

Humanity under Attack: Human Rights Abuses in Arakan State

A report by Arakan State Human Rights Commission

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Foreword

This human rights report on Arakan state was produced by the Arakan State Human Rights Commission. The commission was formed at the 2004 Arakan National Council (ANC) pre-convention in India and is headed by U Sit Naing and Nyi Nyi Lwin.

In order to document human rights violations taking place in Arakan state, the commission has attempted numerous times to meet with victims of these violations. However, due to the heavy presence of military personnel in Arakan – about one soldier per twenty civilians - our projects could not continue. After a long discussion among committee members, we decided that it would be more productive to contact Arakanese refugees and migrants in Bangladesh, India, Malaysia and Thailand.

The research for this report was conducted in Malaysia with refugees and migrant workers. By producing the report, we hope to share information among Arakanese people, all other ethnic nationalities and the international community so that they can understand the nature of human right abuses in Arakan state and the plight of local people that suffer them. We hope that this sharing will increase awareness of human rights abuses committed by the present ruling military regime. We also hope that the subjects of our interviews were able to find some solace and support by sharing their stories, feelings and opinions with us.

To the twenty migrants that graciously agreed to be interviewed for this report: we owe you many thanks. The atrocities that you have experienced are appalling, but the courage with which you have persevered is inspiring. Upon hearing your stories, we vowed that we would let your voices be heard and share your stories with the world. We regret that your names cannot be revealed in this report, because without you it would have been impossible. We thank you for your bravery and kindness in telling your stories. Your willingness to share with the world demonstrates your concern for the future generations of Arakan state. We hope that your stories reach concerned individuals and organizations that are as inspired by them as we are. Thank you.

Without the time, energy and financial assistance of the ANC Supporting Committee in Malaysia, this project could not have taken place. We are very grateful for your support and especially for your community fundraising. We thank the supporting committee's Chairman Kung Min, and leaders Kyaw Aung Lun and U Tun Thar, who accompanied us during our tour throughout Malaysia. Without your assistance, our human rights documentation in Malaysia would still be unfinished.

We would like to thank Khaing Kyaw for the organization of a productive meeting with one hundred and fifty people in his residence in Malaysia. Without your help,

our project would not have been so complete and inclusive. We thank Soe Naing for picking us up at the Kuala Lumpur bus station and taking us south to meet more people. We can never repay your courage and bravery for helping us despite being without legal documents.

Finally, we would like to thank every one that we met in Malaysia that we have not named here. We owe you equally as much. We hope for your safety and your ability to go back home quickly and freely after the current military regime is replaced by an elected body. May your wishes for the future be fulfilled, and may your positive outlook and hope for peaceful life endure.

Nyi Nyi Lwin

Antonia McDougall (University of Winnipeg, ANC volunteer September 2005 to February 2006)

Introduction

This human rights report on Arakan state is the first report published by the Arakan State Human Rights Commission. It is not comprehensive; however, we hope that it provides a general sense of the oppression faced by the people of Arakan state under the present ruling military regime, the self-proclaimed State Peace and Development Council (SPDC).

For many years we have received reports that people in Arakan state are forced to labour and serve in the military, and are constantly disturbed in their daily lives by heavy taxes, confiscation of land and property, cultural repression, and restriction of movement and activity. During this time, we have tried to collect evidence and accounts of victims inside Arakan state. Our attempts have failed due to communication difficulties and the constant presence of military personnel and intelligence agents. Good relations between the SPDC and neighboring Bangladesh and India also present obstacles to reaching victims in Arakan state. Transportation and communication difficulties from Rangoon and other areas within Burma into Arakan state also hinder the collection of information and our ability to meet with residents.

After these attempts were exhausted, we decided to look for Arakanese victims among refugees and migrants in Bangladesh, India, Malaysia and Thailand. In December 2005 we traveled to Malaysia to interview Arakanese migrants. We visited several towns and held meetings in which we explained our projects and requested to interview those that had experienced forced labour, arbitrary arrest, torture, rape, forced relocation, abuse or land confiscation. Among the three hundred migrants that we met, twenty volunteered to be interviewed. Two underage boys and two women were among those interviewed.

During the interviews, shocking stories emerged. It became clear that in Arakan state, the basic needs of human survival - food, clothing, shelter, land and sanitation - do not meet minimum standards. There is constant use of forced labour and disruption of daily life in order to carry out state projects. We met many people that were forced to give up their families, livelihoods and education. Many people, especially children, face malnutrition.

We were surprised that all those interviewed believed uniformly that all of these atrocities were the result of the SPDC and their political immaturity, lack of rule of law and injustice. When the victims were asked to make a final statement, they often called for regime change and self-governance to manage local political affairs and natural resources in the interests of their people.

Many people that we interviewed described life in Arakan state as being similar to living in hell. Now living outside Arakan state, many of them face depression, frustration and hopelessness. However, the migrants that we met, like so many

people in Burma, have survived these conditions with amazing courage and resilience. Their bravery is further demonstrated by their eagerness to help our project by telling their stories, and by working for democracy in ways that often endanger themselves and their families.

The only way to overcome the hellish conditions in Arakan state is regime change and self-governance. Before political solutions can be realized, the international community and the United Nations must provide humanitarian aid and must initiate intervention. The “wait and see” policy for intervention only escalates starvation, malnutrition and infant mortality, and deepens poverty. The effective implementation of policy to stop the use of forced labour, land confiscation, over-taxation and militarization should be the first priority of the international community.

Background: Arakan State

Arakan state, once a sovereign kingdom and a major trading centre with Europe, became a state in the Union of Burma after Burma's 1948 independence from the British.

Geography

Arakan state is comprised of a strip of land east of the Bay of Bengal stretching from the Naff River in the south to Cape Negaris 450 miles to the north. It borders Bangladesh in the Northwest. It is situated N 18^u to 22^u and E 92^u to 94^u and has an area of 18,000 square miles.

The population of Arakan state is approximately five million; 500,000 have resettled outside the state. The diverse people of Arakan are the Mro, Mroon, Khami, Thak (Chakama), Dainet, Chin, Kaman, Maramargri and Muslim. Seventy percent of the population is Buddhist, twenty percent is Muslim, three percent is Hindu and two percent is Christian.

The common language in Arakan state is Arakanese (Rakhaing). Arakan state has Buddhist architecture dating from the 3rd century B.C. The traditional classical music and dance are both related to the Vaisali era dating from the 4th century B.C. Its modern music is Western rock and blues.

December 15, Arakan State Day, is the only public holiday in Arakan state that the Burmese junta currently allows. It marks the anniversary of Arakan statehood in Burma. There was once a public holiday on September 9 that honoured Burma's independence icon Ven. U Ottama, known as U Ottama Day. However, it was banned by the State Peace and Development Council in the 1970s.

Other important days include December 31, known as Resistance Day, marking the Burman occupation of the Arakan kingdom in 1784. Arakan Rice Day is on August 13, and on that day in 1967 Burmese troops opened fire and killed over one hundred people during a peaceful protest calling for daily access to rice. November 9 is Arakan National Day, which has been marked by millions of Arakanese taking to the streets in protest and going on hunger strikes to call for Arakan statehood.

Arakan state is rich in natural resources such as marble, natural gas and oil, bamboo, timber, limestone, water resources, mercury, beautiful sea beaches, sea products, fresh water products, mountains and large areas of fertile land.

Many beautiful wild animals live in Arakan state. They include elephants, rhinoceros, tigers, leopards, crocodiles, deer, monkeys, wild cats, wild pigs, turtles, tortoises, dolphins, eagles, parrots, wild ducks, geese and seagulls.

History

The Kingdom of Arakan enjoyed four golden eras over 5,000 years. These were the Dhinyavadi, Vaisali, Laymro and Mrauk Oo dynasties.

According to the Shitthoung Phara stone pillar and the Ananda Chandra inscription written in 720 A.D., the Dhinyavadi dynasty was founded in 1500 B.C. and lasted until 350 A.D.

The Vaisali dynasty lasted from 350 A.D. to 1018 A.D. under the Chandra Kings and the title of 'Luna' dynasty. The Laymro dynasty continued from 1018 A.D. to 1430 A.D. The Mrauk Oo dynasty, the last kingdom of Arakan, was founded by King Min Soe Mon in 1430 A.D. and lasted until 1784 AD.

Arakan under Burman Kings

Arakan was invaded by Burman King Bodaw Maung Wyne in September 1784. He sent 33,000 soldiers to occupy Arakan without declaring war. The Burman crown prince and son of the king, Maung Baw, commanded the Burman troops.

The capital city of Arakan, Mrauk Oo, was seized on 31 December 1784. The Arakan King Maha Thamadha Raja and his queens were brought as captives to Amrapura in upper Burma. The Mahamuni Buddha image, the heart of Buddhist culture in Arakan, was also confiscated and brought into Burma. However, Arakanese princes rose in resistance against the Burman invasion in January 1785. By 1811, the resistance movement had gained momentum under the leadership of King Bering, known as Chan Byan. He died in 1815. During this period, two hundred thousand Arakanese took refuge in the British East India Company's (EIC) Chittagong district, which is presently Bangladesh.

In March 1824 the first Anglo-Burman war broke out. In February 1826 the EIC defeated the Burmans and signed the Randaboo Agreement, under which Arakan was handed over to the EIC. Under British management, agriculture production increased in Arakan state and it became a major exporter of rice.

In December 1944, Arakan's political vanguard, the Arakan Nationalities Congress, fought against the Japanese in collaboration with British allies. The Japanese invaders were driven out of Arakan in 1945. After the fall of the Japanese, the British returned to govern in Arakan. Burma gained independence in 1948.

Arakan after Independence

Burma was formed in 1948 as a union between several states and became managed by a central government in Rangoon, the capital city of Burma. Arakan was reduced to a state within the new Union of Burma. In 1958, General Ne Win took military power over Burma for 19 months and handed the state back to Prime Minister U Nu. However, Gen. Ne Win staged a second military coup in 1962 and ruled the state for 26 years. Under Gen. Ne Win's military government, Arakan state's economy and social systems nearly collapsed. In 1988, people from all walks of life in Arakan state took to the streets to call for democracy, federalism and rule of law. The struggle for self-determination and federation is still ongoing.

Interview Method

The first twenty of the following twenty-one interviews were conducted in several Arakan communities throughout Malaysia in December 2005. Due to unfortunate restrictions of time and resources, we were unable to interview members of any community apart from the Rakhine community.

The interviews usually took place directly following an Arakan National Council (ANC) meeting in which ANC projects were updated and current Arakan news, and in particular ongoing human rights violations, was discussed. These updates included news on the Shwe Gas Project and the actions of the Shwe Gas Movement. After the ANC meeting, the group would be briefed on basic concepts of human rights and international humanitarian legislation within the context of the purpose of this report. We then asked for volunteers that wished to share their experiences of the state of human rights within Arakan state.

The interviews were not conducted privately. Subjects were first asked for general information including their age and home village. Although the interviews were not conducted according to a strict model, we generally began by asking why the subject had left Arakan state. The human rights story usually flowed from this question, and we also told the subjects that we were open to any other experiences that they wished to share with us. We allowed the subject to govern the direction of the interview and to share whatever they felt was important, although occasionally questions were asked of them for clarification, especially if we thought that a particular piece of information would be useful for application to international law. For example, if we were told that children were forced to work, we would ask their approximate ages.

When the subject had told us everything that they had wanted to, we always asked two final questions. The first one was 'In your opinion, what are some of the major problems in Burma?' and the second was 'What do you feel are the most urgent development needs of your community?' and 'Do you feel that these needs are being worked towards?' We have compiled the answers we received in a separate section. We then asked the subjects if they would like to make a final statement and made certain that there was nothing else that they would like to tell us.

All interviews were given through a translator, who relayed the stories in the second person. The stories that we have published here are not direct quotes.

The final interview was conducted inside Burma in January 2005 and we are grateful for the permission to include it here.

Interviews

The Arakan State Human Rights Commission has kept the names of all participants confidential for security reasons.

The text that follows contains information solely gathered from interviewing the participants. No additions or verifications for accuracy have been made to the information.

Interview #1

- 18 year old man
- Originally from: May Lyin village, Min Pra township, Arakan state
- Currently in Malaysia as an illegal immigrant

He had to leave Arakan state because he had no job there. His family was unable to meet their needs of shelter, food and clothing, so he left in 2004 to look for a job in order to earn income.

In his experience, the Burmese junta does not cooperate at all with local organizations to develop policies regarding food. His community in Arakan state is an agricultural society, and everyone hunts, fishes and farms for daily food. Even if members of his community had sufficient economic resources, though, they would still be unable to meet all of their nutritional needs, due to lack of availability. In Arakan state, almost all of his household's income was spent on food.

Members of his community do not receive food aid from the State or from any other organizations. In the summertime, food is less available than in the rainy season, when there is most availability. In his experience, there has been no action taken by the State to remedy food shortage during a disaster or under any other circumstance.

Members of his community do not have full access to their land, because the SPDC overtaxes it. They tax farming and take a percentage of produce sales. The tax is a percentage of acres owned. The SPDC confiscates about thirty kilograms of food per acre, regardless of weather damages or other circumstances. He said that they then export the taxed food to another country.

His community uses pumped latrine water. The majority of community members, local schools and workplaces have access to pumps. No one has to pay money for their water. The water that is widely available is unhealthy and leads to disease; however, some people have limited access to clean water. Community members have to compromise their physical safety and travel long distances in order to get a small amount of clean water. Available water is not sufficient for agriculture, sanitation or drinking needs. He told us that the State does not take any steps to remedy this.

He has no experience of being denied access to water. However, if there was a denial of access, community members would have no legal access or recourse. They fear the SPDC, and no one will help them in legal matters. If they complained to local authorities, those local authorities would be fearful of taking action. They would fear being punished by higher authorities.

In the event of a water shortage, the local men sit down and discuss how to solve the problem. If there is a shortage of drinking water in summertime, they can create more water pumps. Community members themselves have the authority to determine how available water is used.

Clinics, hospitals and some doctors and nurses are available to the community. Some equipment is also available. All hospitals and clinics are run by the State. He told us that the State provides immunization against major diseases. However, in his experience, no other measures are taken by the State to prevent, treat or control epidemic and endemic diseases.

He believes that there are no reproduction, maternal or child care services made available to employees of the State.

No special vocational programs exist in his community for indigenous people, women, or any other disadvantaged groups.

