

briefing

Burma

Visit to the Thailand-Burma Border

FOR PUBLIC USE

FEBRUARY 2010



CHRISTIAN
SOLIDARITY
WORLDWIDE
VOICE FOR THE VOICELESS

PO Box 99, New Malden,
Surrey KT3 3YF

T: 0845 456 5464

E: admin@csw.org.uk

W: www.csw.org.uk

REGISTERED CHARITY NO. 281836

Table of contents:

1.	Executive Summary.....	3
2.	Recommendations.....	4
2.1.	To the United Nations:.....	4
2.2.	To the governments of China, India, Japan, Russia, Thailand and the members of the Association of South-East Asian Nations (ASEAN):.....	4
2.3.	To the European Union:.....	5
2.4.	To the United States:.....	5
3.	Introduction.....	6
3.1.	Background.....	6
3.2.	About Christian Solidarity Worldwide.....	7
3.3.	Itinerary and Purposes.....	7
4.	Refugee situation.....	8
4.1.	Visit to Nong Bua (No Bo) temporary camp, Tha Song Yang, Tak Province.....	8
5.	Burma's political situation.....	9
6.	Conclusions.....	10
7.	Appendix: Testimonial Evidence.....	11
7.1.	Interviews with refugees at Nong Bua.....	11
7.1.1.	Naw X and Saw Y.....	11
7.1.2.	Naw X, 20 years old, from village Y, Tha Kre Township, Pa'an District, Karen State.....	12
7.1.3.	Saw D, village headman.....	12
7.1.4.	Saw M, from village X, three hours walk from Ler Per Hur.....	12
7.1.5.	Saw L, aged 35.....	13
7.2.	Visit to Mae La refugee camp.....	14
7.2.1.	Saw A, Naw B - a family from village K, Thaton (Doo Tha Htoo) District, 3 rd Brigade, Karen State	14
7.2.2.	Saw R, aged 63, and Saw M, aged 40, uncle and nephew.....	15
7.2.3.	Naw T, a teacher, aged 46, from village W, Lerdoh District, Brigade 3, Karen State.....	15
7.2.4.	Saw K, aged 45, from village H, Belin Township, Thaton District.....	16
7.2.5.	Saw H, aged 50, from village T, Belin Township, Thaton District, Karen State.....	16
7.2.6.	Naw Y, aged 54, from village Y, Pa'an District, Karen State.....	17
7.2.7.	Three villagers from village K, Ler Doh District, Karen State.....	17

I. Executive Summary

When I had two legs, I could earn money for the whole family and I could give my children money for snacks. Now I cannot provide for them. It is not a normal life ... My wounds still itch and hurt. I had to flee the SPDC and DKBA many times. I did portering for the SPDC many times ... Run and run and run until now – this is my life.”

A Karen refugee and landmine victim

The political, humanitarian and human rights crisis in Burma continues to deteriorate, and the vulnerability of refugees on Burma's borders is increasing. There is an urgent need for increased international action to bring pressure to bear upon Burma's ruling military regime, the State Peace and Development Council (SPDC), ahead of its planned sham elections later in 2010.

Christian Solidarity Worldwide (CSW) visited the Thailand-Burma border in February 2010, accompanied by BurmalInfo (Japan), and documented firsthand testimonial evidence of the continuing human rights violations in Karen State, including the widespread and systematic use of forced labour, torture and murder. CSW believes that there is strong evidence to suggest that these violations amount to war crimes and crimes against humanity.

CSW also visited one of the temporary camps for Karen refugees who fled to Thailand in June 2009. Ten days after the Thai military attempted to forcibly deport Karen refugees back to areas in Burma infested with landmines and controlled by the Burma Army and its proxy militia, the Democratic Karen Buddhist Army (DKBA), CSW was able to obtain firsthand testimony from refugees who have been subjected to continuous harassment and pressure to return to Burma. These included several landmine victims.

The refugees whose stories are documented in this report all had the same message: a cry for help. In the words of one man:

We feel we are so forgotten. Our suffering continues. We have never experienced freedom. No one cares for us. We want the world to know that we are here in the camp, and that inside Burma it is getting worse and worse. We want the world to know we are still suffering.

