

# The Mon Forum

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## Some Acronyms in This Issue

- BSPP-** Burmese Socialist Programme Party,
- ILO-** International Labour Organization,
- MOMC-** Military Operational Management Command,
- MWVO-** Myanmar War Veteran Organization,
- MNDF-** Mon National Democratic Front,
- 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

## News

### USDA's Forced Registration and Preparation for Future Election

(October 2005, Mon State)

In order to participate in the future elections, the SPDC supporting organization, Union Solidarity and Development Association (USDA) in Burma is planning to transform itself as political party and forcibly recruits and registers the young people to be its members.

According to the annual July monthly meeting of USDA in xxxx Township, Mon State, the leaders of USDA expressed that as the organization has had much experience since its establishment over ten years, it may need to transform itself as political party and to prepare 'ready' to serve for the nation in die future politics.

By the instruction of USDA's Executive Committee meeting, which is patronized by Senior Gen. Than Shwe, the Township USDA has to increase its public relations activities in order to increase its members. The meeting set to its members they need to organize the people in villages and town ward communities to join into its organization, to have the general people interests in the organizations' works, to show how the USDA has effectively involved in development activities and to enter into deep grass-root communities and show USDA's capacities.



The campaign signboard to persuade the civilians to be members of the Union Solidarity and Development Association, in the capital of Mon State, Moulmein.

# Commentary

## SPDC's National Convention and Plan to Hold on Power

The Burma regime SPDC is planning to hold a National Convention (NC) in December and plans to complete a 'Constitution' that gives special power to the Burmese Army's top commanders to involve in politics without respecting the democratic process.

Even though the international pressure to involve all parties in the NC, the regime has failed to include National League for Democracy (NLD) and other ethnic political parties that won 1990 general elections.

After the completion of NC, the regime gets a new draft Constitution and then the regime will hold a People Referendum in order to have supports from the people. But the Referendum will be a sham one as the people have to say 'yes' to their constitution.

Another sham elections will follow after the Referendum and only SPDC-sponsored political parties will be in elections. The future parliament in Burma will fill with top brass generals with plain clothes and their puppets.

This negative move will happen in Burma. But the people in the country could not expect a genuine democracy and military will hold the State power. Civil war will grow up again as the ethnic people do not have any ethnic rights in the Constitution.

Currently, the USDA members in Towns and villages are collecting data on those who have 15 years old ages and they will register these young people into their membership registration when these young people reached to 16 years. And, they also collected information of young people who are 17 and 18 years old.

The organization already registered the name of men and women over 18 years old and put in their list of members. But the people understand that their names are put in the list without their desires.

A man from Mudon Township, Mon State, said, "I even don't know when I became a USDA member, but one of my friends (a USDA member) told me that I must vote for them".

USDA does not set the date of future elections. But accordingly to the Township USDA meeting, the elections will be held within one to three years period. But they alerted all USDA members to win in the elections.

In various parts of Mon State, USDA has involved in some development activities such as road and bridge construction, building schools and clinics and others in order to have support from the people. Most projects have been jointly implemented by USDA and SPDC's local authorities.

But the people in the communities always suffer from paying taxes to the authorities whenever they decide to implement a development project. The civilians in many areas said that they did not know how much allocated budget for these development projects, but what they did know

was the authorities collected a lot of money from villagers and then took into their pockets.

## The Plight of a Child Soldier

(September 2005, Yebyu Township, Tenasserim Division)

On September 25, 2005, Lt. Col. Thet Aung from LIB No. 561 lie an old Mon man from Kywetalin village of Yebyu Township to adopt his grandson but instead sending the 15 old boy to military training.

After his parents left to Thailand to seek works, a 15 years old ethnic Mon boy, Mehm Chai, was living with his grand-father in the village. On September 25, when the troops led by Lt. Col. Thet Aung arrived into village and he took a rest near the old man house and met the boy. Then he inquired about the boy and knew that his parents are in Thailand.

Then the commander asked to meet with village Chairman and Secretary and asked about the boy. Then he informed them diat he wish to adopt as his son and provide sufficient education for him. He also added as he and his wife do not have any child, they are happy to raise him and his wife also needs a child for her.

Then, he also asked the boy to follow with him and promised that he would pay him 500 Kyat per day for daily expenses. As the boy's grandfather did not know what could happen to him and the village headmen were afraid to refuse, they offer the boy to the commander.