Children from most groups are able to attend school, but if there are one hundred children in a village, only about fifty will go to school. Disabled children do not attend, because there are no services for them. All other groups can attend. For the fifty children that do not attend school, their parents are usually too poor to send them. Schools request money from children, and many children have to work for their parents at home. The school provides no materials; the parents are responsible for buying them themselves. He said that the schools are all state-run.

Schools are far away and are not easily accessible. The one in his community was a fifteen minute motorbike ride away, and it took 45 to 50 minutes to walk there. School buildings are not good, he said, because they have leaking roofs, toilets are dirty and drinking water is inadequate. The school curriculum is designed by the regime without any input by community. Parents have no right to choose which school their children will attend because there is only one school in each village.

He told us that community members cannot communicate with each other in confidence. They fear sanctions of communication, or that there is an informer or spy in the community. He said that he knows for sure that there is a spy in his community. Mail is opened and read by the post office agent. There is no telephone line in his village, but people are listening to personal conversation, as

well as in community meetings and other gatherings. Arguments among community members must be shared with a spy or an agent. People would like arguments to remain private, he said, but they are forced to share them.

Interview #2

- 30 year old man
- Originally from: Tha Wan Taiv village, Kyauk Taw township, Arakan state
- Currently in Malaysia as a refugee

He left Arakan state because he was forced to labour as a porter for the military. He also suffered economic hardship, and a military sergeant was trying to arrest him. He was charged with having connections with student activists, and he also refused to take a job as a porter, so he had to escape.

When he was a porter, he was forced to clean the forest by cutting down trees for a military base, to build roads for military barracks and to dig holes for ground toilets. He was beaten by soldiers for trying to drink water that was reserved for military personnel. Porters had to look for their own drinking water. They had to go to the river in the morning, and if they had no time to get it, they would not have water to drink. This water was unsanitary.

He told us that Battalion #237 operates in Ra Tha Dong and Bu Thee Dong, collecting porters and forced labourers. One day in April 1997, fifteen forced labourers were collected. He and fourteen other men were on their way to western Arakan by boat when their boat was stopped and they were arrested and forced to make bricks for a military post. They had to use tools already on their boat to cut wood and make a fire to bake bricks. One of the men was very sick and could not cut the wood. For this he was beaten and received a broken arm.

Two military personnel assigned were Sergeant San Thein and Corporal Hla Kyin from Battalion #237. He was forced to work for 34 days. He had to provide his own food, shelter and tools during this time. He requested food during a shortage, but it was never provided. Instead, personnel showed their guns in order to quiet and intimidate the workers. Each group of forced labourers was to provide 1,500 pieces of wood that were about one foot thick and one yard long. Each person had to cut twelve pieces per day. They had to trek far into the mountains to look for wood, which was difficult to find because of deforestation. After 34 days, the labourers met their requirement, and had to take wood in their boat to the port of Bu Thee Dong, then had to carry it and put it into a military truck. After this they were released, but they did not have any food or energy, so they stopped by a village to beg for food. They were paid nothing at all for their work.

He feels that workers of the regime have no privacy or dignity. He was forced to be a porter under the use of force and the threat of violence. The military did not respect differences between age and rank. He explained that in his culture, it is polite to

use certain titles when calling someone by name, but soldiers would not use these titles when speaking to labourers, regardless of their age, and this was very disrespectful. When giving orders, soldiers did not use their hands, but used their feet to point or to kick labourers.

He said that there was a lot of disgraceful behaviour toward workers. For example, the military would call for forced labour in a village in which there were more women than men. Soldiers would go into women's homes when they were home alone, and this is very disrespectful behaviour.

Forced labourers are disciplined with forced pushups, being forced to jump like a frog with their hands behind their head and being forced to stay under the sun for the whole day. He said that women endure the same kind of work and punishment, and are treated exactly the same as men.

He once witnessed a man that was late to work as a forced labourer be placed under the sun for the entire day.

He told us that there is child labour in Arakan state, and that child labourers are aged from thirteen to fifteen. These children are treated the same as adults. They are forced to do the same things, punished in the same ways, must provide their own supplies, their own food and water and are never compensated. Pregnant women are also forced to labour and are also treated in exactly the same way.

The SPDC says that everyone should contribute food, money and labour for the development of the state, but community members do not believe this. He says that the SPDC is only trying to prolong their dictatorship, and community members know this, so they don't cooperate and are thus physically forced to work.

In his view, there is no equal opportunity in his community. The community does not have equal access to development; SPDC officials and officers do have rights and benefits for their family. He believes that the least amount of benefits go to local people, especially farmers, because the military is always trying to please generals and prolong their power.

He feels that the present situation is hopeless; Burma is not striving for human rights or democracy. He said that more pressure and struggle is needed.

Interview #3

- 28 year old man
- Originally from: Pungna Gung township, Arakan state
- Currently in Malaysia as an illegal immigrant

He came from Burma with a passport and a job in November 2004. In Burma he was a craftsman. He completed school to the sixth grade.

He came to Malaysia for political reasons, and he also faced economic hardship. The political reason was that he was pursued by the military for arrest because of a problem with military personnel. The economic hardship was due to the instability of the government and the mismanagement and deterioration of the economy. His business collapsed and his income dropped by ninety percent. He believes that his political and economic hardship was all due to the SPDC.

One day in February 2003 three students were on the superhighway when three soldiers encountered them and asked them where they were going. They quarreled and the soldiers got a stone and hit one student in the chest. This student was hospitalized for three days and then recovered fully.

While the student was recovering in the hospital, a soldier came and asked the nurse how he was doing, and military personnel arrested the other two students in the hospital. Eight other students were also arrested that day. That night, he and nine other students gathered at the military post and demanded that the commander had a meeting with the soldier that had hit the student. The personnel manning the post insulted the students with curses and otherwise verbally assaulted them.

Initially the two hundred students and civilians protesting in front of the military post were peacefully demonstrating. They were simply making demands to talk to the soldier that hit the student in the first place.

The students insulted the soldiers in retaliation and a soldier grabbed a stone and a brick and hit the students. Later, two hundred students gathered at the post and fighting broke out between soldiers and students. This clash lasted until 2 am.

Soldiers shot a warning shot and the bullet hit houses in a forced labour site, but no one was injured. Several students were injured during the brawl because soldiers used stones and bricks against them. At 2:15 am, Major General Maung Oo, the Western commander, arrived and the students retreated and gathered at the office compound. The commander requested to meet the student leaders, but most students said that there was no student leader, that the demonstration was not planned but had just broken out.

The commander promised to meet the students' demands: the students could retake a final examination that they had missed that day; those that were injured would be treated in the hospital; and the soldier that hit the student in the first place would be punished. The next morning, regional commanders had a meeting, and instead of granting these demands, the commander ordered the arrest of the student leaders and all involved civilians.

The first five students and civilians arrested were released because they were not the leading people that the military were looking for. The military arrested

another fifteen people, who were sentenced to ten years in prison without a trial or any legal counsel. Most prisoners were sent to a forced labour camp, and eight of them to Tennaserim division. Only two escaped and eight died during the forced labour camp. One is still in prison without hope of release. The military is still hunting for students and civilians involved in the incident, and they may be arrested at any time.

He went to another village nearby and hid there for two days, then went to Sittwe for seven days before going to Rangoon and coming to Malaysia.

All students and civilians arrested in the incident were Arakanese and two were employees of the state. One of these was a student and the other was a clerk. He thinks they were sent to the forced labour camp specifically because they were Arakanese. There are military command centres all over Arakan. He says that they are set up to insult, disrespect and demoralize the community.

He said that soldiers lie to the public and tell them that prisoners are being punished when in fact they are being moved to another area. He believes that the motivation behind this is that the prisoners are Arakanese. Soldiers would say that his town in particular is politically motivated and should be crushed, and should be loyal to the regime.

According to him, there is a lot of land confiscation presently occurring in Arakan state. He knows of one man whose house was confiscated in 1999 by the military and used as a military office. The commander of Battalion #550 stayed in this house. The military tried to buy it for a very low price, but the home owner refused, so he was simply expelled without compensation.

Land traditionally owned by indigenous people in his community has been seized and they are no longer allowed access to it in order to gather food or water.

Forced labour is being used to build houses for personnel, military barracks and roads to access military posts. In his district there are 36 counties, and from each one twenty labourers have to be provided. Each time they are called out they must work for thirty days. It was one year before the barracks they were working on were finished.

In 1999, lands belonging to his community were confiscated and girls that were cultivating the land were raped by two soldiers. This was reported to military commanders and local leaders, but the military commander refused to even hear the case, and nothing was done about it.

On the land that was confiscated, there was a small alley through which villagers were able to reach the township to sell their products, but they were denied passage once it was confiscated. Villagers demanded that the military open the

alley, and it was opened after a while, but each person had to pay a tax to cross it.

Soldiers that lived in the military post came into his town while they were drunk, insulted local people and stole livestock. Fighting broke out between local people and soldiers almost every month. After these clashes, soldiers would return with reinforcements and weapons to defeat the local people. He witnessed many people that were injured in these skirmishes.

Two traditional festivals took place in his township for which many people gathered. The festivals were officially allowed to take place, but they were always interrupted by the military, so that they could never fully be enjoyed again. Participation was restricted.

In Burma, and especially in Tenasserim division, people need to show an identification card to authorities. These cards include ethnicity, and once they are shown, Arakanese people are always divided from Burmans in a group. They are told that they need to be punished and demoralized for being "*too proud about history.*"

Interview #4

- 22 year old man
- Originally from: Rang Kaung Chein village, Ann township, Arakan state
- Currently in Malaysia as an illegal immigrant

He left Arakan state for several reasons. First, he says that the military government always interrupts the economy, jobs and education and they conduct forced labour. His village has to provide forced labour, which interrupted his daily economic and educational life. Also, heavy taxes on fish and prawn farms make it very difficult to earn a living, and he has to work hard here in Malaysia to support his family in Arakan state.

Around the time that he was eleven years old, he had to work as a forced labourer for the military. Since 1997 he was forced to work on the San Dan highway and Tong Gok Kyat Phu superhighway. He had to help build these roads for four years. The highway was started in 1996, but at that time he did not work because he was too young. But in 1997, at eleven years old, he had to bring his own food and tools to dig soil and crack stones. From his village, he had to travel to the labour camp by crossing a small valley and river, and had to live in the worksite camp for three to five months. The military did not provide shelter, so the workers had to build their own huts. He still went to school during this time and worked during school breaks. Sometimes he and his brother would switch off, trading between school and work for thirty day cycles. Two years ago his brother died in Thailand.

Over 120 villages were located near the highway, and each village was forced to work on it. He and others from his village, about 200 to 300 people in all, would

be forced to go to the worksite at the end of the rainy season. They brought supplies to live with and built their own shelters upon arriving. They slept on the ground. They had to get up at 4 am each day in order to cook food that they brought from their own home. They would eat between 6:30 and 7 am, and then go to the worksite on the highway. Military personnel would take attendance, and if someone was absent they had to pay a fine of between 3,000 and 5,000 kyat. They would be arrested if they were unable to pay this.

They would start work at 7 am and finish at 5 pm. They worked straight through this time without any breaks, and they were not allowed to stop for lunch. He had to dig dry, hot soil, and then another worker put the soil in a basket and carried it to the road. If they were thirsty, they could drink from a water basket, and then they had to return to work right away. During work, ten to twelve soldiers would supervise. The sun was very hot, and there were no trees or shade. They worked seven days per week, and no compensation was ever received whatsoever for their work.

At 5 pm the workers went back to their shelters to cook and eat. At twilight, they visited a pagoda where the military showed a video with SPDC propaganda. The video began at 7 pm and finished between 10 and 10:30 pm. Walking to the pagoda took thirty to forty minutes. These movies showed three or four times per week, but workers were never forced to go.

Of two hundred forced labourers, fifty people were children, eighty were women, twenty were elderly and there were seven pregnant women. There were also five to ten mothers with infants that they kept with them while they laboured, and if the children were crying and needed to be fed, the soldiers would yell at the mothers for going to feed them. There was no difference between how any of the groups were treated.

Labourers were intimidated by being yelled at, insulted and beaten by the supervising soldiers while at work. He was often insulted and yelled at. He ran away when soldiers tried to beat him. After working and living at the site for three to five days, people began getting sick because it was too hot and they would go home to take a cold shower and would catch a fever. Also, water was of poor quality because labourers had to share their source with animals and livestock, and people developed malaria and cholera. He witnessed six people dying in the camp; these were children, pregnant women and the elderly. There was no access to a clinic or hospital. The military never took anyone to the hospital, but just took them into the forest and let them die there. The nearest hospital was seven to eight hours away by boat.

He had to work if he was sick until he was replaced by someone else in his family. If a labourer was sick, unconscious and unable to work, the group leader would go to the military post and talk to a high ranking officer, who would check whether the labourer was really sick. If he was convinced, the labourer could take

a break and receive some limited medicine. Sometimes the officer would not come to look himself, but just tell a soldier to check, and soldiers would sometimes refuse to give the break.

Whoever had a break had to go back to work within a couple of days without exception. Some people were severely injured on the job, and they would be taken to the military hospital and given limited treatment, and then they would have to go back to the camp. They were not allowed any follow-up visits or further medical care. Because of this many people would develop an infection and die from injuries such as broken bones. He and his brother finally escaped from the camp one day and walked through mountains for three days to find a village in which they could beg for food.

He once saw military personnel gather people for forced labour by calling them out to work. Soldiers would run into houses, beat the residents out of their house, line them up on the street and begin marching them to the work site. In this process, there was no discrimination between men, children, the elderly or pregnant women.

He had an 18 year old friend that lived in a camp where she was forced to work. One day, three or four soldiers abducted and raped her. They returned her to her shelter at 4 am and she was forced to go to work in the morning. Someone complained, but authorities would not listen and nothing has been done.

He added that the military taxes almost everyone for anything; even a man at a river trying to catch a fish, even someone cutting wood to make a house. He believes that this makes the survival of his village very difficult.

He expressed that almost everyone in Arakan state feels that they would like to kill the soldiers, but they have no power to do anything. They feel very dismayed and defeated.

Interview #5

- 37 year old man
- Originally from: Man Aung city, Arakan State
- Currently in Malaysia as an illegal immigrant

In Man Aung city in 1998, many people gathered to listen to music on one full moon day. He attended this event with his brother. When they were returning home, three soldiers called to them to stop, asked them where they had come from and whether they were Arakanese. When they replied that said yes, they were Arakanese, one soldier grabbed them and the other one beat them. His head was injured severely. His brother's arm was also injured. He explained that it was like hell, like a nightmare. They were beaten with military rifles and boots. As soon as they could, they ran away into the crowd. His brother was unable to

follow on his own, but he grabbed him and pulled him into the crowd, then they made their way home.