The time has come for the European Union, the United States, the Association of South East Asian Nations (ASEAN), China, India, Japan, Russia, Australia and Canada and all members of the United Nations to join forces in sending the military regime the strongest possible message: that its continuing crimes against humanity are not acceptable and will no longer be tolerated. Pressure must be intensified by the introduction of a universal arms embargo and the establishment of a Commission of Inquiry to investigate crimes against humanity and war crimes. Humanitarian aid delivered by cross-border mechanisms to internally displaced peoples (IDPs) must be significantly increased. Pressure on the Royal Thai Government should be maintained, to ensure that no further deportations of Karen refugees occur, that the harassment and intimidation of Karen refugees by the Thai military ceases, and that refugees from Burma continue to receive sanctuary in Thailand for as long as they need it. As the regime plans its sham elections, it is essential that the international community recognises that the Constitution upon which the elections will be held provides no basis for democracy or ethnic rights, and has been described by the General Secretary of the Karen National Union (KNU) as a “death sentence for ethnic diversity”.¹

¹ Zipporah Sein, “Burma's New Constitution: A Death Sentence for Ethnic Diversity,” The Irrawaddy, 13 October, 2009

2. Recommendations

In 2010, CSW believes it is essential that the international community unites to deliver a very clear message to the military regime in Burma: that its crimes against humanity must stop, it must release democracy leader Aung San Suu Kyi and all political prisoners, and engage in a meaningful dialogue with the National League for Democracy (NLD) and the ethnic nationalities. In addition, refugees fleeing the offensives of the Burma Army must be given protection and sanctuary by Burma's neighbours, and efforts to intimidate, harass and force refugees to return to unsafe areas in Burma, where they face grave risks of landmines, forced labour, rape, torture and murder, must stop. To these ends, CSW makes the following recommendations:

2.1. To the United Nations:

- To increase the efforts of the UN Secretary-General Ban Ki-moon, and his good offices, to secure the release of political prisoners and facilitate a meaningful tripartite dialogue process between the SPDC, the NLD and the ethnic nationalities;
- To clearly and categorically reject the current proposals for elections in 2010 and to insist on an alternative transition plan leading to a free and fair election process;
- To secure a UN Security Council resolution setting out specific benchmarks for progress which the SPDC should be required to meet, accompanied by deadlines;
- To secure a universal arms embargo on the military regime in Burma, and a ban on the provision of intelligence training and resources;
- To establish a Commission of Inquiry into war crimes and crimes against humanity in Burma;
- To consider invoking the 'Responsibility to Protect' mechanism in regard to Burma.

With regard to the situation of Karen refugees in two temporary camps on the Thailand-Burma border, CSW urges the international community, including the UNHCR, the EU, the United States, media and Non-Governmental Organisations (NGOs) to continue to monitor the situation and ensure that no further attempts are made by the Royal Thai military to deport refugees. In addition, CSW urges:

- The UNHCR to verify that those refugees who do choose to return to Burma do so voluntarily, and that the process of their return be closely observed and monitored, and to stress to the Royal Thai military that their assurances that it is voluntary are not sufficient;
- The UNHCR, the EU, the US and others to encourage the Royal Thai Government to consider a durable solution, for example by allowing the refugees in temporary camps to be settled in Mae La refugee camp;
- The UNHCR to engage with the KNU and Karen community organisations.

2.2. To the governments of China, India, Japan, Russia, Thailand and the members of the Association of South-East Asian Nations (ASEAN):

- To clearly and categorically reject the current proposals for elections in 2010 and to insist on an alternative transition plan leading to a free and fair election process;
- To urge the SPDC to engage in a meaningful tripartite dialogue with the NLD and the ethnic nationalities;

- To urge the SPDC to release political prisoners, introduce a nationwide unconditional ceasefire and to open all parts of the country to unhindered access for international humanitarian organisations.

2.3. To the European Union:

- To maintain existing sanctions and to strengthen targeted sanctions specifically against the Generals and their economic interests through financial sanctions on banking transactions, as recommended by nine Nobel Peace Prize recipients on 19 February 2008, and on the insurance sector;
- To provide urgently needed cross-border humanitarian assistance to the internally displaced peoples in eastern Burma and the victims of famine in Chin State.

2.4. To the United States:

- To set out specific benchmarks for progress and a timeframe, against which the current US engagement approach can be measured;
- To maintain current economic sanctions, and consider further targeted measures;
- To support the establishment of a UN Commission of Inquiry into war crimes and crimes against humanity.