## Report

# Role of ILO in Elimination of Forced Labour in Burma

### I. ILO's Involvement in Burma for Protection of Labour Rights

Since 1962, after the Burmese Army under the leadership of Gen. Ne Win seized the political power from the democratically elected governments in Burma, the new military regime totally banned the operation of free labour organizations in Burma and restricted all labour movements. Under the constitutional laws of 1974 Constitution that powered one-party military rule, the regime created its controlled or puppet labour organization, but had not allowed other independent labour organizations to operate the activities for labour rights and freedom of association.

After seizing the political power in 1988 from pro-democracy demonstrators, the current military regime, SLORC<sup>1</sup> or SPDC, has followed the same suit. It has failed to transform Burma to a democratic country as demanded by the people in 1988 pro-democracy uprising and 1990 General Elections in which the people elected the main democratic opposition party, National League for Democracy (NLD) led by Daw Aung San Suu Kyi. NLD won over 85% of vote, but the SLORC failed to transfer power.

From 1962 up to 1998, the successive military governments in Rangoon have used 'practices of forced labour', but the international community including the world labour body, International Labour Organization (ILO) had not noticed on it. In that time, Burma's strongman, Gen. Ne Win, totally isolated Burma from the international community under one-party rule, Burmese Socialist Programme Party (BSPP).

But after 1988 bloody seizure of political power, the regime tried to have a legitimacy role from the people and hence, it declared it would involve in developing the country, by improving the communication in the remote areas, building more schools, hospitals and clinics. In term of improving the communication, the government planned to build more roads, bridges in remote areas.

But the regime has a very limited financial resource or sufficient budget for implementation of different and various infrastructure projects, because the world financial institutions such as World Bank and IMF boycotted Burma for it's bloodily coup from 1988 students led pro-democracy uprising. However, the regime implemented these projects with its limited financial resources.

As a result, in building of many hundreds miles long railway or motor road, the SLORC or SPDC's Railway Transport Ministry and Border Area Development

Department have used hundreds of thousands of civilians to contribute their labour in these projects without payment. The regime tried to mean the unpaid labour contribution was 'voluntary practice', accordingly to religion teaching or Buddhism<sup>2</sup>.

In many huge development projects such as railway or motor way construction, dam and water reservoir construction and bridge construction, the civilians in the rural areas were forced to contribute their labour without any payment or without any choice. Whether they wish or not, the civilians had to go and work in these projects on the set dates and designated locations. The military regime authorities or troops of Burmese Army had always said that these projects would benefit to the people in the area concerned and so that the civilians must involve in contributing their unpaid labour in the constructions. By this way, the regime in Rangoon justified that it was fine that to use 'compulsory labour' from the civilians. Additionally, if the civilians refused to contribute their labour, they also have to pay fine.

<sup>1</sup> The first military regime State Law and Order Restoration Council (SLORC) formed under the leadership of Senior Gen. Saw Maung ruled the country soon after the power seizure in September 1988 and it changed name to State Peace and Development Council (SPDC) in 1997. The current Chairman of SPDC is Senior Gen. Than Shwe.

<sup>2</sup> The people of Burma, especially the communities believed in Buddhism, contribute their labour for the development of their communities such as building village roads, bridges, monasteries and temples with their own willingness.

From 1988 to 1997, the regime SLORC had forced hundreds of thousands of civilians in middle parts of Burma and upper part of Burma including Sagaing Division, Mandalay Division, Kachin State and Chin State in building many hundred miles of railway road and motor road. In every completion of these roads, SLORC top leaders held an 'opening ceremonies'. In 1993-94, in order to protect the national resources extraction in southern part of Burma especially gas pipeline construction projects, the regime decided to build a railway called 'Ye-Tavoy Railway' construction and used hundreds of thousands of civilians in this project to reach for a completion before the multi-national corporations were sending gas from Burma's Andaman Sea to Thailand via a pipeline called 'Yatana gas pipeline'<sup>3</sup>.

During 1994 to 1998, the SLORC authorities and troops of over 10 battalions of Burmese Army had conscripted thousands of ethnic civilians - Mon, Karen and Tavoyan - from Mon State and Tenasserim Division in order to build a 110 miles long Ye-Tavoy railway. This railway connects Mon State and Tenasserim Division.

Because of the railway construction, the human rights organizations based in Thailand-Burma border have reported about the SLORC's use of forced labour on this railway construction<sup>4</sup>. These groups reported in details how the authorities and soldiers have involved in forcing the local civilians to contribute unpaid labour in the construction.