His parents were angry and upset when they learned about this, and wanted to complain to the soldiers and sue them, but they were afraid that the military would take revenge and kill the entire family.

He said that he told the soldiers that they were Arakanese because they were in Arakan state, his home state, and the soldiers already knew that they were. He believes that they simply wanted an excuse to beat them, and to generally demoralize Arakan youth.

Interview #6

- 37 year old man
- Originally from Hlam Lon Pipe village, Mray Pon township, Arakan state
- Currently in Malaysia as an illegal immigrant, but is a UNHCR applicant

He left Arakan state after his mother was arrested because she could not give a quota of the rice that she grew. She was detained for seven days and the military confiscated their property and land. They did this even though the community was relying on their harvest. His family tried to sue the local authority, but the court would not accept the case. He complained to the local government and a police officer tried to arrest him, so he was forced to flee.

He also said that in his village women are forced to work, and when they cannot provide the work they are beaten by police officers. He complained to the police about this and the police officer tried to arrest him for this, as well.

He was forced to work as a labourer near his village. The military forced him to work to build dams. He estimates that approximately 100,000 people in total were forced to work on the dams project in that area. From his village, one hundred people were forced to build dams and water lines for state agricultural projects. One thousand other people were with him at his worksite. Among the one hundred workers, fifty were underage, twenty were women, twenty were elderly people and the rest were able men. All workers carried out the same types of tasks and were treated the same way.

Wages were not the same, however. He was paid 1,500 kyat per month, but children, women and the elderly did not receive as much payment as able-bodied men. The wage for these groups was a maximum of 800 kyat per month.

The workers had to get up in the morning at 5 am and walk three or four hours to the work site and begin work. Another 900 people came from different districts, and had to build huts and shelters and live at the labour camp for three months. They had no days off, but worked seven days per week, with a forty minute lunch break at 12 pm. The work day finished at 5 pm.

While working as a forced labourer, he had to carry soil to build dams. The workers had to bring their own food and water to the site everyday. He was never been beaten at work, but he saw other workers being insulted and intimidated, and kicked and beaten with rifles. Their supervisors were policemen. Elderly men were beaten and assaulted most often because they only spoke Arakanese and did not understand Burmese. If someone was injured on the job they would receive no treatment.

He explained that there are no labour unions and if workers complained to the local authority to have fair wages and for everyone to have equal wages, nothing would happen. Complaints about fair wages were ignored by local authorities, and those workers that complained were arrested and jailed. He said that the workers have no power to change working conditions whatsoever. They have no right to organize workers' unions and no right to associate in order to bargain collectively.

Interview #7

- 17 year old man
- Originally from: Rya Thak village, Kyat Taw township, Arakan state
- Currently in Malaysia (since 2 June 2005) as an illegal immigrant

He left Arakan state because his parents had economic difficulty and could not afford food and shelter.

There were five children in his family and his mother was ill and could not afford to provide food to all the children. The children had to live in a monastery where they could receive free food. His father was a state employee but lost his job. His father then came to Malaysia and sent money home so that they could go to school, and he was able to attend until the ninth grade. But his father could not send enough money to continue to send his children to school, as the tuition fee for one course was 5,000 kyat. This tuition was unaffordable for them, so he asked his teacher if he could continue in science class without paying, but the teacher told him that this was impossible. Because his mother was sick, it was especially difficult for her to earn enough money for his tuition. The tuition was 50,000 kyat per month. His mother wanted to pay this because she wanted him to be an educator.

It was also difficult to gain access to his school because on it was on the bank of the Kaladan River and he had to cross the river to get there. During the rainy season he could not easily get to school because there was no bridge and he had to pay 5,000 kyat to use a boat. During the rainy season, he had to quit school for about a month. When he returned, the teacher asked him why he had not been at school, and he tried to explain that he was eager to learn and wanted to be in school, but that transportation was a problem. The teacher encouraged him to drop out of school because he had missed so many classes. The school

sent a letter to his parents saying that if he does not come to school more regularly, he would be expelled.

Even when he was able to cross the river to the school, his teachers and school masters beat him and lectured him for not coming to school more often. He explained to them that it was because the river was flooded, but his teachers would not believe him.

The school uniform was a white shirt and a green longyi. Students had to change their dress everyday, but he could not afford more than one set of clothes.

Especially in the rainy season, his clothes would get wet and he would be beaten and insulted and thrown out of school if he would wear something other than the required uniform. The teachers asked him why he came to school if he did not have clothes to wear. They said that most students could afford a change of uniform. He explained that his father had been arrested and lost his job.

He had a dilemma because he really wanted to attend school. When he did not wear the uniform, though, the teacher would fine him 100 kyat, and he was also beaten. He would be beaten with five strokes, and could not go to school for two days because was injured. Also, he could not go to school for two months in the summertime when the school was closed.

During this time off from school, he would be called as a porter by the military, as was every student. The school principle made every student assemble and the school master ordered them to lay down rocks on the road. If they were unable to carry the rocks, the master would beat them five times with a stick.

He could not go to school because he had to work as a forced labourer, and had no time to read or study. He tried his final examinations anyway, and paid 2,000 kyat to the teacher in order to pass each subject. This allowed him to pass the ninth grade.

When his father was working in Malaysia, he sent 100,000 kyat to his family. In December 2004, his father died in a car accident. The accident occurred when Malaysian police were trying to arrest him. He ran away, tried to cross the street and was hit by a car. His mother could not earn money, so he came to Malaysia to work and support the family.

He explained that he has a difficult time in Malaysia, and that his current job is not stable. When he came, he missed his chance to go to tenth grade. Instead, he feels, he came as a slave to Malaysia, and has to work very hard. It is hard for him to get hired because he is too young. He feels very sad about his life, because he is too young to work hard and to look for a good job. He said that no one wants to hire him.

He has three brothers and one sister. One of his brothers is in Thailand, but he is still too young and only earns a little money, and this is a problem for the family.

Their mother is very sick and needs money all the time for hospital and medical bills. She tries hard but cannot earn a lot of money because she is exhausted and does not have enough energy to work and struggle in Burma.

His mother is worried because she wants him to be an educated man, and she is sad that this is not possible. It would cost at least 110,000 kyat for him to go back to school, and they cannot save that much. His education is good, and he is confident that he could pass the tenth grade with honours and go to university, but he cannot earn enough money to afford this. Still, he dreams of going back to school. His mother did not want to send him away to Malaysia to work, but she had no choice since his father died and no one else was able to support the family.

He feels that he is alone. His life is very difficult because the only job he can get is temporary and not economically sufficient. He says that he is too young and cannot work. Though he tries hard, he feels that he is simply too young and small.

Interview #8

- 19 year old man
- Originally from: Kyut Pu village, Kyauk Taw township, Arakan state
- Currently in Malaysia (since 2003) as an illegal immigrant

He came to Malaysia for many reasons. His parents are very poor and could not afford education for him. He only finished the seventh grade, and then had to drop out because his father was too old to continue supporting his education. Their income was never enough for all necessities, so he dropped out of school and worked as a servant. He earned too little money and decided to go to a foreign country to make more, so that their income would be enough to feed the family. He left in December 2003 and came to Malaysia through Thailand.

The Burmese government used forced labour and forced him to work. His parents were also forced to work as porters even though they were old and sick. His entire household was arrested and sent to a worksite for forced labour. They were forced to live at the camp, and when they were abducted they did not have time to collect food, so some villagers brought them food later. They lived at the worksite for seven days, forced to lay down cement on the highway. They started work at 6 am and finished at 6 pm. Then they cooked and ate dinner. In the camp, everyone lay down to sleep on a mat on the ground. They worked every day for seven days. At the time, he was 16 years old and his parents were 68 years old.

Seven hundred people worked at once. Of these, three hundred were underage, two hundred were elders and the rest were men and women, though six of the women were pregnant. Soldiers supervised with them in uniform and full equipment, including guns. There was no special treatment for any particular group. No one received any compensation or pay for their work. He heard about

beatings and was an eyewitness to verbal abuse. If anyone tried to run away, they would be arrested, beaten and returned to the camp. If someone was sick and could not perform their work, soldiers would insult them and say that they were lying, and force them to work.

In his community, most people grow and cultivate their own rice. Two-thirds of the community has to provide 30 kilograms of the best quality rice per acre owned to the military. There was never enough food for his community, even if they had more income. Some people stored rice to eat in the rainy season, but soldiers would come and confiscate all rice and crops. The rice would be kept by the military for a certain time until its price would rise, then they would export the rice to Bangladesh or put it on the black market. He emphasized that this is illegal but that no one can stop the SPDC from doing this.

His family was earning money, but it was never enough to meet their needs. His household would spend almost all of their income on food. Ninety percent of his community was in the same situation. He thought that available food, which was adequately nutritious, would be a surplus if only the government would not come in to confiscate it.

Sometimes his community faced natural disasters, and in these times the United Nations and UNICEF provided food through the government. All of the funds provided were supposed to be for food aid and rebuilding infrastructure, but he told us that the government stole 95% of it.

In 1995, the Kaladan River flooded, and water in the village water pump was dirty and full of sand. The village had to travel to the mountain bank eight miles away to get water and food and to live there for awhile. When the situation returned to normal after four days, they returned to the village. The government did not do anything to improve the situation, but he saw that there were white men coming to help. He is not sure which organization they were with. After that the villagers could return and use the water. That year they struggled to get clean water, but after that clean water was always available to community members, as well as to school and workplaces.

Water itself is free of charge in his community, but he said that community members have to pay with time and effort to get clean water. Sometimes they have to get it from far away. There is no service providing water and each household has to go and get it themselves. This is part of the daily household process.

When he left Arakan state, he tried to work in a fishing vessel in Thailand, but it was difficult because he was too young. He faced many hardships and wanted to go to see his family. He was very homesick. When he got into the port after the fishing season in Thailand his employer refused to pay his full salary. He earned a little money, though, and sent it all back home to his mother and father.

He relayed that he is so happy now that an ANC leader is in Malaysia and there is unity in the struggle for freedom. He is happy today, and is grateful for this opportunity to tell his story.

Interview #9

- 30 year old woman
- Originally from: Wra Thik Taw village, Kyauk Taw township, Arakan state
- Currently in Malaysia (since May 2005) as an illegal immigrant

She said that she left Arakan state because of the political situation; because the present regime is sanctioning education and women's rights, and are committing many human rights violations. She also faced economic hardship in Burma. She is married with two young sons; the youngest is just three years old. She had to leave her family behind because of the regime. She left on April 20 and reached Malaysia 30 May 2005.

She does not feel that there is any different treatment between women and men by the military regime; they just treat women the same as the men. She explained that the regime confiscates rice at the lowest price. People produce fruits and vegetables, but they cannot eat them. The military came and confiscated her food, and she cannot afford to put her children in school because of that. That is why she had to come to Malaysia to earn money. If she had been able to sell her produce at the market, she would be able to put her children through school and remain with them in Arakan state.

She said that the current inflation in prices in Burma means that parents' income is no longer enough to sustain themselves and their families. The money she earns in Malaysia is no longer enough, either.

Food in her community is scarce, especially rice. Farmers in the area are being forced to sell their best rice to the military for the lowest price. People in the village do not have enough rice for daily food, and living conditions are worsening. Before the SPDC came to power, people could at least have enough rice and food, even though the economy was not good. But now, she said, it is a really difficult time.

While in Arakan state, she witnessed abuses that she believes could be due to the Shwe Gas Project, namely the relocation of villages and forced labour to build the pipeline. She wants the gas pipeline to stop as soon as possible, and asked us to please strike it down as soon as we can.

She believes that even though Daewoo International and the Indian government are saying that the pipeline will start in 2010, the gas is already being produced, although India will not receive it until 2010. The SPDC will already have the path through which the gas will be transported. She said that they are already starting

to clear the path by breaking stone and clearing forests. Then later they will just lay down the pipeline. But the pipeline project is actually already underway.

Sometimes people are told that they are clearing the land to build a highway, but they know that it is for a gas pipeline. Sometimes the commander openly tells them that it is for the gas project, but they are not told this officially. Another sign is that foreigners are restricted from the area. There is a Mahamuni shrine there, and foreigners and researchers want to come see it, but the SPDC does not want them to find out about the pipeline. She believes that this is another piece of evidence that the work is indeed for the pipeline.

She told us that two villages are presently being relocated and others are being used for forced labour. In the villages that were forcibly relocated, there were about three hundred households, and two thousand people are currently being relocated in total. The government already is giving the order to destroy the villages. They do not tell people where they have to move to, and they are being given absolutely no compensation. The order to move came in June 2005, and the villagers have until March 2006 to leave. After March, no one should be in the village. The SPDC told villagers that the gas pipeline will be built in this area.

Villagers that are forced to relocate for the Shwe project have no opportunity or right to protest. Even simply by speaking critically about the relocation they risk arrest, torture and execution. She believes that villagers that are relocated will live in hell. They will have to move out and build a small hut and sleep on the ground. She does not have any idea how they might survive. They will have no job or land provided by the State. They will be unable to access religious buildings, monasteries and pagodas in their village. Water pumps will also be destroyed.

Fifteen villages over three counties, with 15,000 to 20,000 people per county, are forced to work in the pipeline area. Counties rotate work schedules, and are forced to clear cut forest and to make a road. Forced labour orders began in June 2005 and work started in July and August. It is ongoing.

The forced labour rotation is at least one week long, and the cycle simply continues. The workday begins at 7 am, with thirty minutes for lunch at 11 am, and break time between 2 and 3 pm because the temperatures become too high. Work continues until the sun sets. There is no one that appears to be representing Daewoo at the worksite. Foreigners have been forbidden from traveling in the area. The community worries that outside aid will be stopped due to this restriction.

No one is exempt from the forced labour, including women, children, pregnant women and the elderly. Every household must provide one person to work, so if parents or able bodied men cannot go, others must go in their place. At the

forced labour site, workers must provide their own food and tools, build the camp themselves and sleep on the ground.

She has no knowledge of particular abuses taking part in the present pipeline-related forced labour, but in 1996-7 in a forced labour camp, she knows that there were massive human rights abuses, including many rapes. She witnessed many people being beaten when working as a porter, for example if they were late for work. People were dragged out of their boat by soldiers, forced to lie on the ground, and were beaten. In one rape case, the mother and father of a household could not go to work as porters, so their 16 year old daughter was taken to military barracks and was raped as punishment.

