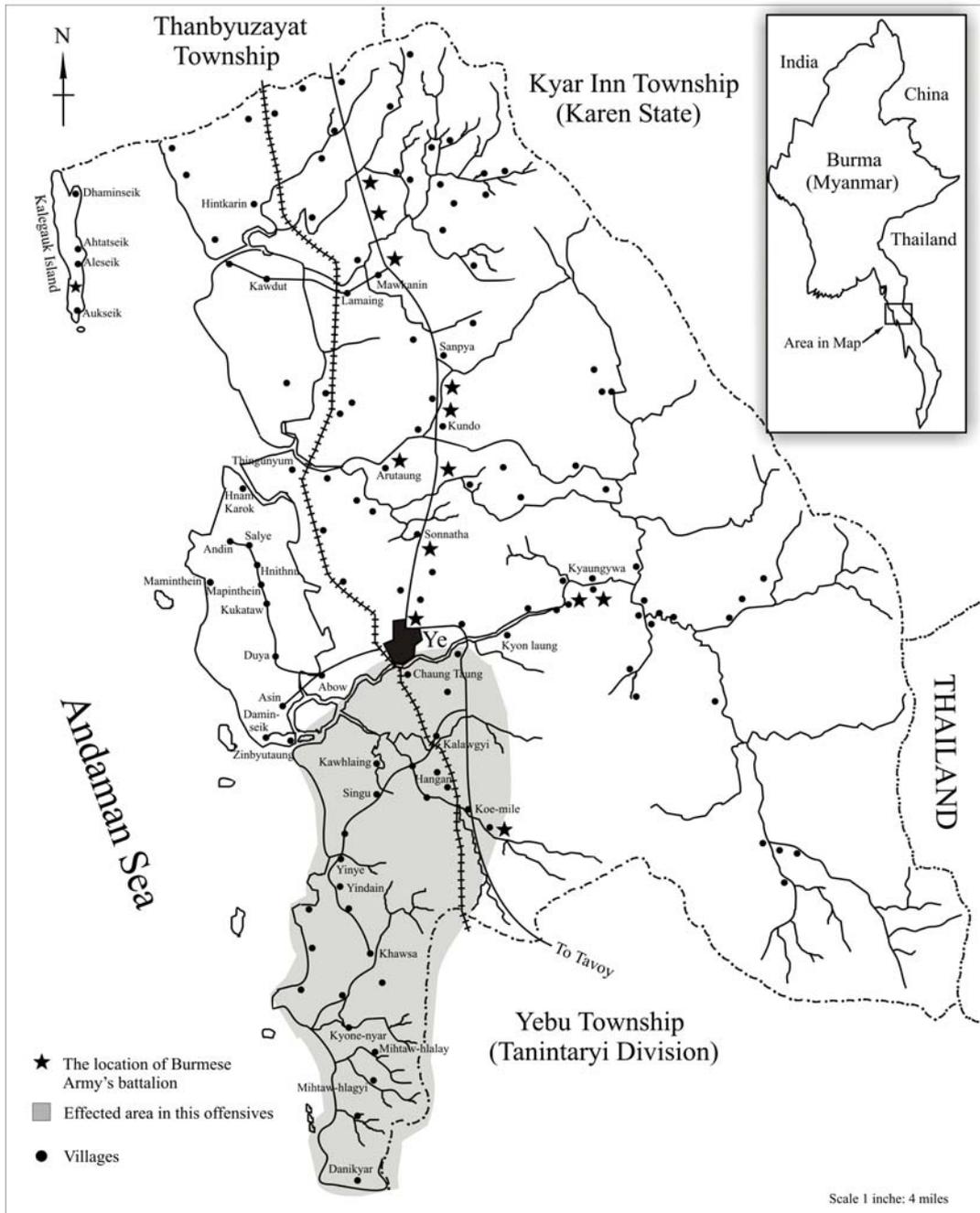
Therefore, the commanders did not take any action to his men and did not investigate how was happening to victim.

After rape, the rape victim Mi Txxx Mxxxx felt so shame and then their family moved to Thanbyuzayat Town, a city in north of Ye Town, which is also in Mon State.

#### **Case II:**

In the 1<sup>st</sup> week of June, 2005, a girl called Mi Axx Txxx, 13 years old student who is a daughter of Nxx Sxx and Mi Sxxx from Khaw-za Sub-Town of Ye township was raped by a low rank commander from LIB No. 587.