3. Introduction

3.1. Background

Burma has been ruled by a succession of military regimes since General Ne Win seized power in a *coup d'état* in 1962. The current junta, known as the State Peace and Development Council (SPDC), has been in power since the brutal suppression of pro-democracy demonstrations in 1988. In 1990, the regime held elections which were overwhelmingly won by the National League for Democracy (NLD) led by Nobel Laureate Daw Aung San Suu Kyi. The NLD won 82 per cent of the parliamentary seats, but the regime rejected the results, imprisoned many of the elected Members of Parliament and intensified its grip on power. Aung San Suu Kyi has spent over fourteen years under house arrest and remains in detention today.

The past two years have been among the most significant, and traumatic, in Burma's recent history. In September 2007, tens of thousands of Buddhist monks and civilians took part in demonstrations calling for change, in what became known as the "Saffron Revolution". The regime responded with a brutal crackdown in which thousands were arrested and many were beaten, tortured and killed.

In May 2008, Cyclone Nargis hit Burma, and at least 140,000 people died and 2.5 million were left homeless as a result of the regime's failure to prepare the people prior to the cyclone, or to provide assistance in the wake of the disaster. In addition, the regime is guilty of the deliberate denial, restriction and diversion of aid. On 10 May 2008 the regime held a sham referendum on a new constitution, in which it threatened, intimidated and harassed voters throughout the country into voting in favour of the new constitution which will enshrine military rule. Numerous reports have also been received of blatant vote rigging.

The SPDC is continuing a military offensive against civilians in eastern Burma, in which at least 3,500 villages have been destroyed since 1996² and a million people internally displaced. In November 2008, several hundred political prisoners were jailed, some for as many as 65 years or more. The regime has jailed over 2,100 political prisoners in total and continues to use torture on a widespread and systematic basis.³ Prison conditions are desperate, with poor food and hygiene and the denial of medical treatment.

Burma reportedly has the highest number of forcibly conscripted child soldiers in the world, and rape, torture and forced labour are widespread and systematic. Religious minorities, particularly Christians and Muslims, face restrictions, discrimination and persecution, and Burma is listed as a Country of Particular Concern by the US State Department Office of International Religious Freedom. In January 2009, at least 100 churches in Rangoon were ordered to close, and pastors were forced to sign documents in which they were informed they would be jailed if they resumed their activities.⁴

In 2009, Aung San Suu Kyi was put on trial, charged with breaking the terms of her house arrest, after an American, John Yettaw, swam across the lake to her house, uninvited. Aung San Suu Kyi was sentenced to a further eighteen months under house arrest.

² Thailand Burma Border Consortium

³ Assistance Association for Political Prisoners

⁴ See CSW, *MPs Express Concern At Church Closures in Rangoon*, 10 February 2009 - <http://dynamic.csw.org.uk/article.asp?t=press&id=824> and CSW *Condemns Crackdown on Churches in Rangoon*, 15 January 2009 - <http://dynamic.csw.org.uk/article.asp?t=press&id=820>

3.2. About Christian Solidarity Worldwide

Christian Solidarity Worldwide (CSW) is an international human rights organisation specialising in religious freedom. With advocacy staff based in London and Brussels, CSW has partners and affiliates in the UK, USA, Australia, New Zealand, Hong Kong, India, Sri Lanka, Norway, Denmark and France. CSW has been working on human rights issues in Burma for the past twenty years, making regular visits to the Karen, Karenni and Shan ethnic nationalities on the Thailand-Burma border, the Chin on the India-Burma border, and the Kachin on the Chin-Burma border. CSW funds two orphanages in refugee camps for Karen and Karenni, supports relief for IDPs through the Free Burma Rangers and funds humanitarian projects among the Chin people.

3.3. Itinerary and Purposes

CSW visited Thailand from 10-20 February, 2010 and was accompanied by BurmalInfo (Japan) from 12-18 February. The delegation visited Bangkok, Chiang Mai, Mae Sot and refugee camps along the Thailand-Burma border.