Since 1997, the ILO noticed that the Burma's military regime SLORC/SPDC used 'forced labour' and thousands of civilians in Burma have seriously suffered from this practice. Thus, ILO formed 'Commission of Inquiry' to inquire about the use of forced labour in Burma. A team of Commission of Inquiry interviewed around 200 refugees, migrant workers and other civilians along the border of Burma with other neighbouring countries. The ILO team also founded that there was a serious use of forced labour in building Ye-Tavoy railway.

ILO Commission of Inquiry reported widespread and systematic use of forced labour in many areas controlled by the Burmese military government. The investigations said most of the victims were women, children and elderly who had to perform construction work, agriculture, logging and other jobs without any payment by the local authorities or army commanders. They said the children have been recruited into the army, were used as porters to carry weapons and equipment for the military and human rights abuses such as beating, torture, rape and murder are common.

In 1998, the ILO condemned the regime in Burma for its use of forced labour and demanded to eradicate all practices of forced labour in the country. But the regime had denied there was no practice of forced labour in Burma for years. However, the ILO High Level Team has visited to Burma many times and adopted a serial plan to eradicate all practices of forced labour.

In 2000, the ILO took unprecedented step of calling on its members to impose sanctions against Burma because of the government's failure to end forced labour if the Burma's regime refused to cooperate with ILO. Due to ILO's pressure toward regime, it agreed to cooperate with ILO without a strong 'political will'.

But as a result of pressure by ILO's Governing Body and Conference, the SPDC issued a well-known Order No. 1/99 that deleted the former laws that authorized the authorities and army commanders to recruit unpaid labourers from the communities. But in 2000, the SPDC announced the Supplementary to Order No. 1/99 to include more specific information on how and what the uses of compulsory labour are inapplicable by the State authorities and Burmese Army. (*Look the Supplementary to Order No. 1/99 on page 10*)

At the end, the regime agreed to accept allowing ILO office in Rangoon in order to assist the SPDC to eradicate all use of forced labour countrywide, and so that ILO appointed an Liaison Officer and opened

<sup>3</sup> Amid the military regime SLORC was using forced labour in finding gas pipeline route, in military operations for security of the whole project, building infrastructures including roads and helipads in the on-shore area in Yebyu Township, Tenasserim Division, the multinational gas companies, US's UNOCAL and France's Total involved in construction of Yatana gas pipeline to sell gas to Thailand.

<sup>4</sup> Mon Information Service, Human Rights Foundation of Monland, Earth Rights International had reported widespread use of forced labour in the area.

an office in 2002. ILO's Liaison Officer have come and stayed at Rangoon office for 3 years and have urged the military government to eradicate forced labour practices countrywide including the use of unpaid porters in the offensives of Burmese Army's troops. The ILO founded the process of eradication of forced labour has been so slow and some tensions also occurred in late 2005, after two years of office deployment in Rangoon.

## **II. Important Role of ILO Office and Labour Rights Defenders**

During Lt. Gen. Khin Nyunt was Prime Minister, it is founded that the military government tried to keep better relations with ILO as the regime wanted good image in the international community. There had been less restriction on ILO's activities to contact some people who can provide information on the use of forced labour to its Liaison Office in Rangoon.

Therefore, ILO tried to extend its relationship to the people in the community and offered the opportunities to complain to ILO office on the issues of forced labour, land confiscation and other human rights violations. Land confiscation is much related to the use of forced labour. After the SPDC authorities or Burmese Army confiscated lands for development projects or military deployment, the local people will be soon forced to contribute their labour on those lands without compensation<sup>5</sup>.

Some individuals and opposition politicians have contacted ILO and informed about the authorities' and Burmese Army's use of forced labour. The SPDC authorities and Military Intelligence also inquired who were the contact persons to ILO and conspired and arrested them with other labeled criminal cases.

### **A well-known instance is:**

On July 18, 2003, the SPDC's MI and police officers arrested a Mon politician, Nai Min Kyi, from Pegu town and a leader of Mon National Democratic Front (MNDF), and 8 Mon and Burman activists with a charge of attempting to assassinate the leaders of Burma's military junta, SPDC. Initially, all of them were sentenced to death. But later, some of theirs sentence were commuted life sentence and some years imprisonment.

Nai Min Kyi said the MI and police created a conspiracy in arresting all of them as they have involved in political activities. Especially, he said that they arrested him and his two friends for sending information on forced labour to the ILO. During the meeting with ILO's officers and UN Human Rights Special Rapporteur, they exposed information of their communication with ILO. Hence, ILO understood the conspiracy of SPDC's MI and complained to the regime and demanded for their release. Because of ILO request, the SPDC released Nai Min Kyi on January 3, 2005.