She has already witnessed some environmental impacts of the Shwe project. She told us that some gardens that produce fruits and vegetables have been destroyed to make way for the pipeline. Also, centuries-old trees have been cut down, and so has bamboo and other small trees. The pipeline area is green forest, or at least it was, she said, and the forest has made the weather stable and consistent. The community needs lots of rain in the area to grow rice. In her opinion, the weather in the area is changing already: rain is no longer consistent and predictable, and the production of rice is declining. She estimates that the eventual result will be that gradually the weather will change severely, and the worst effect will be starvation to the people, but she does not know exactly when or how this will happen. She knows that this kind of environmental change will result in drastic effects, and she does not believe that the regime understands the environment.

Most of the land being cleared for the project, including mountains, valleys and forest, are owned by farmers and local people that have been living there for a long time. There are indigenous people that use that land, including the Mro, Dinet and Khami peoples. In fact, she said, there are more indigenous people in that area than anywhere else in the state. The indigenous communities are unhappy and are worrying daily about what will happen to them and their lands, and whether they will be forced to relocate like the other two villages.

A rumour has spread in her community that the gas is not coming for the Arakan people. The community members know that it is going somewhere else and they believe that it might be to India or Bangladesh. They do not know the identity of the investors. She said that later they will learn who is behind it, and she does not understand why the people are not told. They will find out eventually because some people in the community - those that are relocated and forced labourers, most likely - will be curious, so one way or another they will investigate, and find out from an outside source, and then they will tell the people. It will be broadcast eventually; she believes that people will learn the identity of the investors when they listen to BBC Burma.

She said that people know from common sense that the regime makes up the law, that whatever they say becomes law, so they know that arguing about the project, and arguing with anything that the military says, will only get them into a lot of trouble. No one is able to speak out. They know from previous experience what would happen if they did, and they are intimidated by these experiences.

She feels that the Arakanese people are singled out and isolated, and when soldiers see their ethnicity in their passports they are not allowed to travel freely. When traveling on buses or other public vehicles they must give up their seat to soldiers.

Interview #10

- 34 year old woman
- Originally from: Maung Daw township, Arakan state
- Currently in Malaysia (since 2000) as an illegal immigrant

She left Arakan state because the United Nations Development Programme (UNDP) and other international aid agencies came to her village and were misused and mistreated by the SPDC. Also, there were ethnic tensions between the Muslim community and her own community.

In 1996 and 1997, the UNDP came to her hometown with a variety of health education and sanitation organizations to help build infrastructure. In 1997, SPDC generals Tin Oo and Khin Nyunt also came to her hometown. The UN was building a street and added milestones with the name of street and a UN emblem underneath. When the generals came, the villagers were forced to remove the street signs with the UN emblem on it and to put them into her house. She had an argument with authorities and asked them why they had to take them out and put them in her house. She did not want them on her property and told the authorities that they did not have the right to put them there.

She also had an argument with a school teacher, whose husband was a military sergeant. The teacher insulted her by saying that the Arakanese are arrogant, and would never accept the help of the Burmans. She replied that the incident of the street signs had nothing to do with Burman help. Her son and daughter failed that teacher's class.

She attended school with Burman students, and she said that no matter how hard Arakanese children try and no matter how smart they are, their grades are always lower than those of Burman students.

In her hometown, there are many soldiers and border patrol police. She told us that they give villagers a very hard time. Villagers are over-taxed, and health clinics and hospitals are not operating. The nearest hospital is sixty miles away from the village. There are many military stations and checkpoints surrounding her hometown. Those that live four miles away have to come to the hospital in her hometown and have to pass several gates. Each time, regardless of whether

they are monks or pregnant women or are very sick, the people have to walk in front of soldiers and pass the gate while being harassed by them.

One day, one of her sisters-in-law had an infant die during labour. She was rushing to the hospital in a tricycle while in labour, but a soldier forced her to get out of the tricycle and walk by herself in front of the gate. She was too late to get to the hospital, and her baby died before it was born.

She told us that in 1995, one SPDC general and his wife came to her hometown and gave medicine and aid to the Muslim population of her town, but did not come to visit the Buddhist population even though they needed aid. The Rakhine community criticized the general's wife for this, because they felt like the Rakhine are discriminated against in their hometown.

Her hometown was once quite wealthy in relation to the rest of Arakan state and Burma. Since 1988, though, she believes that it is now one of the poorest in Arakan state. She thinks that this is because the SPDC taxes everything, especially trading. Because their town is close to the Burma-Bangladesh border, the villagers used to prosper from free trade, but it is now restricted. SPDC soldiers and their families now dominate trading with Bangladesh, and have become very rich. Others have been forced to move out. She pointed out that this is the immediate reason that she had to come to Malaysia: restrictions and state sanctions that have led to economic hardship.

After the 1988 trade sanctions, there has been shortage of food in the community. She said that she cannot count how many times the SPDC forcibly took rice and food from the community. The entire community was starving. Before the SPDC came to power, food in the community was always abundant. Afterwards, there were heavy taxes and restrictions on fishing. No fisherman was allowed to go out to sea to fish. Now fish and meat are always in shortage in her community.

In 1990, during a festival in Nwe Down village, #2 Border Patrol Unit and Battalion #2 were assigned as security. The village is small, with a very traditional Buddhist temple and pagoda. After the festival, military personnel raped two girls, who were about 16 and 17 years old. The girls did not submit complaints or take any action, but kept silent instead. They did this because they knew there would be no action taken against the military personnel, and also because the families of the girls would feel disgrace and shame. Immunization against polio was provided for her community in 1993 by the regime, but after that she has not seen any immunization against major infectious diseases. If there are high rates of malaria, the regime will take action in her hometown to prevent its spread. However, there is no other disease prevention or treatment provided.

Her hometown is close to the sea, and the community's water is clean, but they must gather it themselves. There are no pumps available. It is difficult to get enough water for drinking, sanitation, cooking and washing. If people have money, they can buy water, otherwise they must use manpower. If they have no money, they must take four to five hours per day to collect enough water for a household. In Arakan state, she fetched water daily for cooking and preparation, and in addition to cooking food, this took the entire day. In Malaysia she discovered that water can come through a tap, but before she thought that it was normal for water collection to take all day. Now, she thinks it is bad policy and governance to not to ameliorate access to water.

Near her hometown there is a large waterfall, and she judged that it could produce more than enough electricity for both Burma and India. She does not understand why Burma does not allow that to happen. In her hometown, the community never has enough electricity. She explained that her hometown could be developed, that Arakan state could be developed, but the SPDC does not want it to be developed, and that is why they do not provide enough electricity.

Her community gets electricity from a generator between 6 pm and 9 pm daily, but it does not provide enough power to read and cook. There is no electricity on the street, but power is provided to military offices and barracks. Those that work for the SPDC are provided with electricity, but other households have to pay 1,500 kyat per month for those 3 hours each day. She estimated that ten percent of households in the community were owned by members of the SPDC.

Water is available in local schools, but students have to pump it themselves in the morning for the school day. The water is not sanitary, and children develop diseases from the bacteria. Some high schools have electricity, but they have no computers or other electronic equipment. Currently, for every high school in her hometown, the SPDC provides one computer, but only children of the SPDC are allowed to use it.

Interview #11

- 41 year old man
- Originally from: Pa Nay Tow village, Pung Na Gum township, Arakan state
- Currently in Malaysia (since 2000) has been an illegal immigrant since 1994

Once he passed the tenth grade he married a woman in Sittwe, and her brother was accused of being a communist and was imprisoned.

His brother-in-law was Arakanese, and was the personal manager for former military commander General San Yu. He was involved in the 1988 pro-democracy movement and that is why he was accused of being communist. He was arrested in 1988 and given a twenty year sentence, and remains in prison in upper Burma to this day. He had no trial and was not allowed access to legal counsel. His

family was allowed to visit him in prison, but not regularly, and only about every three months. It is difficult for his family to visit because they have to travel from Sittwe to Rangoon, which is 24 hours by car, and then to Mandalay district, which takes another day. In total it takes two or three days each way. He also said that his brother-in-law was tortured in prison.

Military Intelligence Unit (MIU) #10 in Sittwe came and interrogated his wife's parents, and his father-in-law had to go to the MIU headquarters for interrogation. He told us that the MIU interrogated him as well, and asked if he had affiliations with his brother-in-law. They placed his name on a blacklist, and he subsequently worked five different jobs as a government employee. He got fired from most of them because of the blacklist. He believes that employers possibly found out about the blacklist after they had hired him. The MIU would show them the blacklist and told them to fire him. His community all knows each other and he was unable to make a clean start.

He grew tired of working for the SPDC, so he opened a private business operating a passenger boat. However, he was unable to make a profit because the SPDC used his boat for transportation without paying him. His life was very difficult, and in 1994 his wife became sick and died of a heart attack.

Because the government disrupted his business, he had no choice but to leave his two children to come to Thailand in 1994. At the time, his daughter was five years old and his son was three years old. They are still in Arakan state and are being cared for by their grandparents. When his children had to go live with their grandparents, their standard of living decreased. They had less food and clothing and a higher tuition fee for school. All of their living conditions were worse, and they had to drop out of school. He has some contact with them now, although he had no contact for the first seven years that he was outside Burma. They make phone calls to each other because he fears that letters would be opened and read.

Interview #12

- 32 year old man
- Originally from: Zee Gyne Rwa Down township, Arakan state
- Currently in Malaysia (since 2000) as an illegal immigrant

He told us that he came out of Arakan state in 1999 for several reasons. One was that the military regime confiscated an acre of his land that produced a lot of rice. His parents owned five acres in total, but the other four acres were not cultivatable, as they were too close to the river and to salt water. The land was confiscated because the family could not provide enough rice to fill the quota of 30 kg per acre. No compensation was received by his family for the land. They were not allowed to eat or sell their own rice.

His family made prawn farms from the other four acres of land that they owned and grew tiger shrimp, but they were forced to sell the shrimp to the military for the lowest price. The military then exported them to other countries for a higher price. He said that his family worked very hard and tried their best, and so they finally had barely enough food to eat. Once, though, the military came to their prawn farms and saw that they had a homemade gun. They were charged with possessing illegal firearms and his father was put in prison for one month. He had been a school principle but the SPDC downgraded him to a teacher when he was released, and because of this the family now has even more economic difficulty.

Battalion #90 from Sittwe confiscated the family's farm in 1999 and the military allowed Muslim people to work in the farms instead. His family was evicted and was very angry, so one day he set fire to a hut that the Muslims had built on the farm. The people working there called military personnel and they came to arrest him, but he ran away. The military personnel then went to his home, arrested his father, beat him and demanded that he find his son and send him to the military camp. After this incident, he ran away to Thailand and came to Malaysia.

Last year his left hand was broken while working on a fishing vessel. He received no compensation and the community gathered together and fixed his hand themselves. He asked his father whether he could come back to Arakan state because he could no longer work hard labour in Malaysia, but his father advised him not to come back because he would be arrested.

Another reason that he left Arakan state was that military personnel came to his village once every month, and during this time he could not go to school because it was closed in order to house them. Hundreds of soldiers stayed in the school, and each time they came they stayed in the school for six or seven days, so there were no classes during this time.

The soldiers would also go into the monastery without removing their shoes, which was very insulting to the Buddhist members of the community. When the soldiers arrived in the village, they would shoot at coconut trees and the birds in them, and this upset the villagers. Once, a bullet fired in this manner hit a woman in the leg while she was cooking. This was an accident, but the head of the village had told everyone not to shoot birds and coconuts and the soldiers had purposefully defied this order. The soldiers did not take her to the hospital or treat her, instead she had to use her own money and medicine. No surgery was necessary, and she recovered fully after fifteen days of treatment.

He was also a forced labourer and porter for the military in 1996. The military forced him and his community to gather stones to make a road. He had to use his own boat, tools and food. Five or six times every month he was forced to go work for two days. Each time they would collect about fifty people to work. Of these, about five would be women, one of whom might be pregnant. Seventeen

people would be underage and ten would be elderly. Everyone would be given the same treatment, even children, pregnant women and elders. Soldiers would yell and insult everyone. Military personnel, fully equipped with automatic rifles, would supervise. Underage children were beaten most often because they did not understand Burmese. Butts of rifles were used to beat workers, as well as boots. He believes that those that were beaten were often injured internally.

There was no compensation for their work in any way, and if they did not meet the work requirement they would be fined. The requirement was very heavy and difficult, and if they did not meet it, labourers were not allowed to eat lunch and dinner, and must continue work until the next day or until the requirement was filled. The working day began at 8 am, with a break at 12 pm for lunch and smoking, and then work began again. There was no set ending hour, but they had to work to fulfill the requirement until night fell at 7 or 8 pm. There were no breaks to drink water.

Sometimes the work site was one full day's travel from the village, and in these cases they would have to pack everything and stay there. They would cook and sleep in their boat, and two days of work would actually take four days. He worked on Bu The Down Highway, in Maung Daw, Sittwe. He explained that it was built under the late Prime Minister U Nu, and was later rebuilt.

"I miss my parents almost every night. I miss my parents, and even though I am a grown man I have to try not to cry. My hope to rejoin my parents rests on the ability of the Arakanese people to achieve democracy. If the present government remains in power, my dream will never be realized. If we have democracy and an Arakanese government, everyone's dreams can come true. I want to tell my parents to come to Malaysia to meet with me and talk to me, but it's impossible because they are travel restricted and cannot be given a passport. If I could, I would call my parents today to tell them to come live with me."

Interview #13

- 31 year old man
- Originally from: Sar Pran village, Town Kok township, Arakan State
- Currently in Malaysia (since 2003) as an illegal immigrant

He told us that he left Arakan state because his entire family faced economic hardship and repression.

He became a member of the National League for Democracy (NLD) in 2003. That same year, two UN human rights commissioners and investigators came to his village to investigate forced labour. People in his village and the surrounding area had been forced to work to build the Zechung dam. Two American UN investigators were taken to labour sites by members of village. Military personnel came and asked villagers if they had seen the investigators, but the villagers refused to answer. The personnel were looking for him and his colleagues to

arrest them. He ran away from arrest in August 2003, but felt that the situation was returning to normal in October and returned home. Then he left home for Malaysia once again in March 2005 because the military learnt that he had returned. On his way from Arakan to Tenasserim region, immigration authorities confiscated his national identification card, along with those of many other Arakanese people, because immigration feared he would join with revolutionary and democratic forces in Thailand.

