Beggars increase in Mon State due to economic crisis

Taung Pyin, Ye Township, September 2006

Even though the State Peace and Development Council declares in its state run media that the country is developing and that the living standard for all civilians is getting higher, the number of beggars are also increasing day by day in the southern part of Mon State.

According to the reporter, whenever there is seasonal traditional events such as the ceremony of the donation of rice and cooking oil to the Monks in the villages or towns, many beggars’ follow behind the Monks and ask for rice and other donations to survive.

“This scene makes me unhappy, especially when I see many undernourished kids with no clothes and old people as beggars. They look very hungry looking for someone who can afford to give them food,” said Nai Ngae from Ye Town.

An the end of September, the full moon day Mon traditional ceremony was held in Taung-Pyin village, Lamine Sub-Town. During the rice donation ceremony, there were approximately 450 families begging for rice and money in the central monastery.

“The Senior Monks and our villagers donated about 45 to 50 baskets of rice and other stuffs to them. We donated one plastic bag of rice to
Each family member," reported a 25 years old man from Taung- Pyin village.

According to the villagers, most of the beggars are people from other regions and they also could not speak the Mon language. Before the village found that there were only few families of beggars in the village. However when there was special traditional events or Buddha day festivals held in the village, many beggars appeared.

"People are very poor due to lack of job opportunities and the current high prices of all essential food stuffs in the country. These are all factors. So, the government should take responsibility to find jobs and arrange a resettlement program for them. However I don't think the government will do it," said a former Mon politician in Ye township.

Beggars are increasing in number not only in Mon State but also all around Burma. Even though the military government is developing infrastructure, this is also causing problems as well, said Dr. Kyaw Nyunt, an economist and general secretary for the Democratic Align of Burma.

"For example if they build a dam in a local area, they confiscate the land so that makes people jobless in their own country," said Dr. Kyaw Nyunt. According to a survey, most people in Burma said they worked in traditional jobs such as farmers. Having lost their land they become jobless and often flee to neighboring countries, Dr. Kyaw Nyunt, said.

"People in Burma are very creative, because even though they face a hard economic situation in the country they still try to create small businesses for their survival," said Debbie Stothaid from the Alternative Asean Network on Burma.

Local villagers tortured by Infantry Battalion No. 31
Dodd-Pound village, Ye Township, September 6, 2006
In three separate instances on September 6 two families and a youth leader were detained and tortured by IB 31 of Khaw Zar Sub Town in connection with the Mon Splinter group led by Nai Chan Dein. Captain Tint-Lwin arrested and tortured a woman and four of her family’s members from Dot-Pound village then later arrested the village headman and his family from the nearby Kyone-Ka-Nya village. On the same day Nai Moe Aye a youth leader was also arrested and tortured. There are unconfirmed reports of people from other villages being detained.

According to HURFOM field reporter, Mi Ei-Mart a 52 year old Mon women and four members of her family were beaten and one of her sons was tortured during an interrogation inside Army barracks. "They asked Mi Ei-Mart about her niece who is a member of the Mon splinter group. They beat them until they gave information about the rebels," said an anonymous source from Dot-Pound village.

Later that day the same IB 31 led by Captain Tint Lwin raided and ransacked Kyone-Ka-Nya Village and arrested the village headman his wife and three children. During questioning they wrapped Nai Nya-Saungs head in a plastic bag and beat him.

Continued on page No. 11
Organized Land Confiscation: A serious threat to civilians in Mon State

Well-organized land confiscation in Mon State has continued. Human Rights Foundation of Monland (HURFOM), a local human rights organization has closely monitored the ongoing instances of land confiscation. This is a serious violation of the human rights of the people; it also affects their livelihood and food-security.

Recently there has been a lot of land confiscation taking place in Mudon Township, committed by Artillery Regiment No. 318 and Light Infantry Battalion No. 209. These battalions are based near Win-phi-none government dam and Kama wet Sub-Town. These two Government battalions have seized more than 500 acres of rubber plantations from the local rubber growers.

Organized land confiscation has reportedly continued to prevail in many parts of Mon State by the local authorities who continue to confiscate land for military purposes. This is becoming a serious threat to the survival of civilians. In several cases of land confiscation, HURFOM found that after the local military battalion confiscated several rubber plantations, they then made the now landless farmers rent their lands back at high rental fees.

Summarily, the SPDC’s Light Infantry Battalion No. 209 confiscated 310 acres of lands and Artillery Regiment No. 318 confiscated approximately 200 acres of land. This was mostly rubber plantations from local Mon farmers during August-September 2006 in southern Mudon Township.