His commitment was strong even his release from notorious Insein prison. He said, "I don't feel a thing when they give death sentence. My release gave no special feeling. According to the resolution 39 of 1930 ILO Convention, the practice of forced labour was banned throughout the world. It is not me who fail to follow the law-like resolution. I have to carry on with this job is as long as there is forced labour practice in Burma".

One of his colleagues, Nai Shwe Mahn, who was accused of reporting to ILO and given a death sentence, was also released from the notorious Insein jail on April 29, 2005, after a High-Level delegation visited to Burma in late February 2005 and pleaded the regime to release him.

ILO and some labour rights defenders actively involved in proving that there was still use of forced labour systematically by the authorities and Burmese Army. They also exposed how the conspiracy created SPDC authorities including the officers of Military Intelligence in arresting the labour rights defenders in their attempts to stop them contacting ILO.

<sup>5</sup> Land confiscation by the SPDC authorities and Burmese Army is not only happened in Mon State as HURFOM's report: NO LAND TO FARM, but also in other States and Divisions.

Because of the attempts by ILO and labour rights defenders, there was a law suit on forced labour occurred in late March 2005.

**The case is:**

A local defender, Ma Su Su Nway from Htan Manaing village, Kawmoo Township in Rangoon Division sued the authorities for their practices of using forced labour and she and her villagers won the case.

But the offenders' lawyer complained that the villagers were involving 'voluntarily' in labour contribution instructed by the authorities, and it was not a forced labour practice but the traditional way of the Burmese people offer their efforts will full willingness.

But the labour rights defenders said that, "we, the villagers had to get up at 6:00 a.m. and get only 500 Kyat. We are surviving day to day. We had to excavate a 25' x 25' x 15' pit, and if we could not, we had to pay 600 Kyat. If we failed to do so, we would be effectively dealt with by legal means. Do you call it Burmese tradition or forced labour or self-help volunteering? That's what I want to ask them (*the authorities*)".

Although the lower court decided giving punishment to the authorities, the SPDC's higher authorities have not much satisfied on the decision. However, as the case was so urgent and appeared in media, the regime had a very lack of time to respond against the ILO and labour rights defenders. But the revenge against her came later.

In December 2004, there was a case of using forced labour in Ngapyin village, Aunglan Township of Pegu Division and the victims and members of National League for Democracy (NLD) also informed the case to ILO.

Not only these two cases, ILO has also received a lot of information on the SPDC authorities and troops of Burmese Army's use of forced labour in other ethnic States and Divisions of Burma including the border areas. By creating internal communication, ILO has urged to improve the practices and applied punishments to those who committed 'forced labour practices'. However, ILO Liaison Officers in Rangoon has not much satisfied on the responses of SPDC. The Generals do not have strong willingness to cooperate with ILO and

### **III. Escalated Tension Between ILO and SPDC in 2005**

After an ILO High-Level Team's visit in late March, SPDC has shown a sign of no cooperation to Liaison officers in Rangoon. Even during the visit of ILO High-Level Team to discuss on the issue of forced labour practices with SPDC leaders, the ILO founded that the SPDC did not have 'desire' in cooperation.

The High Level Team, which included retired diplomats and public administrators from Australia, Switzerland and Korea arrived to Burma on 22<sup>nd</sup> February 2005, discuss on forced labour practice with SPDC leaders including the Chairman of SPDC, Senior Gen. Than Shwe. Before the Team's visit, they have received a lot of reports on the use of forced labour in Burma. They concluded that the State authorities had a very less input to enforce the Order No. 1/99 and Supplementary to Order No. 1/99 to eradicate the forced labour practices.

This time, ILO High-Level Team wished to meet with Sr. Gen. Than Shwe, to discuss in details on the process of eradication of forced labour as they understood he was the one who can order and stop all practices of forced labour committed by authorities in State/Division, Township, Village Tract and Village levels.

Although ILO Team informed the SPDC for the meeting with Sr. Gen. Than Shwe in advance, but SPDC refused from the meeting with their Chairman, without giving any strong reason.

According to plan, the ILO officials planned to stay until 25<sup>th</sup> February, but they departed from Burma's capital, Rangoon, urgently on 24<sup>th</sup> February after they failed for a meeting with the junta's top brass who controlled State power. But ILO officials did not make any comment but it was so sure they were unhappy for non-cooperation by SPDC's powerful leaders.