She is a student from the Han-Gan Basic Education Primary School No. 3 and studying at 4 standards. Her parents are gardener and during her holiday, she went to the farm where her



Map of Ye Township, Mon State

parents work in the garden. The rape case occurred during she is collecting some firewood in front of her hut and at that time, three soldiers saw her and then started threaten her by their guns and ordered to took off her clothes. Two soldiers had to sentry duty and one of them started to rape that 13 years old young girl. The soldier who committed the crime was Sergeant Myint Maung from LIB No. 587 and he repeatedly raped her until she lost consciousness.

After the rape, a group of villagers led by the victim's school teacher, village headman and her parents went to meet the commander of LIB No. 587, Captain Tun Tun Nyunt and informed him about the incident. Later, the source from her village reported that the perpetrator, Sergeant Myint Maung was detained in their battalion in northern part of Ye Township.

Accordingly to the rumour from the area, the perpetrator will be imprisoned about 7 years, but no body how the Burmese Army or SPDC authorities persecuted him. Since the arrest of the perpetrator, they did not allow the parents of victims to follow the case and got information on the condition of persecution. But the battalion commander just declared in the village that they will imprison him for 7 years.

### Case III:

On May 20, 2005, Mi Txxx, 17 years old girl, who is a daughter of Nai Hx Rxxx and Mi Kxxx Nxxx from Toe-tat-yaw thit village of Ye township, was raped during she and her villagers were conscripted to be forced labour to repair of Ye-Tavoy motor road, that connects Ye Town in Mon State and Tavoy Town in Tenasserim Division.

On that day, at day-time while the villagers were working in the road, the soldiers who took guard the villager labourers called her for 3-4 hours and gang-raped her. She and villagers could not confirm how many soldiers involved in the rape as she also lost consciousness.

The soldiers were from the Joint Operation of No. 31 and IB No. 61, both bases in Ye Town. The girl or rape victim did not deal to speak out the bad story, but the villagers knew that she was suffered from the rape. When the soldiers brought her back to the work-place, she was so weak and could not stand up longer. Then the villagers brought her back to her village.

Note: Ye-Tavoy motor road is a strategic way for the Burmese Army and have used this road in order to travel from Mon State to Tenasserim Division. As the road which was built since British era before 1948, the local authorities or Burmese Army repaired the road every year.

## D. Forced Labour and Porter Service

### I. Forced 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 2004 to June 2005, 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 Khaw-za 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.

Accordingly to displaced persons, he explained on the situation of forced 'porter service' as below individually:

Villagers are being forced to porter on a weekly basis as human shields, while women are forced to guard the villages against Mon rebels during the night time in the remote areas of southern Ye Township.

Members of a Mon family who recently arrived to a Mon refugee resettlement camp, Halockhani, on the border said, "we must go for the porter service three or four times per month, or pay 3, 000 for a substitution if you can not go."

Nai Win, who last week arrived to the camp with his family, said that he must walk ahead of the Burmese soldiers and carry ammunition and other supplies. The last time he was forced to go for porter service was on August 10, 2005, and his wife Mi Deah Wut was instruct to guard the village at night time with other village's women.

Nai Win's wife also added that 'last month, I and some other women were forced to guard the village at night time because there were fewer men in the village,' she added. Most of the men in her village, consisting of about 100 households, had escape into Thailand after facing fear of forced porter service by the soldiers or be killed if they refused. She added that villagers were forced to guard the village at night about five times per month.

The porter service is a type of forced labour and it is so hard for a porter in performing the duties as they have to walk many days together with soldiers and are mistreated by the soldiers. 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.

### An instance of porter service was:

In May 19, 2005, the Burmese Army's LIB No. 566 led by Maj. Bo Lay Tint, arrested a man, Nai Than Tun (*about 28 years old man*) and took him along with them for 20 days as a porter.

### 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:

HURFOM, P. O. Box 11, Ratchburana P. O.  
Bangkok 10140, THAILAND  
E-mail: [hurfomcontact@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

He was forced to carry ammunitions or food supplies all the time and the soldiers also beat him when they dissatisfied for his guidance of the roads and locations, and sometimes for his explanation about the rebels' activities.

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.

## E. Movement Restriction

### I. Villagers' farm work restricted in Ye Township

On August 26, 2005, Villagers from Khaw-zar sub-town, in southern Ye Township, Mon State are

facing many difficulties due to restrictions enforced by local Burmese Army commanders, according to villagers who have fled the area.