Methodology

In order to document detailed information on the land confiscation that has recently occurred in Mudon Township (and Kama wet Sub-Township) in Mon State A HURFOM human rights reporter traveled into this area and collected information though interviews with farmers who have had their land confiscated. In interviews with the landless farmers the reporter inquired how they lost their lands and how the army commanders, troops and local SPDC treated them.

Overview of the Relation: Land Confiscation and Army’s Self-reliance Program

After the military regime came into power, it has a limited budget to support the growing army. In 1997 the SPDC regime has made it policy that every military command must have some sort of business activities to raise money and be ‘self supporting’ battalions. This is known as the “Internal Battalion’s Self-reliance Program”. Each battalion’s commander is responsible for making enough money for the financial support of the battalion.

In implementing this policy the Southeast Command based in Moulmein City instructed its battalions to raise funds for their battalions’ budgets for accommodation and general expenses. Following the order many battalions in Mon State tried to collect various types of legal or illegal taxes from the local civilians. Some battalions became involved in logging concessions, transportation, fishing concessions, and trading. Some military officers started joint ventures with local transportation businesses. Some battalions have cooperated with officials from the Department of Forestry for logging and lumber businesses.
Through these ventures the army exploited local business groups. Some battalions especially Light Infantry Battalions (LIB), who are based in rural areas, complained that they have fewer chances to get involved in business activities. Therefore since 1998 the Southeast Command has authorized the local battalions to confiscate farms, rubber and orchards plantations which were owned by the local inhabitants in Mon State.

**Land Confiscation, Indigenous Rights and National and International Law**

Protection of indigenous peoples’ rights of ownership over their land is guaranteed under international law. Article 14 of the ILO convention 169 refers directly to tribal peoples in independent countries, it states that:

The rights of ownership and possession of the peoples concerned over the lands which they traditionally occupy shall be recognised. Governments shall take steps as necessary to identify the lands which the peoples concerned traditionally occupy, and to guarantee effective protection of their rights of ownership and possession. Adequate procedures shall be established within the national legal system to resolve land claims by the peoples concerned.

Current law or lack thereof and the ongoing land confiscation carried out by the military clearly violate the Mon people’s indigenous rights to ownership of their land. All farmland was nationalized in 1953 by the U Nu government. According to the 1974 Constitution the Government has ownership and power over all natural resources including land, since then there has been no real progress regarding ownership of land and laws relating to private property.

Instead the military confiscates land at will. Officers often use the excuse that the land is not legally registered under the owner’s name. There are two problems with this; official registration fails to recognize the Mon people’s traditional rights to land ownership. Secondly the legal process of land ownership in Burma is unclear, especially to the majority of people who are unaware of current land policy and lack education on the subject. This makes them vulnerable to exploitation by the army. People who do try to register their lands have faced problems; some have had to pay exorbitant bribes to government officials to get their land registered.

Even after paying they still run the risk of having their land taken. Military abuses of power are not uncommon; there are several cases where people who have in fact registered their land have then had it confiscated by the military.

**Land Confiscation and the NMSP**

The NMSP signed a ceasefire agreement with the Burmese government in 1995, since then they have stopped fighting the Burmese military. Even though the war has stopped, land confiscation appears to be part of the governments plan for subduing opposition groups.

The military regime has adopted a policy of land confiscation in areas with strong NMSP support. The recent lands confiscations were mostly from the Southern part of Mon State. The Southern part of Mon State has mostly rubber plantations and a small percentage of paddy farms. Rubber plantations can make a good income for the owners. These owners have been in general strong Mon nationalists and have historically given a lot of financial support to the NMSP when the NMSP was fighting the government.

To weaken the NMSP during the cease-fire, the government is targeting supporters of NMSP. They confiscate their land which not only cuts of the financial support going to the NMSP but also cuts of political support as people want the NMSP to protect them and their lands.
Eight thousand aces of land have been confiscated in the years between 1998 and 2002 in Mon State. People who lost their farms, often they leave the area and in some cases they have immigrated to Thailand.

The land confiscations discussed in this report were mostly rubber plantations from Mudon Township in Ne-Pa-Daw and Abit villages where there is strong support for the NMSP. People live close to these areas also strongly support the NMSP. There are villages in the area such as Kalawthut, Kwang Ka Poe and Taung Pa.

The policy of land confiscation has caused the NMSP to lose support from its people because it has so far been unable to prevent it from happening, or regain land that has been lost. NMSP has petitioned the SPDC to stop confiscating the land, but the SPDC continues regardless. Many Mon people are angry at the NMSP for failing to help the people.