In March 2005, ILO's Governing Body warned to Burma's military junta to end forced labour or they must be risk from triggering sanctions from ILO member States. The ILO also demanded that the junta to widely spread Order No. 1/99 and its supplementary information, which forbids forced labour practice, within the army, to appoint a high level officials to jointly investigate reports of forced labour practice perpetrated by the army, to give ILO local officials more freedom to move around the country and released all those detained for reporting to the ILO.

In June 2005, ILO Conference also condemned Burma for its continuous forced labour practices and less cooperation with ILO in Rangoon's office. The Conference also called on its member States to impose economics and trade sanctions on Burma's military ruler.

Ms. Cleopatra Doumbia-Henry, ILO Director of International Labour Standard Department said, "The Conference itself has decided that the government has not done enough to end forced labour and that it needed that to show a real commitment to eradicate this incredible scourge because no one, nobody should have to be forced to work".

After ILO's condemnation, SPDC negatively responded. SPDC indirectly responded to ILO that they do not want ILO to stay in Burma longer. They normally used 'Myanmar War Veteran Organization (MWVO)<sup>6</sup>' to against the ILO. In June, when MWVO held annual conference, a top level leader of MWVO, (retired) Lt. Col. Hla Swe from Sagaing Division proposed to SPDC to resign from ILO, because 'the ILO is applying political pressure which is nothing to do with labour affairs and allowing destructionists to use the ILO forum".

After this Conference, SPDC authorities and MWVO leaders had held a series of mass rallies from June to August in various towns and cities and let their own speakers call on ILO to leave the country. These sham mass rallies were held in the past while the SPDC authorities forced thousands of people to attend the rallies to against NLD or support the regime's National Convention. As ILO understands the practice of SPDC, its Liaison Officer just reported the situation to ILO head in Geneva.

But that was not the end of the story. SPDC authorities intimidated and arrested many activists or labour rights defenders those previously sued some authorities for their use of forced labour and those reporting ILO about forced labour.

In October 2005, the villagers from Ngapyin village in Aunglan Township who reported the use of forced labour and a killing case because of an avalanche of stones while a road repair were intimidated to change their witness statement. The brothers of the man who was killed in the road repairs and the villagers were forced to state that they willingly took part in the road repairs.

In late October 2005, Ma Su Su Nway from Kawmoo Township of Rangoon Division was arrested for her involvement of suing the authorities in March 2005. This was also revenge by the authorities for her successful law suit against the local authorities.

Minister of Labour, U Thaug, also told the organization that its creation of a mechanism for helping victims of forced labour was 'unacceptable in principles to the Myanmar (Burmese) authorities, as it constituted an invasion of Myanmar's sovereignty'.

In late October, some SPDC leaders also spoke out to withdraw from ILO as the labour organization that has interfered the country's internal affairs. But ILO replied if Burma wants to withdraw, it has to give two years notice.

<sup>6</sup> MWVO is formed with the retired commanders of Burmese Army and is patronized by SPDC's General Secretary No. 1, Lt. Gen. Thein Sein.

Besides the authorities' threat to withdraw from ILO, the Liaison Office in Rangoon said it had received 21 death threats warning it not to interfere in 'internal affairs' including to chop up the head of Liaison Officer. It was believed that all these letters will be orchestrated by SPDC authorities or MWVO leadership in forcing the ILO officials to leave Burma immediately.

#### **IV Continuous Use of Forced Labour in Mon State**

ILO office in Rangoon have been well-informed about the SPDC authorities and troops of Burmese Army's use of civilians as unpaid labourers in various development projects, security for specific areas, military deployment and in porter service during military offensives in various parts of Burma including Mon State.

HURFOM wants to analyze how the SPDC authorities and army have used forced labour in Mon State as below:

##### **A. Past Use of Forced Labour**

Massive use of forced labour that conscripted thousands of civilians was well-known in the construction of Ye-Tavoy railway as mentioned above. This use of forced labour was much related to the security of Yatana gas pipeline that was built in Yebyu Township, Tenasserim Division. After the construction of this railway, the regime SLORC/SPDC could provide more troops for the security of pipeline to Tenasserim Division.

Use of forced labour decreased down, but it did not totally determinate. Starting from 2000, after the Burmese Army confiscated many acres of lands in Mon State, especially in Ye Township in order to deploy about 10 military battalions<sup>7</sup>, the commanders of Burmese Army have used hundreds of Mon villagers in both northern and southern parts of Ye Township in their troops deployment.