In order to build the Zechung dam, his entire village was forced to work. The work began in March 2004 and ended that August. He did not have to work on the project himself, because his father had died and there was no one else in the household. He was not forced to work in the camp because in his village, the tradition is that a widow that registers that her household is not able to support themselves economically is exempt from sending a labourer, and because his father had died, their household was exempt.

About ten villages were forced to work, and about 3,000 people in total. He approximated that twenty percent of these workers were underage and forty percent were women. He could not say how many women were pregnant, but he told us that mothers with infants were also forced to work. Ten percent of the labourers were elderly.

A military boat came to his village and took forced labourers away to the work site. The boat ride took about three hours and workers had to camp at the site. They built huts to live in and slept on the ground for about one week. They had to provide their own food and tools, and were given no drinking or cleaning water.

The workers had to dig soil and carry it to build the dams. They began each day at 6 am, had lunch at 12 pm, and then worked from 2 pm to 5 pm. The work was supervised by soldiers that were fully armed. People that were unable to go to the worksite were fined and the money went to the village head man and soldiers. People that could not work, especially women, were also beaten by soldiers, usually with their fists. All workers did the same type of work. There was no compensation in any form for the work.

The dam was built for the purpose of irrigating farms that belong to the military, but it was never completed. The dams broke soon after completion, so they called for more labour. After they broke twice, they were finally able to complete the dams on the third try.

He told us that Battalions #346 and #544 got lots of money when they forced people to work. The NLD complained to higher authorities that the local military was stealing money from local people. The complaints went to Rangoon, and a local village head man was arrested and imprisoned for three months.

Although a certain number of people in the village were forced to work, those that had money paid off the soldiers not to have to work. Some poorer people ran

away, so the SPDC did not get enough people to work, but instead had lots of money from bribes. The NLD used this as evidence in their accusation of extortion. The complaint was reported to the NLD headquarters in Rangoon, who then contacted BBC Burma. Party members investigated the working area, and made a phone call to the NLD headquarters when they had gathered enough evidence. After the NLD informed the BBC, the SPDC was forced to punish the officers that had taken bribes.

The military threatened those that had gathered evidence with arrest, so the NLD members fled from the area and returned when things had settled. He believes that evidence gatherers were being watched by military personnel as well as by SPDC intelligence.

If workers were injured on the job, they received no treatment or compensation. Students missed school for seven days in order to work. They worked for six days and transportation took one day. There was only salty water at the site, so people had to transport water themselves, and sometimes they did not have enough. The military allowed them to get drinking water twice per week and distributed a limited amount to workers. From the worksite, the transportation of water took one day. Military personnel moved water in plastic tanks and large bottles. Motorboats were taken to get water in the evening at about 6 or 7 pm, and when the boat landed, workers would line up and distribute the water. Each worker got six gallons of water, as there was about 24 gallons of water for ten people every three days. The water was used for showering, cooking, cleaning and drinking. However, people never got enough water to take showers; they chose instead to use it for the other purposes. The water was shared by groups of ten people, who would cook and clean together.

He wanted us to know that in Malaysia, he has found ANC and has become a member because he would like to provide services, talents and anything else that the organization needs, because that will speed up change in Burma.

Interview #14

- 28 year old man
- Originally from Nagor Muk Out Rawar village, Ra Thik Down township, Arakan state
- Currently in Malaysia (since 2002) as an illegal immigrant

He left Arakan state because, since 2002, Battalion #537 has ordered his village and another two villages to provide two men to the military in a draft. People that could afford to paid 50,000 kyat if their names were called and were exempt. He did not have money, though, so he had to join the military. He was in that battalion for one week before his training, but did not want to be in the military because it has a bad reputation, so he ran away and escaped to Malaysia.

If he had been caught escaping from the military, he said that he could have been arrested and put in jail with a lengthy sentence, tortured and executed. When he was escaping to Thailand, he was stopped in Kut Khung, in Tenasserim district, and his ID card was examined. The card told the officials that he was Arakanese. There were some other Arakanese, as well as Mon and Burmans in his boat. They were all allowed to pass through; however, the Arakanese had to sit on other side of boat away from the others. Later the officials confiscated the ID cards of the Arakanese people and demanded 500 kyat to get them back. He did not have the money so he now has no identification card.

In 1997, he and his village, as well as other villages, were forced to work on the Bu The Down Maung Dow highway in Sittwe. They renovated the road originally built by the British. The work consisted of digging and carrying soil and sometimes breaking stones. They worked from 7 am to 6 pm and had to provide their own food and tools. They had to live in a labour camp and were usually called to work for seven days, but sometimes the military would keep him for ten days, despite promising to release him after seven days. Several elderly men worked on the project. There were not many women in the camp, and no children. The majority of their workers are able men, in or over their twenties. There was no difference in treatment for different groups. The work was supervised by soldiers. If someone was unable to go to work for seven days they were fined 250 kyat. Punishment for lateness at work was working until 8 pm.

The available water was not enough. In order to have adequate drinking water, workers dug wells themselves. He did not witness any severe injuries at the labour site, but the workers had to treat minor injuries themselves. If someone was sick, they had to report to the officer. If they did not report their sickness, they were not allowed to go to the hospital. The hospital was three hours away from the worksite, but still they could not leave without first making a report to the officer.

Workers received no compensation or payment. Battalion #537 Commander Maung Maung ordered every household to provide twenty pieces of wood to make a bridge, but he actually sold the wood to the military to make the bridge somewhere else.

In 1998, he was forced to work under the supervision of Battalion #537 on prawn farms, which that battalion had built in confiscated rivers and valleys in a large area. That year, Krin Thar village was forced to work because entire village and its land was confiscated to make prawn farms for the same battalion.

The prawn farms were close to his village, but other villagers had to come from far away to work. The majority of workers had to camp at the worksite, but he and his fellow villagers commuted to work everyday.

He estimated that about 2,000 people worked in these farms. One hundred of these were underage children, the youngest being thirteen years old, and in fact most workers under eighteen years old were that age. Sixty workers were women and there were ten were mothers with infants. He believes that there were between six and ten elderly men also forced to work.

The farmland had actually belonged to him before the military confiscated it. His father was called into the military headquarters of Battalion #537, and was forced to spend several days there. The battalion gave him 5,000 kyat for the land, and his family tried to negotiate for more money, but never received any.

He and his village then were forced to work on his former land. They had to build a dam, taking soil and building up the dam everyday. The work began early in the morning, and his community would return to their village in the evening. It took fifteen days to build the dams, but making the farms, including cleaning and taking care of dams and prawns, took 3,000 people eight months to complete.

From his township, Battalions #536, #537 and #538 enforced the labour, from Kyauk Taw Battalions #375 and #376 were also involved, as were Battalion #377 from Mruak-U and Battalion #19 from Sittwe. Each battalion had one prawn farm, and workers were gathered from throughout Arakan state. All workers received the same treatment whether they were children, women or elderly. His community did not have any very difficult problems such as punishments or beatings, but he had heard that some workers from other villages died of malaria, contracted diarrhea due to problems with drinking water and some were killed. If workers died while working they were buried under the dams.

Muslims were brought from Mruak-U and Kyauk Taw to work, and were given such small amounts of food as one cup of rice per day. They faced many nutritional problems and they died more than any other group.

He said that in both forced labour cases that he experienced, Muslims were not particularly targeted. The military just seized whomever they could find, and he believes that neither Muslim nor Rakhine communities were targeted.

The working areas had only salty water, so soldiers provided water to workers, but it was not enough for both washing and cooking, and this resulted in disease and death. He said that he heard this from Arakanese soldiers in the army.

Those workers that stayed at the worksite lived in temporary shelters built by themselves with leaves and bamboo. He said that these workers had a very difficult time because they had to go back to their village for food and water. The soldiers did not give them enough to rice to eat, so some people stole boats or whatever they could to escape. Members of his village showed them how to escape. People were caught escaping and they were given more assignments at the end of the day, or assigned to an additional work rotation.

In his final statement, he said that the Malaysian United Nations High Commission on Refugees (UNHCR) should open up refugee status for people like him that cannot go back to their home country. He tried to apply for refugee status in Kuala Lumpur, and slept in front of the UNHCR office for three weeks, but could still not get inside. About one hundred people were lined up in front of the offices, and only fourteen people were taken inside every day. Sometimes the security guard would grab those waiting to get inside and remove them, and sometimes they were beaten. He told us that the Malaysian UNHCR is now closed to new applicants, and he does not know how he will survive. He said that it is essential to get into the UNHCR, that this is essential for his survival.

Interview #15

- 34 year old man
- Originally from: Yin Ree Gan village, Pak Tow township, Arakan state
- Currently in Malaysia (since May 1999) as an illegal immigrant

He left Arakan state because his business was disturbed by the military. He could not continue to operate it successfully because the military kept trying to arrest him. He closed his business because he needed to escape.

His job was bringing wood from May Pra district to his home town to build houses, and he relied on the income. He was married with one daughter. In 1991, he was bringing a large pile of wood to his township in his motorboat, and his boat was stopped by Battalion #381. Commander Lt. Maj. Htan Mib and two other soldiers arrested him and confiscated his wood and his boat. The military later released him, and he paid money to get his boat back.

He had gotten the wood from a private wood factory that he had purchased. The military said that they confiscated the wood because it was their business, but he told us that of course this is not the law. If he did not listen to them, though, he believes that they would have just executed him.

After this he could no longer operate his business, so he began buying prawn and tried to sell it in his town, but the military confiscated his prawn and boat again, and he was out of business.

Battalion #541 confiscated his boat and his prawns, which was everything he had; he had no more money or business. This happened one day when he was returning from Pak Tow township. Soldiers were waiting for him and Captain Kha Koko stopped his boat and asked whether he was coming from selling prawns. When he answered that yes, he was, two soldiers grabbed him and took him into their military barracks. One of them kicked him from behind and he fell, then they used their boots to stomp him while they asked why he was selling the prawns. They said that it was a military business and accused him of interrupting it. They beat him in the barracks for about eight hours and then his father came and

talked with the military. His father bargained for his release and offered the military anything they wanted to take, including his money and his boat. They released him and confiscated his boat, money and everything else that the family had. He arrived in Thailand in 1992 and came to Malaysia in 1999.

Before the confiscation of his wood, he had enough income to meet the needs of his family. Twenty-five percent of his household income was spent on food, and he was able to put fifty percent into savings. After the confiscation, there was no money for food, and his family had difficulty finding enough to eat. He faced financial difficulty and he and his wife divorced. His wife took possession of their house and he did not have anything. Later, she sold the house and she and their daughter moved in with her parents. He moved back to his own parents' house, as well.

His wife and daughter are still in Arakan state. His daughter is fourteen years old and attends school. He said that they moved to his wife's parents' house because he could not take care of them himself, and her parents are still taking care of them. The standard of living of his wife and daughter has worsened since they have lived with his wife's parents. Their economic situation is bad because his wife was a housewife and is not skilled in another trade, and her mother's business is not very stable. He had contact with his family from the time that he left in 1992 until 2000, at which time he was imprisoned in Malaysia for being an illegal immigrant. He has had no contact with his family for the last two years.

He told us that he just wants to get legal status in Malaysia, because then he would be able to work and earn money to send back to his family. He was imprisoned for two years as an illegal immigrant in Malaysia, and received canings when he was arrested. He said that he is not sure how long he can survive like this.

Interview #16

- 34 year old man
- Originally from: Kay Toe no. 1, Sittwe, Arakan state
- Currently in Malaysia (since Sept. 2004) as an illegal immigrant

He explained that he was forced to leave Arakan state because of his uncle, who was a police officer and who confiscated his business. His business was catching jellyfish, drying and selling them to Rangoon. He shared this business with a man from Yunan province in China. It was confiscated along with all of his investments and earnings, and he had to leave his wife and son five years ago. His father died, and because of this, he had to come to Malaysia.

In 2002, he started the jellyfish business with the Chinese man, and he estimated that all of his investments together finally amounted to about 100 million kyat. When he was registering the business with the SPDC they asked him to pay the

rent for the business. Foreigners must pay in US dollars, and since his partner was Chinese, this applied to him. He did not have any American currency, though, so his mother told him to approach his uncle for help in negotiating with the military regime. His uncle helped him negotiate and he paid 50,000 kyat monthly for rent.

His business did well, and he traveled to China twice with his jellyfish and earned lots of money. Then at almost the end of the jellyfish season, which is about four or five months long in the summer, he had to close his business and prepare for next year, and he calculated that he had made about 6 million kyat.

He wanted to give one third of this to his uncle, but his uncle was not satisfied, and instead took all of his money. He argued with uncle, and his uncle arrested him and put him in jail for three days. The police charged him with a labour charge, saying that he had failed to pay a labour tax. His family did not want to have a problem with the police, so his wife and mother-in-law decided just to pay the 36,000 kyat fine.

At the time, he had started to build a new home and needed extra money, so his wife tried to convince him to try to get some money back from his uncle. He told her that it was too dangerous. He owned a coffee shop with a karaoke machine and also video shop. He had to make some money for his new house, so he tried to sell the video shop, but the people that bought it refused to pay him. He tried to sue them, and had lots of arguments with his wife about their financial instability. Eventually, he said, he had to divorce her.

When he was in jail, he had no access to legal counsel, but after he was released he said that he was free to get some if he had wanted to. When he was in jail, the police officer took possession of everything his business, including his motorcycle and his generator. The first time he entered the jail, the superintendent beat him with a rubber baton. There were toilets inside his cell and he had to sleep on concrete. The same water had to be used for the toilet and showering. They also had to drink from the toilet water. They were not allowed to bring in bottled water, and he did not take a shower for the three days that he was in prison. He paid lots of money for his wife to have permission to bring in bottled water for drinking.

He was provided with no food the entire time. His wife would come to visit him; he told us that at the time they had been newlyweds for only five or six days. She was very upset because both Muslim and Arakanese juveniles in the prison were starving, and so she would bring a lot of food for everyone when she visited.

His son and his wife are still in Arakan state. His son is in the second grade, and he talks with him sometimes by phone. He told us that his son's standard of living

has worsened since he left Arakan state, but that his wife is still able to manage the coffee shop, and so they have enough for school and for food.

He wanted us to know that he wishes to end the Burman government and colonization in Arakan state as quickly as possible, because then the lives of the Arakanese will be better.