Cases of Land Confiscation

<table>
<thead>
<tr>
<th>Land Confiscation by LIB No. 209</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Location:</strong> Near Abit village, Mudon Township</td>
</tr>
<tr>
<td><strong>No. of People with confiscated land:</strong> 18</td>
</tr>
<tr>
<td><strong>Amount of Land:</strong> 307.2 acres</td>
</tr>
<tr>
<td><strong>Amount of Cash Lost:</strong> Kyat 310,500,000 (approximately)</td>
</tr>
<tr>
<td><strong>When:</strong> August – September 2006</td>
</tr>
</tbody>
</table>

At the end of August 2006, SPDC’s LIB No. 209 based in Kama Wet Sub-Township confiscated more than 300 acres of rubber plantations from 25 landowners from Hnee-pa-daw village, Mudon Township, Mon State.

According to a Nai Aye farmer who lost his land, from Hnee-pa-daw village, his rubber plantation was situated in the border of Mon and Karen State which was about two and half miles from Win-phu-na-nong government’s dam.

He explained that:

“I bought these 10 acres of lands from a Karen man who lives in Wae-Kha-Mi village at the price of Kyat 40,000 per acre in 2003. Since then I have planted 1,500 rubber plants on my land. I have spent a lot of money for rubber seeds, labour and fertilizers. Now I lost all of this to Kama-Wet Burmese battalion (Light Infantry Battalion No. 209). The Commander Col. Kyi Thein ordered me to show the ownership documents but I said I had none since I bought these lands from the original owner. Then the next morning, I received an order from LIB 209 which was signed by Col. Kyi Thein, the order said that my land was illegal and I was no longer allowed to grow rubber plants there in the future. I felt hopeless and very unhappy about my rubber lands.”

It was also reported that at the same date of Nai Aye’s case, LIB 209 also confiscated another 35 acres of rubber plantation from Nai Klun and Nai Blan who live in Hnee-Pa-Daw village.

Another land-loss farmer, Nai Ba explained that:

“The reason they seized my lands is because I had no proof of land ownership documents. On August 20 2006, while I was working in my plantation, troops of Burmese soldiers led by Captain Zaw Win from LIB 209 and two officers from Mudon township Land Survey Department came and asked me about my ownership documents. I explained that since I bought these lands, I had not received any documents from the first owner. The Township’s
Land Survey Department also did not offer any documents to me. But Captain Zaw Win did not accept my explanation and said that my land is illegal and they asked me to stop planting rubber plants. Then on August 23, I received an order which declared that my 20 acres of land was seized by LIB 209.”

Another landless farmer Nai Blai is from Hnee-pa-daw village. Nai Blai’s rubber plantations were located next to Nai Ba plantations and were seized at the same date by LIB No. 209. Nai Blai lost his newly grown rubber plantation.

“Just 6 months ago I planted 2,250 rubber plants on 15 acres of lands. I bought these lands last year and it cost Kyat 50,000 per acre. Including land, now I lost about Kyat 25,000,000 to LIB 209”.

On August 16, 2006, about 30 acres of Rubber Plantations of Nai Myo and Mi San Myint (not real name) who are from Hnee-pa-daw village were seized by Commander Kyi Thein and his troops from Kamawet based LIB No. 209.

Nai Nyo and Mi San land was situated near Win-phæ-none Dam. There are about 3, 350 rubber trees in Nai Myo’s land and most of rubber plants could produce about 80 pounds of rubber latex daily, according to the current price, this is worth about Kyat 15, 000, 000.
“The Burmese troops said our rubber plantation was situated in the area of Win-phane-none dam and therefore belonged to the government. Absolutely not true. According to the Land Survey Department, our land was on the list of public land owners, not on the list of government lands. But currently we have no power and so we people are always the losers,” claimed Mi San who lives in Hnee-pa-daw village, Mudon Township.

On the last week of July 2006, Light Infantry Battalion No. 209 confiscated more rubber plantations near Win-phane-none Dam area from the villagers of Hnee-pa-daw village. Seven land owners lost 45 acres of land between them. Most of the rubber plantations are not registered in the Township’s Land Survey Department. So the battalion said the land was not legal, so they confiscated it.

“We have received neither compensations nor permission to work in our lands. I feel so upset if I think about my rubber plantation because I had been working very hard. Now I am joblessness,” said Min Aung whose 5 acres of rubber plantations was seized.