In the plan of troop deployment, the Burmese Army planned building the military barracks, digging bunkers and trenches around the bases, fencing the compound, building security outposts, etc. As the army never preferred to use machines in building these constructions, they have just forced the local villagers to contribute their labour.

In Ye Township, before the new battalions, from LIB No. 583 to LIB No. 591, reached into the area, the local former battalions, like LIB No. 343, IB No. 61 and IB No. 299, used hundreds of villagers in the area and forced them to contribute their labour in troops deployment or deploying bases for the new battalions.

Massive use of forced labour took nearly two years gradually from 2001 to 2002 until the completion of deploying bases for all new military battalions. At that time, ILO was planning to set up their Liaison Office in Rangoon and still encouraged the SPDC's Generals to cooperate with it, in order to eradicate all practices of using forced labour.

Until 2002, some Burmese Army's commanders have issued official orders to the local village headmen in order to get villagers as labourers to work in the construction of military barracks and other troop deployment related works.

LIB No. 343's middle rank commander, Maj. Lin Oo, issued various orders to village headmen in northern part of Ye Township and forced them to provide villagers to the military bases on a rotation basis, in order to complete building of military barracks, bunkers and trenches, fences and other necessary building to reach a completion of a possible military base.

<sup>7</sup> See HURFOM's Report: NO LAND TO FARM, A comprehensive report on land, real estates and properties confiscations in Mon's area, Burma.

After LIB No. 343 and other regular military commanders were forcing the villagers and completing installation of military bases or outposts, then the new military battalions had come into the areas and deployed their troops.

## **B. Regular Use of Forced Labour**

Although the ILO set up its liaison office in Rangoon, the capital of Burma, the SPDC authorities and troops of Burmese Army in Mon areas still continued using 'forced labour' by recruiting villagers from Mon villages. In the period from 2000 to 2004, the Burmese Army and SPDC authorities still used hundreds of villagers for the following matters.

- SPDC authorities and Burmese Army in Mudon, Thanbyuzayat and Ye Townships of Mon State have a serious concern over Kanbauk-Myaingkalay gas pipeline<sup>8</sup> and they instructed the local village headmen along the gas pipeline to take the security of pipeline. They instructed to build man huts along the 120 miles long pipeline with a distance of 500 meters for each hut and let the village headmen send the villagers to take security the pipeline. The villagers have to come and stay at huts for 24 hours and are replaced with other groups of villagers. Village headmen had to arrange on a rotation basis in recruiting the villagers. Additionally, sometimes the Burmese Army also ordered the villagers to fence along the pipeline and so that the villagers had to bring their own fencing materials such as bamboo and woods, and had to fence along the pipeline in the designated places.
- Burmese Army is still operating a small scale military offensive against a Mon splinter group in southern Mon State<sup>9</sup>. At least five battalions of troops have launched their activities in the area and forced the local village headmen to arrange 'civilian porters' for them to carry ammunitions and food supplies in front-line. Depending on the household number of a village, the village headmen need to prepare for 'ready' to provide 5-10 porters to the troops those arrived into their villages.
- In order to keep firm control in the whole Mon areas, the SPDC authorities and Burmese Army also created some Sub-town in southern part of Mon State and installed many government administrative offices and they forced the local villagers to contribute their labour. Mon State PDC authorities created a Sub-town in northern part of Ye Town and another Sub-Town in southern part of Ye Town. In both Sub-Towns, the authorities by the help of Burmese Army confiscated more lands and forced the local villagers to contribute their labour. They forced the local villagers to build the military bases, public hospitals and schools, administrative departmental offices, etc.