Interview #17

- 28 year old man
- Originally from: Thovya Gone village, Phonagung township, Arakan state
- Currently in Malaysia (since July, 2005) as an illegal immigrant

He said that he left Arakan state because his family has eight members, and everyone in the family is a servant in farms, owns no land and is very poor.

When his elder brother was sixteen he was forced to serve in the military. His father, a fisherman, could not afford to feed the entire family, so his brother worked as a servant in another farm to help buy food for the family. One day, in about 1990, a soldier came to his village and said that the military was collecting soldiers in the draft, and they took his brother to the military headquarters. He and his family did not know that this had happened, and thought that his brother was missing, but two days later they learned that he was in military barracks. They rushed to the barracks to try to see him and find out what happened, but the military officers said that he cannot go home because he has already registered to be in the military. His family had to go back home without his brother. He has heard that his brother is in the army still, somewhere in upper Burma, but that was the last time that he saw him.

When he was in Rangoon, he heard that his brother wanted to go home and quit the army, but he had no choice but to live and work the rest of his life for the SPDC. He said that he feels very sorry for his brother in the army. When his brother was young he supported the family, and after that the family could not consistently meet their needs. That is why he himself left Burma, because he was very angry that the military regime took his brother. After his brother left, his family would get sick because there was not enough good food for them.

He went to school and completed the fourth grade, then had to drop out because his parents could not afford any more school. He dreamed of going to school and to study, so he joined the monastery. He came to Rangoon to continue his education, but he learnt only Buddhism in the monastery. He was there for about three years, and one day he thought that if he kept doing this, no one would be able to support his family. He has young siblings, so he went to Thailand in 1996 to look for work so that he could support his family.

He went to Thailand when he was seventeen and he tried to get a job. He went with an agent that took him to get a job in a rubber field, and then told him and

other men that to bring them to the rubber field cost 15,000 baht. In order to pay this back, he had to work for six months without any pay. After six months, they had to carry very heavy rubber to a car one day, and after they did that and were paid 500 baht, they were told that they had to work again for another six months. That night, he and some others ran away and were caught and arrested by police. The rubber field owners came to the prison and tried to take them back to the fields, but the workers said that they did not want to go because they would be killed, and instead the police kept them in jail for 45 days.

When he was released from jail he was deported to Burma and stayed there for two days before he returned to Thailand. An agent told that him he could go to Bangkok and earn 200 baht per day at a construction site, but instead the agent took him and seven other men to Patani, and sold four of them to a fisherman there, then took him and two others a further two hour drive to another fishing industry, and they were sold there.

They were taken to sea by a big fishing vessel. They had never been at sea, and since it was December, they found it very cold. The fishing boat went into Indonesian waters, which he told us was illegal for a Thai boat. He said that fishing vessels usually stay out for a month at the most, but he was in the water continuously for two years and six months because he kept being transferred from boat to boat. One day his friend was called by the Thai fishing captain to lift up the dock, but he was a little late so the captain beat him. As his friend was lying down in the boat, he kicked the captain back and hurt him a little, so the captain retrieved a gun from his room. He called on a walkie-talkie for two other captains, and they came and asked his friend why he had kicked the captain. He said that it was an accident and apologized, but one captain grabbed a tool and hit him in the head, then another captain took the gun and shot him twice. He died and they threw him overboard.

After two years and six months, he was finally brought back to the dock. One of his friends had also survived. He was about to get paid for the two and a half years, but the captain of the boat told them that the agent that had brought them had already taken the money, and that he had none. He and his friend tried to ask for a little money because they had been working for two and a half years, and their families needed money to be sent home. The captain replied, "*do you want a bullet or do you want money?*" They answered that they did not want anything, because they knew that to ask for the money would mean getting the bullet as well, and they just walked away without anything.

While working on the fishing boats, he was beaten and he still has a scar. He and his friends had never been at sea before and were punished for being seasick. Also, they could not understand English, and were slow workers because they did not at first know what to do. He said that he was beaten many times for these reasons.

The food and water on board the fishing vessels was plentiful but not very nutritious. Also, they were not allowed to cut their hair. On the boats, he had to work sixteen hours per day, day and night, and had no days off unless there were heavy rain and storms.

Some workers on the boats were Thai, but the Burmese people in particular had no rights. He said that the boat captains could beat them if they wanted, kill them if they wanted and throw them to the sea if they wanted. They do not do these things to the Thai workers.

He has contact with now with his family in Arakan state, and when he was in Rangoon he learned that his brother came to Arakan state to serve as a soldier. Now, his father is sixty years old, and his younger and elder brothers have grown up, but the youngest ones still rely on his parents. He is now able to send some money home, so he believes that right now they may be a little more stable than after his brother was abducted.

Interview #18

- 31 year old man
- Originally from: Tow Bawe village, Mrauk-U township, Arakan state
- Currently in Malaysia (since Feb. 2002) as an illegal immigrant

He said that he had to flee Arakan state because the military and authorities would arrest him at any time for two reasons. First, he refused to go into the army during a draft, and also he had a clash with a soldier when they came into his village to collect workers for forced labour.

He told us that his mother was a widow, and that he never met his father. His mother was very poor, and could not afford to send him to school past the fourth grade. His mother's eyes were not healthy, but they did not know what exactly was wrong with them. When he was fifteen years old, his mother asked him to borrow some medicine in Mrauk-U for her eyes. Mrauk-U was eight miles from his village and there was only one way to walk. He had walked for about three or four hours when he came upon a military check point. Two soldiers asked him to stop and asked where he was going. He explained where he was going and that he had to get medicine for his mother because she was becoming blind. The soldiers called him into the office, and when he went in, they said that instead of getting medicine, he had to join the army. He asked why he had to go, and told them that his mother will get sicker. He insisted that he could not join the army. The soldiers kicked him twice with their boots and argued with him about joining the army, but he maintained that he was the only one that could support his mother and that without him she would die. He told the soldiers that they could just kill him if they wanted to, but that he is not going to the army. They kicked him with their boots several more times and kicked him out of the post. They would not allow him to cross into Mrauk-U, and he could not get the medicine.

On 2 June 1996, two soldiers came to his village to collect people for forced labour. At about 9 pm, the soldiers were drunk and ordered everyone to go for forced labour and to gather in the village leader's house. He was ordered to go somewhere else with some supplies for the labour, and had to use a boat to get to the water, but the boat was not available until morning. The village leader told the soldiers that they would have to wait, because it was 9 pm, and people were sleeping and they had to wait for water, but the soldiers would not listen. They ordered people to kill and cook chicken for them. While they were waiting for the chicken, the soldiers were drinking and insulting people while everyone was preparing to go to the worksite. The women agreed to go to the site without water, but the men said that no, they cannot go without water.

All the women gathered in village leader's house, waiting for the soldiers, and a soldier used the toilet in front of the women in the house. The women were insulted and started beating the soldiers. They seized the soldiers, took their guns and tied the soldiers to a tree. When the village leader learned about this he was unhappy with the women. He said that what they had done was dangerous and that they would be killed. They tied up the soldiers, put them in the boat and took them to the military headquarters. When they got there, the village leader was beaten by SPDC officials for what had happened to the soldiers. The villagers were fined 7,000 kyat because they could not provide forced labour. They later heard that the two soldiers were transferred somewhere else.

In the morning he left the village, because everyone told him that otherwise he would be arrested. His mother died at the age of 77. He was youngest of six brothers and sisters. He could not go home to be with them when she died. His siblings dropped out of school at grades 2, 3, and 4, and one was only five years old. They were needed by the family to work.

He told us that he has heard of several rape cases near his village in a village named Var Nyo. This town is the transition point between his town and another one, and many boats pass through it. Sometimes boats would arrive at 6 or 7 pm, and ten or fifteen military personnel would patrol for people to collect for forced labour to build a highway. Whenever they saw a girl pass by, she would be stopped, questioned and raped. He believes that the girls would keep this a secret because they needed to maintain their honour and reputation, because they would be embarrassed, and also because they were afraid that if a soldier found out that they had told about the incident, that they could be killed.

He also knew of another case in Mrauk-U, in which one school teacher coming from the outskirts of town was stopped and raped by soldiers, who then left her on the street. Then they spread rumours that Muslims had raped her. He believes that this was done to spur violence between the Rakhine and Muslim communities. He has heard that soldiers did the same thing to Muslim girls, but he could not be sure.

He told us that soldiers would come to his village anytime they needed forced labour or porters. Sometimes in the middle of the day when people were working on their farms, they would have to leave everything in the middle of their work, including livestock and crops, for seven days. Crops would be left untended and be ruined, which was a great loss of income and food. He said that this disturbance would happen constantly.

He said that it seems to him that authorities have no sympathy at all, that it is as if they are inhuman. Once, one farmer with fruits and vegetables that went from village to village to sell them came to his village, and about three police officers stopped the farmer and tied him up in the house that he himself happened to be sleeping in at about 8:30 pm. He witnessed the farmer being beaten many times by the police officers. Blood came out of his mouth, nose and ears. The soldiers accused the farmer of selling homemade whiskey, but he said that actually this was not true. The farmer was beaten until the police got tired. The farmer asked for water, and he got some for him, but the officers kicked it away, and then began to beat him, as well. After that, they took the farmer somewhere else. They used the butt of rifles to beat him and the farmer, and he was also kicked.

His family's food was never adequate. They had to earn more money, but only three people in the household could work while six or seven people had to be fed. They would eat only rice. He told us that in his community, many children became ill from malnutrition. Some fathers were arrested, killed or died in forced labour, and their widows would go from house to house to beg for food for their children. In and around his village, soldiers would demand the quota of rice, and land, crops and livestock were regularly confiscated, so the community could not provide enough food to sustain itself. There was no food aid received by the community, but some organizations would come regularly to give immunizations against malaria.

Interview #19

- 28 year old man
- Originally from: Kyaw Zan village, Ponnagyan township, Arakan state
- Currently in Malaysia (since Feb. 2002) as an illegal immigrant

He explained that he was forced to work on the Sittwe - Kyauk Taw highway in 1998. His entire village was forced to work on the highway. About ninety people had to go to the worksite, which was twenty miles away from the village. They had to bring their own food and tools, and were kept at the worksite. At the worksite, there were underage children, two of which were twelve years old, who had to work because their parents were sick and could not go. There were also about two elderly men from his village, and no women at all working at that time.

When they went to the worksite, it was a long journey, and one of the elderly men – he was sixty years old - had diarrhea, so they decided not to proceed. They sent him and another elderly man to a nearby hospital instead. There were supposed to have been ten people in total on his work team, and when only eight people showed up, the military personnel asked why the two other men did not come. The team leader tried to explain why there were only eight people, but the military commander was angry and kicked this man in the face with his boot. They completed the job, but were fined 200 kyat for each of the men that were missing, because they did not have permission to go to the hospital, even though they said that these men were on the way to the worksite.

He told us that he left Arakan state because when he was about to take his final exams in the tenth grade, and also taking college entrance exams, he had to do forced labour for four days, plus one day to travel. His father was supposed to go to replace him after four days because he had to take his exams, but his father was sick and could not come. Finally, he had to take his final exams without any preparation and failed them. When the military again came to collect forced labourers in his village, he argued with the local headman, and asked why this had to happen to him and his village constantly. The military said that he would have to pay a fine if he did not want to go, and he replied that this labour is always disrupting the lives of him and his family. The head man reported this argument to the military, and he felt that he could be arrested at anytime, so ran away from home in the summer of 1999. He went to Thailand and then came to Malaysia.

He told us that he escaped because he could no longer bear the labour; that having to go and provide forced labour all the time was like living in hell. In Rangoon, he tried to get a full time job and go to high school part time, but he could not do it because he could not find a job. He said that there were no jobs there to be had, that there were not enough jobs for the amount of people there. Also, he feels that it was impossible for him to get a job because he is Arakanese and most managers there are Burman.

He said that they were called too many times for forced labour, sometimes up to six times per week. Sometimes only certain people were called to work and sometimes the entire village was called. Whenever the military road engineer felt that he did not like something on the road, or that the project was behind, villagers would be called, sometimes to clean, sometimes to rebuild, or to do whatever the engineer wanted. Sometimes when they went, there would not actually be a job for them to do, but they would still have to take a whole day to walk out to the site and then just turn around and come back. They worked various jobs, but were always called to work on the same highway.

The youngest children on the worksite would have to carry soil after it was dug by able men. Other than this, everyone was treated in the same way. He said that the military workers wanted to finish the project as soon as possible.

Finally, he asked us to please tell the world about all of these atrocities, and that living in Burma is like living in hell.

Interview #20

* This story was taken from a participant that had previously given an interview and wished to also share his brother's story. The following information is regarding his brother.

- 42 year old man
- From Than Win King village, Arakan state
- Worked in a fishing business in Sittwe
- Arrested April, 2004
- Father of two sons and two daughters

He and another man owned a jellyfish business, and one day in April 2004, they both took their boat to sea to fish for jellyfish. They usually caught jellyfish at 6 or 7 pm, when there is only a little light left. There was a restricted area around one gas block, called A-1, owned by Daewoo International, where there was also a school of jellyfish. They did not know about the restriction, and began to catch jellyfish in the area. At that time the navy approached the boat and arrested him and three other men.

When the navy approached they asked the fishermen why they had come into the restricted area, and he replied that they were not aware of the restriction because it was dark, and that it was a mistake. The navy arrested them and tied their hands behind them when they were on the navy boat, then beat and kicked the four men. They accused them of disobeying the law, and said that they had to be beaten and kicked because they did not respect the law.

They and their fishing boat were then taken back to Sittwe, which took two or three hours. After that the navy investigated and questioned them, and put him in jail in Sittwe for two months. The other men were released. He was allowed to receive visitors while in jail.

Once he was released, he hired a lawyer and spent a lot of money to argue the case. His lawyer negotiated with the people involved, and there was no trial. The parties reached a settlement between themselves, and the military was not able to charge him with any crime. He had to sell his fishing boat because he had no money left to operate the business.

Before the area was restricted, he would go fishing there very often. People were not aware of the restriction. He had been across that area many times, and he even knew where the navy and military patrol boats usually were, as it was a common place for many people to fish and do business.

Two of his children were in high school, but after this incident he could no longer afford to pay the tuition and they had to drop out. He no longer had a job to meet the needs of his family, although he would get occasional calls to fix engines because he was also a mechanic. Otherwise, he did not have any income. When he worked as a part-time mechanic, the military called him any time they wanted to investigate and ask him questions. After he lost his job as a fisherman, his family was able to keep their house, but sometimes could not afford to eat. They only had food occasionally. They would like to sell their house but it is in very poor condition and he does not think that anyone would buy it from them.