Currently the villagers are barred from working on their farms and plantations, and fruit from the plantations has been taken by soldiers.

"We have to obtain permits, signed by the village headman and a military officer, to work on the farms. Even then the villagers can only work on their farms when the army allows them," one villager, Nai Mehn, said. Villagers can hold the permits for one month, after that they have to pay 200 Kyat for renewal.

"You have to carry your document with you all the time," one villager explained. "If you do not bring it the troops will beat you, they will loot from you and your plantations. One villager was beaten to death as he did not bring his document."

Because army commanders are regularly instructing the villagers to work for them, the villagers have very little time to work on their farms.

#### News from Page 2

Accordingly to town residents who are close to Justice Department in the Town, they said it was not the first time she and her judicial branch's staff were pressured by the commanders. In the past, the commander also interfered in court and wrote imprisonment terms to those he suspected as 'political activists', who planned to against the military government.

Nai Sein Aye is a well-known person in Township and he had been organizing the community's activities of maintaining literature and culture of Mon people and the celebration of Mon National Day. He was a former leader of a Mon political party, Mon National Democratic Front (MNDF) and thus, the military commanders hated him.

In late July, he was asked by the commander for a meeting and he arrested him without warrant and notice. The commander sent him to the police station and detained him. Then, he ordered the judges to imprison him.

Villagers are forced to work at least 20 days per month, on daily patrol, road repairs and porter service for the Burmese Army. Therefore, they can only work on their farms for around five days per month, said villagers from Khaw-Zar.

Burmese Army troops based in the villages use two villagers as porters to carry ammunitions and food supplies every day, and sometimes force the villagers to work at the army base. The villagers have to work on a rotation basis, arranged by the headman. 12 villagers, including women, are forced to patrol around the village every day and night. A family who fails to perform this duty has to pay 3000 Kyat, explained Nai Mehn.

“Some women have been raped at night by Burmese soldiers. That is the Burmese soldiers’ plan. They can threaten the women as they want if the men are out on patrol or porter service,” said a friend of Nai Mehn’s friend.

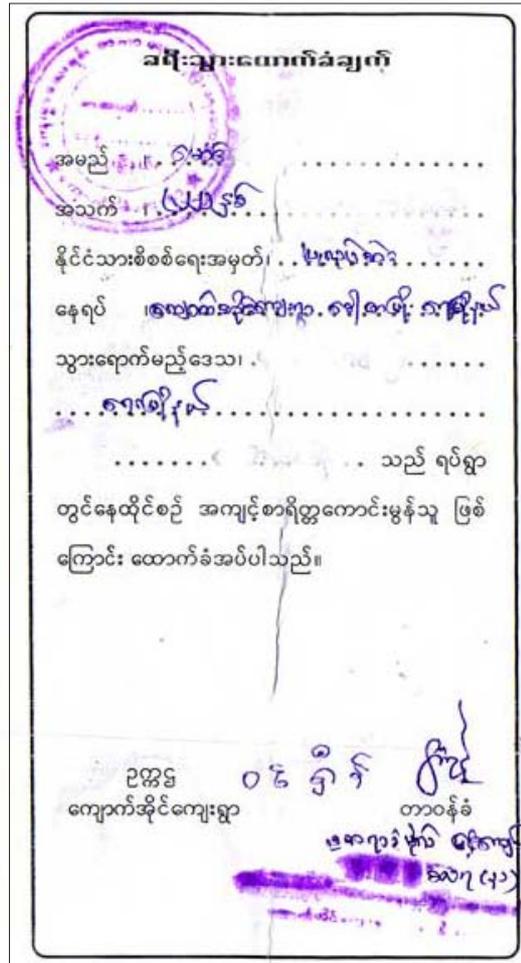
Due to various difficulties, around 500 people from southern Ye Township flee to Thailand each month seeking work, reported a Mon refugee camp leader in the border areas.

#### IV. Conclusion

Due to the human rights violations described above, thousands of Mon people from southern part of Mon State have fled into Thailand in order to both seek haven and find works for their survival.

Even the working conditions in Thailand’s industries are hard and no minimum labour standard is accepted by Thai employers, but the people from the conflict area of Burma are happy to work in Thailand because there is no oppression like in Burma.

Still, thousands of internally displaced persons are in Mon State, especially under the control of NMSP, which maintain some areas accordingly to 1995 ceasefire agreement, living in an inadequate condition of foods, water and livelihood for their survival.



A permitted document to work at farm

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