## **C. Forced Labour in 2005**

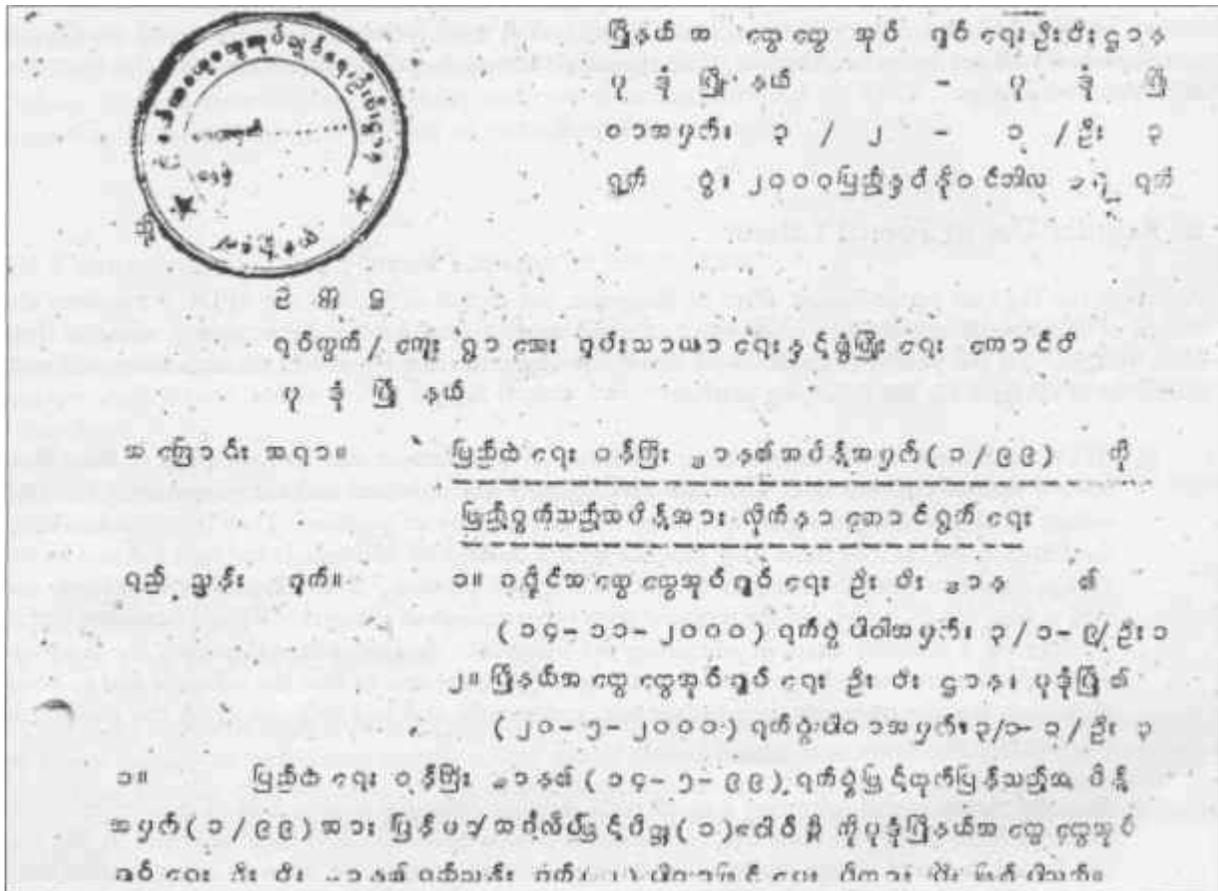
The above mentioned use of forced labour still continues in 2005 while the SPDC leaders think the ILO has interfered in the national sovereignty of Burma.

The people in Mon State are still forced to guard gas-pipeline and fence the pipeline. The villagers in southern part of Ye Township are still forced to be 'front-line' porters while the Burmese Army is operating military offensives against a Mon splinter group.

Under the name of border area development, the SPDC set up some Sub-towns in southern Mon State and then forced the civilians in various development projects such as road construction projects and installation of administration.

<sup>8</sup> Kanbauk-Myaingkalay gas pipeline was built in 2000 and bring natural gas from on-shore gas station of Yatana Pipeline in Kanbauk village, Yebyu Township, in order to supply gas to a cement factory in Myaingkalay village, Pa-an Township in Karen State.

<sup>9</sup> A small Mon splinter group without a political group name is active in southern part of Ye Township and Yebyu Township. During the Burmese Army is launching offensives to the 50 less members of group, the villagers are greatly suffered form porter service.



The Supplementary to Order No. 1/99 (in Burmese)

**For instance,**

During the Burmese Army has implemented for the installation of government a administrative in a Sub-town, Khaw-za, first the troops of Burmese Army constructed a motor road from Ye Town to this Sub-town. In the construction of motor road, the commanders from the area used the civilians from Sub-town and villagers from the villagers to contribute their labour. The army never supported the civilians who constructed the roads without payment.

Additionally, the local villagers are forced to build a military base near the village, and sometimes, the Burmese Army also forced the villagers to do daily works at their bases such as cooking and finding fire-woods for them.

While the SPDC is implementing for the creation of Sub-town, the troops of Burmese Army also forced the local villagers to build many houses for government servants for those who come and stay in that Sub-town. The village headmen have to manage to send the necessary villagers to the designated construction site.