In early July 2006, Capt. Myint Zaw Htwe, from LIB No. 209 confiscated 12 acres of land from villagers from Abit village and Taung-pa village. These lands are situated close to a battalion’s plantations but do not have rubber plants yet.

In mid August 2006, 48 acres of rubber plantations belonging to local inhabitants’ near Abit village, Mudon Township was seized by Light Infantry Battalion No. 209 without any compensation. According to the reporter, Commander Kyi Thein and his troops, after taking some bribed money, allowed the land owners to collect the rubber latex from their plantations.

Nai Win from Taung-pa village, explained:

“I was forced to sign a document which declared that my 2, 080 rubber trees belonged to Light Infantry Battalion No. 209. Then I rented the land again for 4 years. It means that I have to pay to collect my own rubber latex and I must share half of the profits with LIB No. 209.”

In July 25 2006 six farmers from Yaung-daung village had 62 acres of land near the border of Mon and Karen State seized by the township authority and Kamawet based LIB No. 209. Initially these lands belonged to local Karen villagers and then, the villagers from Yaung-daung village bought these lands at the price of Kyat 40,000 per acre 5 months ago.

“I have not received any compensation from the authorities yet. My land is about 12 acres and doesn’t have any rubber plants yet. But I spent about Kyat 50, 000 clearing the lands,” said U Pho Thar, a resident of Yaung-daung village, Mudon Township.

In the first week of July 2006, Colonel Kyi Thein, the commander of LIB No. 209, issued an order to confiscate 32 acres of rubber plantations for the security of the Win-phane-none Dam. According to a landless owner from Kamawet Sub-town, the seized rubber plantations were estimated to be worth over Kyat 40,000,000 but the owners were not offered any compensation.

The end of June 2006, 21 acres of rubber plantations were seized and occupied by LIB No. 209 from the local villagers of Sein-taung and Thein-gone villages, Mudon Township. According to a landless farmer from Sein-taung village, the battalion commanders ordered to cut down all the old rubber trees on the confiscated plantations and sold the wood to traders. As a result three land owners who previously owned 21 acres of rubber plantations lost their land and rubber trees without any compensation.
Land Confiscation by Artillery Regiment No. 318

Location: 
Kyaik-ka-moik Forest reserve, near Abit village, Mudon Township

Amount of Land:
200 Acres

Amount of Cash Lost
Kyat 201, 600, 000 (approximately)

When:
August – September 2006

At the end of August, Artillery Regiment (AR) No. 318 which is based near Win-pha-none government dam, Abit Village, Mudon Township forcibly seized more than 250 acres of rubber plantations which were located in the Kyaik-ka-moik forest reserve area. The battalion has rented these confiscated rubber plantations back to their previous owners charging Kyat 40, 000 per acre. Originally these rubber plantations were owned by local farmers from Mudon and Thanbyuzayat Townships.

According to a landless farmer from Thanbyuzayat his 20 acres of rubber plantation were ancestral lands that he received from his parents two years ago. Now he lost the plantations without any notice but had the option of renting it back from the AR No. 318 at a rate of 40, 000 kyat per acre.

“Now I have becomes a daily labourer for the army in my own lands,” said Min Dau.

Currently the Commander of AR No. 318 Colonel Hla Han and the Mudon Township’s rubber trading committee are making those farmers who lost their rubber plantations make contracts with
The AR No. 318 to rent the lands back again. The contract was written by Colonel Hla Han, the Commander of Artillery Regiment No. 318, the following key points where included.

1. All land renters must follow the battalion’s instructions. No one is allowed to cut the rubber trees or dig the ground or prepare the ground to grow the rubber plants without the permission of the Commander.
2. Every land renters must pay the set amount of Kyat 40,000 per acre as the land rental fee. All fees are not refundable for any reason.
Appendix No. 2: Chart of Land lost victims, confiscated total acres of plantation and perpetrator detail