CSW had meetings in Bangkok with the Thailand-Burma Border Consortium (TBBC), Human Rights Watch, the Chin Human Rights Organisation (CHRO) and various media organisations and foreign correspondents. In Chiang Mai, CSW met representatives of the Free Burma Rangers, the Burma Relief Centre (BRC), EarthRights International (ERI), the Human Rights Education Institute of Burma (HREIB), the Irrawaddy magazine and the National United Party of Arakan (NUPA). In Mae Sot, the delegation had meetings with the National Coalition Government of the Union of Burma (NCGUB), the National League for Democracy – Liberated Area (NLD-LA), the Assistance Association for Political Prisoners in Burma (AAPP), the Burma Partnership, the Karen Women's Organisation (KWO), the Karen Human Rights Group (KHRG), the Burma Lawyers Council (BLC) and Partners Relief and Development. The delegation also visited one of the two temporary camps for refugees in Tha Song Yan, Tak Province, and Mae La refugee camp. The purposes of the visit were:

1. To obtain firsthand, up-to-date information and evidence of human rights violations and political developments in Burma;
2. To assess existing CSW-sponsored projects and future needs;
3. To express solidarity with the oppressed and persecuted peoples of Burma.

4. Refugee situation

4.1. Visit to Nong Bua (No Bo) temporary camp, Tha Song Yang, Tak Province

In June 2009, over 3,000 new Karen refugees fled into Thailand following an offensive conducted by the Burma Army and its proxy militia, the Democratic Karen Buddhist Army (DKBA). Ler Per Hur, a camp for internally displaced people on the Burmese side of the Thai-Burmese border, was attacked and captured, and remains occupied by the DKBA, who have planted landmines around the area.

In January 2010 the Royal Thai military increased their harassment of the Karen refugees in the two temporary camps established after June 2009, Nong Bua (No Bu) and Mae U Su. The military planned to forcibly deport the 3,000 refugees, sending them back directly into areas controlled by the Burma Army and the DKBA, where they would be at high risk of forced labour, sexual violence, torture and landmine injury. International pressure succeeded in preventing the deportation of the majority of the refugees, but three families, including women, children and a nine-month old baby, were forced back on 5 February, before NGOs arrived and the deportations were halted. The three families returned to Thailand four days later. The Thailand-Burma Border Consortium (TBBC), UNHCR, Human Rights Watch and Solidarity were reportedly denied access to the camp on the day of the deportations until the three families had already been sent. According to one source, originally four families were due to be deported but they could not all fit into the vehicle, so one stayed behind.

According to the Karen Human Rights Group (KHRG), humanitarian aid groups have been prevented from consistently providing necessary support, including food, water and health services in the two camps. Since 5 February, at least 1,062 people have left, because restrictions on movement and humanitarian aid coupled with daily pressure to leave has made living conditions unbearable, KHRG claims. Some have returned to Burma, while others have stayed in Thai-Karen villages as illegal migrants. Harassment and pressure on refugees to leave is, according to KHRG, “deliberate and ongoing” and further deportations “could happen at any moment”. In KHRG’s assessment, deportation is already occurring indirectly, as the Thai authorities create unbearable living conditions in the camps through harassment and restrictions on aid.

CSW and BurmaInfo visited Nong Bua camp ten days later, and interviewed two of the three families who had been forcibly deported and had subsequently returned. They are now in hiding, unable to return to the camp. CSW and BurmaInfo also interviewed several refugees inside the camp, who have been subjected to constant harassment. During the visit to the camp and surrounding areas, the detonation of several landmines in the area around Ler Per Hur could be heard audibly. CSW was told that landmine explosions are heard “every day”.

The Thai authorities have reportedly deliberately separated educated and uneducated refugees, making it easier to pressure the more vulnerable people to leave. The village headman has also been separated from the rest of his community and is unable to live in the camp, and camp leaders’ mobile telephones have been confiscated. Access to the camps for Karen community organisations is extremely difficult.

The testimonies detailed in the appendix reveal examples of the pressure to return to Burma which refugees have faced, and evidence of the unsafe conditions to which they are under pressure to return. They also provide evidence of gross violations of human rights perpetrated by the Burma Army and the DKBA, amounting to war crimes and crimes against humanity.

5. Burma's political situation

In 2008, the SPDC introduced a new Constitution for the country, in a sham referendum in which voters were harassed, intimidated, bribed, threatened and disenfranchised. The details of the referendum are available in previous CSW reports. In 2010, the regime plans to hold elections, and it is widely expected that the elections will be similarly rigged. Even if election day itself has some semblance of being free and fair, the process is inherently undemocratic because the Constitution contains several clauses within it which make a legitimate democratic election impossible. These include the provisions which reserve 25 per cent of the parliamentary seats for the military and exclude democracy leader Aung San Suu Kyi from participating.