Although the conscription of forced labour continues in the rural areas of Burma where the ILO officials in Rangoon could not get access, but it could get such information for its local contacts.

It means the Order 1/99 or supplementary Order 1/99 have never affected to the people in the rural areas especially in the conflict zones. The SPDC authorities or commanders of Burmese Army never informed to the civilians, the use of forced labour is 'illegal'.

**V. Necessary for Presence of ILO**

The people have much expectation from ILO that it could stop all practices of forced labour from which hundreds of thousands of ordinary people have been suffered for many decades, especially most seriously suffer under the rule of current regime, SLORC/SPDC.

### 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

In the ethnic people's remote border areas, the population displacement also occurred because of forced labour especially 'forced porter service'. While the Burmese Army is launching military offensives against the rebel groups, the villagers including women were forced to involve in this porter service. It is difficult to get the exact accounts of suffering people for this porter service as the information could not be exposed like the villagers are forced to work in the construction project. Even though ILO could receive rough information about the use of forced labour as a type of 'porters' in the rural areas, but it is hard for the organization to get exact information - how many of them suffer in which areas.

Although it is so hard for the ILO officials in Rangoon to work with SPDC leaders who do not want any tough for change, but the general people feel that the practices of using forced labour have reduced after ILO set their office in Rangoon. The SPDC authorities and troops of Burmese Army are not dared to force thousands of people at a time like they had used during building Ye-Tavoy railway in 1994-1998. But the authorities and army commanders still use it even with a great care and worry that the ILO can know about it and complained to the regime.

A Mon political leader, Nai Min Kyi, who suffered from imprisonment for reporting to ILO said:

"In order to make the people (of Burma) escape from sufferings caused by forced

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Then, the commanders also asked 10000 Kyat from village headmen for the expenses of the boy. But accordingly to the latest news, the boy was sent to Military Training School in Kaleing-aung Sub-town on the same day, by giving him 15000 Kyat to use at training school. But the village headmen did not know about it.

But later, the village headmen were informed by a low-rank commander or area intelligence officer U Win Myint that the boy was sent to military training school.

U Win Myint admitted to village headmen that the boy was sent to training school by the commander, Lt. Col. Thet Aung, for his future improvement in his life. He said it was not useful for him to live on in village among many difficulties and his life will be better one day in the future in die Burmese Army.

Although the village headmen informed about the true situation of Mehm Chai to his grandpa, but he could not find way to take his grandson back.

Accordingly to the local source, every battalion is instructed to recruit soldiers and send to military training school. If a battalion commander has no capacity to recruit new soldiers, he will not be promoted. Hence, Lt. Col. Thet Aung sought the boys who have no parents or orphans, and sent them to Military Training School.

labour, I believe that - as far as I know - there is no other organization to free us except the ILO. In our country, our people greatly suffer the pains of forced labour - some people have to give away their lives. In order to escape from this kind of world, I contacted all organizations within my reach with intention of reporting to the ILO. I knew that if I did this kind of job, I would be tired, poor, starved, imprisoned and even killed. Would I do it? I decided to do it and proceeded"



**A group of villagers were forced to fence in Kanbauk-Myaingkalay gas pipeline in Ye Township, Mon State**

During his trial and imprisonment in Insein prison, he also expressed how the importance of the presence or visits of the people from the international bodies and human rights organization in order to provide him hope and moral encouragement. He also added:

"While I was facing trial, on 5 November 2003, Mr. (Paulo Sergio) Pinheiro and team came to see us, encouraged us, helped us and demanded our release. And the Amnesty (Amnesty International) demanded our release. Especially I want to say that ICRC tried its best to provide us with medicines, food and help - it was not only us - the ICRC is an organization that helps all kinds of prisoners. We have to give them thanks and honour, they deserve. The ILO is the leader of all lowly class, workers and farmers throughout the world. Therefore, the ILO is an organization worthy of great respect for helping us to be free from the beginning, middle and to the end. I believe and regard that it is a parent-like organization."

Almost many of the people have the similar thinking like this political prisoner. But they did not have a chance to expose what they are thinking in Burma. The people in Burma still expect the protection from the international community in order to help them for reducing human rights violations committed by the military government including forced labour.

If the UN body of labour organization withdraws from Burma, the SPDC authorities and troops of Burmese Army will have an open chance to apply more oppression against the people and the suffering from forced labour will be protracted and increased. Therefore, it is a time for the international community to stop the practices of forced labour in Burma in this 21<sup>st</sup> Century.