<table>
<thead>
<tr>
<th>No.</th>
<th>Land owner</th>
<th>Location</th>
<th>Name of Rubber (approx.)</th>
<th>Number</th>
<th>Number of acres</th>
<th>Land current value in Krat</th>
<th>Perpetrator/Relation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>No. Pxx</td>
<td>Forest</td>
<td>Nyah-Ka</td>
<td>55</td>
<td>2,800</td>
<td>1,500</td>
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<tr>
<td>2</td>
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<td>Nyah-Ka</td>
<td>56</td>
<td>10,100,000</td>
<td>10,000,000</td>
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</tr>
<tr>
<td>3</td>
<td>No. Ax</td>
<td>Forest</td>
<td>Nyah-Ka</td>
<td>28</td>
<td>8,000,000</td>
<td>8,000,000</td>
<td>No. 10</td>
</tr>
<tr>
<td>4</td>
<td>Ml. Ax</td>
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<td>10,000,000</td>
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<tr>
<td>5</td>
<td>No. Mxx</td>
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<td>Nyah-Ka</td>
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<td>6,000,000</td>
<td>No. 10</td>
</tr>
<tr>
<td>6</td>
<td>Ml. Mxx</td>
<td>Forest</td>
<td>Nyah-Ka</td>
<td>13</td>
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<td>6,500,000</td>
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<tr>
<td>7</td>
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<tr>
<td>8</td>
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<td>Forest</td>
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<tr>
<td>9</td>
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<td>1,500</td>
<td>No. 38</td>
</tr>
<tr>
<td>10</td>
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<td>Forest</td>
<td>Nyah-Ka</td>
<td>55</td>
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<td>No. 40</td>
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<tr>
<td>11</td>
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<td>17</td>
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<tr>
<td>19</td>
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<td>No. 38</td>
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<tr>
<td>20</td>
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<td>10</td>
<td>6,000,000</td>
<td>6,000,000</td>
<td>No. 10</td>
</tr>
</tbody>
</table>
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 2237, General Post Office
Bangkok 10501, THAILAND
E-mail: hurfomcontact@yahoo.com
Website: http://www.rehmonnya.org

With regards,

Director
Human Rights Foundation of Monland

3. The battalion can withdraw the work permit anytime if the land renter fails to pay the land rental fees
4. No one can pass the work permit from one person to another without the permission of the battalion commander.
5. The land renters must cover all costs for labour, fertilizer and land clearing.
6. The land renters must provide 30% of the profit (to the battalion) from selling rubber latex which is separate from land rental fees.
7. The rental is for the period of 30 years depending on whether or not the renters provide the yearly payment.

“After more land was confiscated by AR No. 318, many farmers who lost their lands have no ideas how to find other jobs or new land, because growing rubbers plants was what they did their whole life. It is a very hard situation for them to just change jobs like that,” reported a HURFOM field worker in Mudon Township.

Because of the land confiscation some victims from Taung-Pa, Sein-Taung and Thein-Gone decided to leave their villages and go to Thailand as illegal workers.

“I feel very unhappy when I see my plantations. I don’t want to work hard as before because I know that this land does not belong to me anymore,” said a landless farmer from Sein-Taung village. More seriously many rubber growers who signed the rent contract which said that they must provide 30 percent of their profits to the battalion from selling rubber to the battalion.”

According to a local villager, all confiscated lands contained fully grown rubber plants, and the rubber had been planted seven to ten years ago. Most of the landlords have received no compensation for loosing their land but are allowed to rent the land back under the aforementioned conditions.

When troops arrested Nai Moe-Aye a youth leader they administered a beating that resulted in severe head injuries.
Mi Ei-Mat and her son were hospitalized after being released the following day. Nai Nya-Saung his family and Nai Moe-Aye were released after paying Kyat 100,000 to the Captain Tint Lwin.
The Nai Chan Dein group is currently active near Kyone-Ka-Nya village.
“They seized our plantations which we planted seven years ago. Now we have to pay Kyat 40,000 per year as rental fee to AR No. 318. It is totally unfair. But no body could argue with the army,” explained by Maung Htay Naing.

According to the reporter, some landless farmers from Sein-taung section in Kamawet Sub-town wrote petition letters to the southeast command in Moulmein City. But to date no high level officials have responded. Artillery Regiment No. 318 claimed that the area was the government’s forest reserve areas and that since it belonged to the government they could take the land anytime.

V. Conclusion

Land confiscation will continue to increase the hardship and deepen the problems of poverty currently faced by Burma. It creates disaffection and hostility towards the government which will prolong conflicts between the military and opposition groups. In all cases, farmers have received no compensation, be it money or other lands. In some cases the villagers were forced from their farms with nothing and no other means of survival. Many left to go to neighboring countries like Thailand and Malaysia as migrant labourers.

The international community is urged to be concerned with the continuous land confiscations which pose a serious threat to the Mon people and the future of Burma. Without the restoration of democracy and the rule of law in Burma, the problems of military perpetrated human rights violations causing economic deterioration, underdevelopment and poverty in Burma will never be fully addressed.

The SPDC authorities are urged to immediately take action against the practice of land confiscation and guarantee the respect of human rights and the fundamental freedoms throughout the country in accordance with national and international laws.