He is highly respected and was a religious leader in the community. His brother told us that he also knows the law very well, is very well educated and is a famous football player. All Arakanese people know him. His brother believes that this is probably the reason that the military arrested him.

He calls his brother in Malaysia sometimes ask if he should go to Malaysia to look for a job, because it is difficult to keep his family surviving in Arakan state. His brother has a difficult time deciding whether his brother should go there or not, because he will also face a lot of hardship in Malaysia.

His brother told us that he has a broken heart because he cannot afford to go back to Arakan state and visit, and his family is ruined.

Interview #21

*This interview was not originally taken as part of this project. It was taken on 28 January 2005 by an anonymous activist inside Burma, and for the security of the parties involved, names and dates will not be disclosed. We are very grateful to the subject and the interviewer for this valuable addition to our report.

- 42 year old man
- From an undisclosed village near Sittwe, Arakan state
- Fisherman, married with two young children

Direct quote from testimony:

I am [the] owner of [a] boat, xxxx. My fishing boat, with three other crews, went to Pha Ron Gha Island on January x, 2005 for [fishing]. We threw the fishing hooks in the water in [the] Arakan Sea at 3 pm on January x. Then we pulled off the hooks at 1 am. We [caught] a lot of big fish that night. Then we ducked and slept.

At 4:30 am, Burma Navy [Unit] 406, [which] guarded the Daewoo gas exploration area, approached our boat and called us to come to the Navy.

The Navy [commander] Major So Naing Linn asked [to see] the boat's license, and I showed him it. Then he got angry and [asked] me whether I intentionally violated the order by [the] Burmese government that no fishing boat could cross within 27 square miles [of the] Daewoo gas exploration since 2004. I replied we were fully aware of it. Then he started beating me and [the] other three fishermen with his pistol butt and screaming that we were useless Arakanese and [had] violated the law. And he pointed out [on] the water map that we had already entered three miles in[to] the [restricted] area.

Then Major So Naing Linn ordered his navy staff to handcuff [us]. We were arrested and taken back to Point Navy Base, near Akyab city. The navy confiscated the fishing boat, all fishes and fishing [material]. We were released [the] next day, January x, and told not to tell anyone. If we did, we would be killed. The reason [that] he did not want to put us in prison was that he took the boat and released the [people]. If we wanted the boat, we had to spend many years in prison and hard labour camps.

I am [a] very poor man. I had only this boat and this crew to feed my family. I did not know then and [do not know] now how to get enough food to feed my family. Other fishermen did not want to hire me as a regular crew [member] because I was once an owner. Now, my [w]ife sells vegetable[s] in the local market. I look after the children. I cannot watch my wife working very hard every morning [from] 4 am and [returning] back home [at] 7 am everyday. I want Buddha [to] get the fishing boat back to me. I had been [taking] care of [it] since before I got [married]. That boat [caught] a lot of fish, not like other boat[s] in our village.

Closing Questions

In the following text, effort has been made to keep the voice and the meaning of the participant's answers as authentic as possible. ANC does not necessarily endorse the opinions expressed below.

After each of the subjects told us of their experiences, we asked the following question: “In your opinion, what are some of the major problems in Burma?” These were their responses:

18 year old man from May Lyin village, Min Pra township:

The Burmese regime is the reason that he had to leave the country, and the major problem in Burma is the SPDC. The military regime taxes the people heavily and his family did not have the ability to pay these taxes. His family wanted to start a business, but the SPDC would not give them a license.

30 year old man from Tha Wan Taiv village, Kyauk Taw township:

The major problem is the SPDC trying to prolong its military power, and the lack of democratization. Also, the ineffectiveness of democratic groups to restore democracy in Burma is another major problem.

28 year old man from Pungna Gung township:

As long as the SPDC is in power there is no hope for development, since they target any groups working toward development. Democratization is also needed.

22 year old man from Rang Kaung Chein village, Ann township:

The root cause of all human rights violations are the ruling people: the SPDC. He said that the commander lives in his hometown and if community members want to apply for a national citizen card, they must pay 5,000 kyat. When he paid the money they still refused to issue the card. He believes that this was because the military thought he would use the card to go to another country because they knew that he was involved in the democracy movement.

37 year old man from Hlam Lon Pipe village, Mray Pon township:

He said that the atrocities that he suffered are because of the SPDC and their policies, and also because of the lack of rule of law and local consent.

17 year old man from Rya Thak village, Kyauk Taw township:

He believes that the causes of all oppressions and violations are the lack of a governing body and decision-making power for the Arakanese by the Arakanese people.

19 year old man from Kyut Pu village, Kyauk Taw township:

The causes of all problems in the community are the regime and lack of democracy, rule of law and human rights.

30 year old woman from Thik Taw village, Kyauk Taw township:

The cause of Burma's problems is the present military regime in Rangoon, who make all the policy and think that they own the land and the people. Also, the Arakanese people have failed to form their own government to help and govern their own people.

34 year old woman from Maung Dow township:

The SPDC refuses to accept international aid. They do want aid, but they want the international community to be persuaded to do what the SPDC wants. Those agencies cannot do what the SPDC wants.

41 year old man from Pa Nay Tow village, Pung Na Gum township:

Problems are caused to families and communities in Arakan because the Arakanese are singled out and discriminated against, sanctioned and always disturbed by the SPDC for being Arakanese.

32 year old man from Zee Gyne Rwa Down township:

The cause of problems is that Arakanese are singled out and discriminated against so that there is no possible way to be happy. Problems are also caused by a lack of democracy and by the dictator in power.

31 year old man from Sar Pran village, Town Kok township:

As long as the Burmese army is in Arakan state there is no freedom of expression or basic rights, and this is the cause of all violations and abuses.

28 year old man from Nagor Muk OutRawar village, Ra Thik Down township:

The military regime is the cause of problems because they do not give equal opportunity or equality, and as long as the regime is in power there will be no equality.

34 year old man from Yin Ree Gan village, Pak Tow township:

The major problems are the lack of rule of law and the brutality of the military regime that ruled his life and his business, and made him lose his wife and daughter. If at least the rule of law and justice were maintained, he said, even without democracy, his life would not be so bad.

34 year old man from Kay Toe no. 1, Sittwe:

Political reasons for what happened to him include the abuse of power and the police system, which allows authorities to abuse power. Also, he said that his family should have helped him more, but one member of his family found out that there was opportunity for money if he did not help. He emphasized that this is all because of the current political system.

28 year old man from Thovya Gone village, Phonagung township:

In Burma, there is dictatorship, no rule of law and no multiparty democratic system. This is the cause of all problems in Burma.

31 year old man from Tow Bawe village, Mrauk-U township:

Problems happen because the Burman regime is conducting Burmanization and intimidation so that every Arakanese is a subject of them and afraid of them. He believes that they want to make Arakan a Burmese state.

28 year old man from Kyaw Zan village, Ponnagyan township:

He said that the problems are all political ones.

We also asked “What do you feel are the most urgent development needs of your community?”, and “Do you feel that these needs are being worked towards?” These were their responses:

18 year old man from May Lyin village, Min Pra township:

The best solution for development is democratization and federalization. The moment of democratization is close, but it may take time.

30 year old man from Tha Wan Taiv village, Kyauk Taw township:

Access to rights, community development, education and civil governance are the most important needs. He does not believe that these are being worked towards or will be realized.

28 year old man from Pungna Gung township:

The most urgent needs are food, shelter and education. As long as the SPDC is in power, these will not be realized. *22 year old man from Rang Kaung Chein village, Ann township:*

Many things need to be done. Education is especially essential for community development. Even though the State says that education is free, it is not so. He told us that even notebooks that UNICEF gives for free for students are sold to kids by the SPDC. They also have to pay for building maintenance, supplies and furniture, so parents cannot afford to send their children to school. The education system needs to be fixed first.

37 year old man from Hlam Lon Pipe village, Mray Pon township:

Problems are due to the rule of the SPDC, and a regime change and democratization may help the development of educational, economic, social and political systems. The present push for democratization is not desirable because it needs more international pressure and assistance, as well as the unity of democratic movements in Burma.

17 year old man from Rya Thak village, Kyauk Taw township:

The greatest need for community development is regime change and the dissolution of the SPDC, to be replaced by a new democratic government. He is optimistic because many people are working on the issue. Burma will not change soon, he said, it will take some time, but it will happen eventually.

19 year old man from Kyut Pu village, Kyauk Taw township:

The essential development need is education, because there is a need for logical, analytical and skilled people able to develop the community, and education should be provided easily and for free by the State. He said that this is essential. He was pessimistic about the possibility of democracy and regime change when he was in his village, but he feels a little more optimistic when he witnesses work and struggle by people. He is optimistic as long as people can unite against the SPDC for democracy.

30 year old woman from Thik Taw village, Kyauk Taw township:

People must be united and struggle together for development, under leadership. Everyone is needed and must add their skills. Change in Burma may not come soon, she said, but the “essential thing is that we are united, everywhere that the Arakanese community is spread, then the change is in our hands.”

She also said, “if we take up arms, give me a knife against the regime.”

34 year old woman from Maung Dow township:

Burma needs international aid and assistance, although it cannot be provided under the present regime. She believes that international aid would help her community.

41 year old man from Pa Nay Tow village, Pung Na Gum township:

The community needs democracy first, then self-governance and freedom. Things are definitely moving toward democratization, he said, and he believes that democratization will come eventually.

32 year old man from Zee Gyne Rwa Down township:

An Arakan government would help community development, because Arakan state is rich in natural resources, especially fish and gas, and these could be used by and for the Arakan people to develop their community. He works hard and earns lots of money in Malaysia, and sends it to his parents, but he cannot send it directly because his parents have to pay so much tax on everything. Every cent he sends ends up in the pockets of the military. He said that the military will find out if someone is getting more money than usual and they will investigate and confiscate the extra money. An Arakanese government depends on the unity of Arakanese people to put energy, resources, talents and manpower together to become a united force. This is the question and the answer for change.

31 year old man from Sar Pran village, Town Kok township:

The freedom of education and the ability to exercise basic freedoms is essential. Democratization is possible and may not take a long time because he feels that the Arakanese community and organizations inside and outside Burma are linking with each other, but the answer depends on the unity of the Arakanese people and organizations.

28 year old man from Nagor Muk OutRawar village, Ra Thik Down township:

Democracy is essential, as well as equal opportunity and basic needs. These are the urgent needs of the community. Restoration of democracy, federalism, freedom of expression and equal opportunity are going to take a long time.

34 year old man from Yin Ree Gan village, Pak Tow township:

The removal of the regime is the first priority for the community, because even if he had billions of dollars, he said, it would mean nothing because there is no rule of law. The regime can do anything it wants, arrest anyone and confiscate anything. He told us that the situation in Arakan state is worsening. Presently, the regime is in power and becoming more brutal, with forced labour, land

confiscation, rape, arbitrary arrest, and more. Everyone is struggling for democracy and federalism. All ethnic nationalities are struggling for this.

34 year old man from Kay Toe no. 1, Sittwe:

Separate rule is the most urgent need, in order to eliminate discrimination against Arakanese people, who are singled out. Arakanese should rule Arakan state; then most problems would be fixed. He believes that change in Burma depends on whether Arakanese will unite and work together to achieve self-governance. Political struggle and political talk alone, like Aung San Suu Kyi does, will not work. There is a need to divide power between the government and the opposition, in politics as well as in the military. If this does not happen, change is uncertain.

28 year old man from Thovya Gone village, Phonagung township:

As long as dictatorship, and a lack of both rule of law and multi-party democracy continues, there will be no freedom, democracy or development. In this world, the dictator/colonial system cannot last for long. After a certain amount of time, it will end by itself. Along with pressure domestically and at the international level, the regime will fall very soon. The first step toward change in Burma is discussion in the United Nations Security Council. For Arakanese people, democracy and regime change will not matter. Arakanese need to form an Arakanese government to manage the state and to make law for the people. That is the only way to assist Arakanese people to be developed. Even if there is democracy, the Burmans will still dominate, make law and manage Arakanese people, and there will be no difference between democracy and the dictatorship.

31 year old man from Tow Bawe village, Mrauk-U township:

Development of Arakan state requires first the will and desire of the Arakanese people. They need to determine how they can control and change the regime, to think about how they can change society. Will and desire should be the common goal of everyone in Arakan state and the community. That will become everyone's dream, and that will be a dynamic and a force. This is being gradually worked toward. Things are moving toward change, development, democracy and human rights.

28 year old man from Kyaw Zan village, Ponnagyan township:

Regime change and removal of the military regime are the most urgent community development needs. It will take time to change this.

Shwe Gas and Human Rights

In cooperation with Burma's military junta, a consortium of Indian and Korean corporations is currently exploring gas fields off the coast of Arakan state in Western Burma. Discovered in December 2003, these fields - labeled A-1, or "Shwe" (the Burmese word for gold) - are expected to hold one of the largest gas yields in Southeast Asia. These Shwe fields could well become the Burmese military government's largest single source of foreign income.⁶

The Shwe Gas Movement believes that the proposed development of pipelines to transport Shwe gas constitutes an exploitation of the voiceless people of Burma, who are without democratic representation and the ability to dictate the use of their natural resources. They also fear the potential for large-scale human rights abuses and militarization accompanying the construction of the pipeline, as well as environmental and cultural destruction. They predict further entrenchment of the Burmese military regime due to increased foreign investment and political support.

The Arakan National Council (ANC) believes that, in addition to an Environmental Impact Assessment and a Social Impact Assessment, it is essential that a thorough Human Rights Impact Assessment (HRIA) of the Shwe Gas Project be conducted by a competent and impartial third party.

The ANC and the Arakan State Human Rights Commission do not itself have the resources or the impartiality required to conduct a comprehensive HRIA of the Shwe Gas Project. However, in this report we have provided some international humanitarian law applicable to both the State Peace and Development Council (SPDC) and to transnational corporations operating in Burma. When this law is compared to the general portrait of Arakan state that these interviews provide, the need for an HRIA is clear.

It has been demonstrated that numerous human rights abuses occurred during the construction of the Yadana and Yetagun pipelines in the 1990s, and that human rights violations are perpetrated daily by the SPDC in Arakan state. We are now also gathering increasing evidence that violations connected to Shwe are already taking place. Based on this, the ANC believes that the potential for human rights violations in the Shwe Gas Project, according to basic human decency and international humanitarian law, necessitates its termination.

Appendix 1: Levels of Education and Rates of Arrest in Arakanese Migrants in Malaysia

In April 2005, the Arakan National Council sent surveys to local leaders in Arakan communities in Malaysia to gauge levels of education and rates of arrest in Arakanese migrants. Three hundred surveys were distributed, and the following 72 were returned by June 2005.

The names of the participants have been kept confidential for security reasons. The participants are all male. They were all illegal migrant workers in Malaysia at the time of the survey. They all identified themselves as Buddhist.

The participants had roughly an average of eight years of school. Seventy-four percent of participants have been arrested in Burma, and 47% have been arrested three or more times.

	Name	Age	Sex	Marital Status	Religion	Place of Birth	Education	Current Status	Current Country	Arrival Date in Current Country	Job in Burma	Present Job	# of Arrests in Burma
1.	U Maung Ba Thein	57	M	Married	Buddhist	Pyin Won Village, AM Township	Primary	Illegal	Malaysia	2003	Farmer	Whatever	3 and more times
2.	Khaing Kyaw Moe	30	M	Married	Buddhist	Mrauk Kike Village, AM Township	Six Grader	Illegal	Malaysia	1999	Farmer	Whatever	3 and more times
3.	Kyaw Tun	42	M	Married	Buddhist	Ray Myat Village, Rathitdaung Township	Four Grader	Illegal	Malaysia	2004	Farmer	Fisher-man	1 times
4.	Nyan Min	25	M	Single	Buddhist	Arashi Village, Kyauk Phyu Township	Ten Grader	Illegal	Malaysia	1997	Student	Whatever	3 and more times
5.	Zaw Lin Naing	36	M	Single	Buddhist	Kan Htaung Gyi Village, Mye Bon Township	Ten Grader	Illegal	Malaysia	2003	Monk	Carpenter	2 times
6.	Win Shwe Hlaing	28	M	Single	Buddhist	Shar Shay Pyin Village, Mrauk U Township	7 Grader	Illegal	Malaysia	1997	Trader	Fisher-man	3 and more times
7.	Tun Tin	27	M	Single	Buddhist	Ashit Mrauk Village, Rathitdaung Township	10 Grader	Illegal	Malaysia	2000	Domestic Maine Transportation	Whatever	2 times
8.	Min Soe	27	M	Single	Buddhist	Mrauk U Township	8 Grader	Illegal	Malaysia	1995	None	Whatever	None
9.	San Thein	36	M	Single	Buddhist	Lat Kauk Zay Quarter, Mrauk U Township	10 Grader	Illegal	Malaysia	1998	Tape Recording	Welding	None
10.	Aung Linn	31	M	Single	Buddhist	Myothit Quarter, Ponnakyan Township	B.A (Geo)	Illegal	Malaysia	2003	None	Audit in ANC	None
11.	Kaung Min	31	M	Single	Buddhist	Ponnakyan Township	Final year	Illegal	Malaysia	2002	Student	Welding	None
12.	Kyaw San Win	29	M	Single	Buddhist	Sinku street, Sittwe Township	7 Grader	Illegal	Malaysia	1997	Student	Restauratn	None
13.	Kyaw Thein Oo	29	M	Married	Buddhist	Sarpyinchay Village, Rathitdaung Township	4 Grader	Illegal	Malaysia	2004	Farmer	Whatever	3 and more times
14.	Maung Thein Han	28	M	Single	Buddhist	Kyway Gyo Village, Minpya Township	6 Grader	Illegal	Malaysia	2002	Farmer	Constructio n	3 and more times
15.	Thein Lwin	25	M	Single	Buddhist	Kongbaung (1) Village, Rambyay	10 Grader	Illegal	Malaysia	2004	Farmer	Whatever	3 times
16.	Tun Soe Aung	28	M	Single	Buddhist	Ngamauk Auak Village, Ra Thit Daung Township	8 Grader	Illegal	Malaysia	1997	Farmer	Constructio n	3 and more times

17.	Hla Thein Maung	31	M	Single	Buddhist	Paikthe Quarter, Kyauk Taw Township	9 Grader	Illegal	Malaysia	1999	Fisher-man	Factory	2 times
18.	Shin Ra Kyaw	35	M	Single	Buddhist	Kan Oo Village, Pon Na Gyun Township	Middle class in Buddhist lectured	Illegal	Malaysia	1994	Farmer	Fisher-man	2 times
19.	Aung Win	37	M	Married	Buddhist	Kyauk Taw Township	10 Grader	Illegal	Malaysia	1999	Boat	Workshop	None
20.	Tint Wai	37	M	Single	Buddhist	Myochaung , Kyauk Phyu Township	7 Grader	Illegal	Malaysia	2001	None	Saka phawtaing	3 and more times
21.	San Win Hlaing	23	M	Single	Buddhist	Ywathitkay, Kyauk Taw Township	7 Grader	Illegal	Malaysia	2003	Farmer	Workshop	None
22.	Htay Htay Aung	34	M	Single	Buddhist	Thaypon Village, Kyauk Taw Township	5 Garder	Illegal	Malaysia	1995	Farmer	Whatever	3 and more times
23.	Aung Kyaw Zan	31	M	Married	Buddhist	Taung Yat, Mrauk U Township	Second year	Illegal	Malaysia	1999	Driver	None	1 time
24.	Khaing Kyaw Myint	32	M	Married	Buddhist	Min Pya Township	10 Grader	Illegal	Malaysia	1994	None	None	None1
25.	Kyaw Min Khaing	29	M	Single	Buddhist	Htaikpyaung Village, Mrauk U Township	4 Grader	Illegal	Malaysia	1998	Farmer	None	None
26.	Maung Khin Than	30	M	Single	Buddhist	Kyauk Phyu Township	None	Illegal	Malaysia	2000	Farmer	Fisher-man	3 and more times
27.	Khaing Htat Naing	32	M	Single	Buddhist	Mrauk U Township	B.Sc (Math)	Illegal	Malaysia	2003	Trader	President(ASANC)	None
28.	Ye Min Tun	28	M	Single	Buddhist	Taunggoke, Township	None	Illegal	Malaysia	2000	Goldsmith	Engileerain g	6 and more times
29.	Kyaw Zaw Linn	36	M	Single	Buddhist	Ashitpaing Village, Kyaukphyu Township	Teacher Training School	Illegal	Malaysia	1988	None	Constructio n	2 times
30.	Kyaw Oo	25	M	Single	Buddhist	Pyitawthar Quarter, Minpya Township	10 Grader	Illegal	Malaysia	2000	Trader	Constructio n	2 times
31.	Than Phay	34	M	Single	Buddhist	Minthartaung Village, Kyauktaw Township	10 Grader	Illegal	Malaysia	1995	None	Welding	None
32.	Ko Phyu Thee	20	M	Single	Buddhist	Sanaealaysuu Village, Kyauk Phyu Township	10 Grader	Illegal	Malaysia	2002	Trader	Constructio n	2 and more times
33.	Maung Tun Hlaing	27	M	Single	Buddhist	Kyauktaw Township	8 Grader	Illegal	Malaysia	1999	Farmer	Constructio n	3 and more tmies
34.	Ko Tun Win	28	M	Single	Buddhist	Kokko Village, Myabon Township	8 Grader	Illegal	Malaysia	2003	Trader	Constructio n	2 and more tmies

35.	Maung Moe Kyaw	30	M	Single	Buddhist	Kontan Quarter , Sittwe Township	8 Grader	Illegal	Malaysia	1999	None	Construction	2 and more times
36.	Maung Hla Win	31	M	Single	Buddhist	Kontan Quarter, Sittwe Township	None	Illegal	Malaysia	2002	Trader	Construction	1 time
37.	Maung Thein Tun	30	M	Single	Buddhist	Yakhnothee Village, Pon Na Gyun Township	High Level School	Illegal	Malaysia	2002	Trader	Construction	1 time
38.	Kyaw Moe Hlaing	40	M	Single	Buddhist	Loot Village, Arm Township	3 Grader	Illegal	Malaysia	1996	Farmer	Seaman	3 and more times
39.	Khiang Thein Win	24	M	Single	Buddhist	Nywar Yong Taung Village, Arm Township	5 Grader	Illegal	Malaysia	2000	Seaman	None	1 time
40.	Khaing Lin Khaing	29	M	Single	Buddhist	Thit Pong Village , Marnaung Township	Middle level School	Illegal	Malaysia	2003	Farmer	None	3 and more times
41.	Khiang Ran Soe	30	M	Single	Buddhist	Than Chaung Village, Ram Byee Township	Middle level School	Illegal	Malaysia	1996	Farmer	None	3 and more times
42.	Khaing Myat Lin	26	M	Single	Buddhist	Kyauk Taw Township	AGTI (2 nd) year	Illegal	Malaysia	2002	Teacher	None	3 and more times
43.	Myint Oo Maung	22	M	Single	Buddhist	Sin Baw Kaing Village, Mrauk U Township	6 Grader	Illegal	Malaysia	2002	Trader	None	3 and more times
44.	Hla Shwe	35	M	Married	Buddhist	Ywar Thar Yar Village, Ram Byee Township	5 Grader	Illegal	Malaysia	2000	Farmer	None	None
45.	U Hla Tun Phyu	42	M	Married	Buddhist	Kyauk Taw Township	4 Grader	Illegal	Malaysia	1988	Farmer	Seaman	3 and more times
46.	Khaing Soe Myint	33	M	Single	Buddhist	Arm Township	4 Grader	Illegal	Malaysia	2001	Farmer	None	None
47.	Tun Tun Aung	22	M	Single	Buddhist	Kyauk Pyauk Village, Kyauk Phyu Township	Middle level School	Illegal	Malaysia	2004	Student	None	3 and more times
48.	Aung Zaw Win	25	M	Single	Buddhist	Taung Phi Lar Village, Arm Township	Middle level School	Illegal	Malaysia	1999	Farmer	None	3 and more times
49.	Khaing Lin San	25	M	Single	Buddhist	Pyin Wun Village, Arm Township	8 Grader	Illegal	Malaysia	2003	None	None	None
50.	Thein Khaing	26	M	Single	Buddhist	Marnaung Township	Middle level School	Illegal	Malaysia	1997	Farmer	None	3 and more times
51.	Tin Maung Win	29	M	Single	Buddhist	Nywar Ron Taung Village, Arm Township	9 Grader	Illegal	Malaysia	1998	Student	Restaurant	2 times
52.	Khaing Maung Win	26	M	Single	Buddhist	Nyaung Chaung Village, Arm Township	Middle level School	Illegal	Malaysia	1998	Farmer	None	None

53.	Khin Maung Win	33	M	Single	Buddhist	Ray Boak Village, Arm Township	5 Grader	Illegal	Malaysia	2001	Farmer	None	3 and more times
54.	U Min Kyaw	52	M	Single	Buddhist	Kywan Taung Village, Ponna Gyun Township	No School	Illegal	Malaysia	1986	Monk	None	None
55.	Roe Lin Aung	29	M	Single	Buddhist	Than Chaung Village, Ram Byee Township	Middle level School	Illegal	Malaysia	2004	Farmer	None	3 and more times
56.	Maung Sein Shwe	27	M	Single	Buddhist	Nga Pyauk Sae Village, Ponna Gyun Township	10 Grader	Illegal	Malaysia	2000	Electricity	Restaurant	2 times
57.	Maung Win Shwe	26	M	Single	Buddhist	Nywar Ron Taung Village, Arm Township	Primary	Illegal	Malaysia	2000	Farmer	None	1 time
58.	Maung Khaing Win	26	M	Single	Buddhist	Thalu Maw Village, Arm Township	High level School	Illegal	Malaysia	2000	Farmer	Seaman	None
59.	Kyaw Than Win	31	M	Married	Buddhist	Nywar Ron Taung Village, Arm Township	6 Grader	Illegal	Malaysia	1997	Farmer	None	3 and more times
60.	Maung Kan Shwe	25	M	Single	Buddhist	Ganan Taung Village, Ponna Gyun Township	8 Grader	Illegal	Malaysia	2000	Trader	None	2 times
61.	San Kyay Paing	27	M	Single	Buddhist	Pyar Gyi Village, Marnaung Township	Middle level School	Illegal	Malaysia	1996	Fisherman	None	3 and more times
62.	Kyaw Mya Than	32	M	Single	Buddhist	Thaung Dayar Village, Rathit Daung Township	10 Grader	Illegal	Malaysia	1996	Student	None	3 and more times
63.	Khaing Kyaw	26	M	Single	Buddhist	Kyay Koo Taung Village, Arm Township	3 Grader	Illegal	Malaysia	1997	Carpenter	None	3 and more times
64.	Khaing Kyaw Thein	36	M	Married	Buddhist	Too Myaung Village, Kyauk Taw Township	Middle level School	Illegal	Malaysia	2003	Farmer	None	3 and more times
65.	Maung Soe Paing	27	M	Married	Buddhist	Taung Sway Village, Kyauk Taw Township	10 Grader	Illegal	Malaysia	2000	Trader	Seaman	2 times
66.	Tun Aung Sein	30	M	Single	Buddhist	Nga Pyauk Sae Village, Ponna Gyun Township	5 Grader	Illegal	Malaysia	2002	Farmer	None	3 and more times
67.	Khaing Soe Shwe	30	M	Single	Buddhist	Than Chaung Village, Ram Byee Township	4 Grader	Illegal	Malaysia	2003	Farmer	None	3 and more times
68.	Aung Kyaw Htay	26	M	Single	Buddhist	Nga Pyauk Sae Village, Ponna Gyun Township	8 Grader	Illegal	Malaysia	2001	Goldsmith	None	None
69.	U Aung Than	41	M	Single	Buddhist	Panaytaw Village, Ponna Gyun Township	10 Grader	Illegal	Malaysia	1994	Seaman	None	3 and more times
70.	U Pan Yar	32	M	Single	Buddhist	Kyauk Phyu Township	10 Grader	Illegal	Malaysia	1988	Student	Constructio	1 time

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71.	Khaing Win Lin	30	M	Single	Buddhist	Kyaw Kaing Village, Taung Goak Township	10 Grader	Illegal	Malaysia	2002	Student	None	3 and more times
72.	Maung Tun Soe	24	M	Single	Buddhist	Kyauk Phyu Village, Kyauk Taw Township	8 Grader	Illegal	Malaysia	2000	Farmer	Workshop	None

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