CSW discussed the elections with representatives of the National Coalition Government of the Union of Burma (NCGUB) and the National League for Democracy-Liberated Area (NLD-LA). They confirmed that the NLD has not yet made a decision as to whether to participate in the elections or boycott them. They said the NLD's Shwegondaing Declaration, issued in 2009, which calls for the release of Aung San Suu Kyi, all political prisoners, an end to hostilities in the ethnic states and a review of the constitution, still stands, but the NLD will make a decision on its approach to the elections once the Election Law has been issued. However, they added, dialogue before the elections is essential. "Without any meaningful agreement the NLD thinks it would be meaningless to participate in the elections," the representatives said.

They believe the Constitution is the core problem, and they wish to seek agreement that this Constitution could just be used for a transitional period. The Constitution requires a 75 per cent majority to amend it, but the NLD-LA argue that perhaps that could be negotiated and reduced to, for example, 60 per cent. They do not believe it would be necessary to go back to the National Convention – the regime could amend certain parts of the Constitution by negotiation with the NLD. However, they also emphasised that deciding to participate in the elections would require the NLD to abandon its claims as the legitimate government based on its overwhelming victory in 1990.

On the question of whether or not the international community should send election monitors, if allowed by the SPDC, the NLD-LA and NCGUB expressed the view that if monitors were to be sent, they need to monitor the entire process – pre-election, election and post-election. Monitoring the polling stations on election day itself could be counter-productive.

The NLD-LA and NCGUB representatives welcomed the release of NLD Vice-Chairman U Tin Oo on 13 February 2010 after six and a half years of house arrest. His release is "a good sign", they believe, but real political progress will only come with the release of Aung San Suu Kyi and all political prisoners.

In her recent letter to Senior General Than Shwe, Aung San Suu Kyi made two requests. She asked to meet him to discuss sanctions and see if they could work together to create the conditions by which sanctions could be lifted, and she sought permission to hold a meeting with the NLD's Central Executive Committee. The regime partially conceded to the second request, allowing her to meet with three senior NLD members, but ignored the request for a meeting with Than Shwe.

The NCGUB and NLD-LA representatives told CSW in conclusion that "the signs are very bad for our country's future" and that the "survival of the NLD is very important for the future". They welcome the US policy combining pressure and engagement, but argued that it needs clear follow-up and a timeframe. "Without a timeframe, it will encourage the SPDC's

delaying tactics. The US should be very careful. They need to combine pressure and carrots, and dialogue should not be unilateral.”

The NCGUB and NLD-LA urged the international community to press for dialogue between the regime and the NLD prior to the elections, and to provide and increase cross-border humanitarian aid to the ethnic areas. They also expressed support for a UN Commission of Inquiry to investigate crimes against humanity and war crimes, but emphasised that it is a legal action which should be separate from the political process.

6. Conclusions

Burma’s humanitarian and human rights crisis is one of the worst in the world. As the regime approaches its sham elections, it is essential that the international community does not forget the events of 2007-2009, the inherently undemocratic nature of the new Constitution, and the lessons of the sham referendum. Taken together, the regime’s response to the Saffron Revolution and Cyclone Nargis, its behaviour during the referendum, the assassination of the KNU General Secretary Padoh Mahn Sha Lah Phan, the trial and continued house arrest of Nobel Laureate Aung San Suu Kyi, continued offensives against the ethnic nationalities, combined with the recent severe prison sentences imposed on dissidents, clearly indicate the true nature of the regime’s character, policies and attitude. The regime’s crimes have been documented in many reports over many years, by CSW and others. It is time now to bring the regime’s reign of terror and impunity to an end.

7. Appendix: Testimonial evidence

7.1. Interviews with refugees at Nong Bua

7.1.1. Naw X and Saw Y

The following is the testimony of representatives of two of the three families who were sent back to Ler Per Hur on 5 February. They cannot be named for security reasons:

“The Thai military forced us to go back to Ler Per Hur. They told us ‘you cannot stay here’. They said that the landowner (of the land where we were staying) did not allow us to live here. We could only stay six months, and therefore it was time to go back. We said ‘we don’t want to go back’. They told us if we did not go back, we would be forced back via Myawaddy.

On 5 February at 9am a car took us to the headman’s house. We were very afraid. We waited there, and then the Thais said we should go. Thai soldiers came, with very serious faces and not in uniform. There was no chance to wait. Twelve people were taken, but two sneaked away. Ten people from free families were sent back, and my husband followed the next day. They were worried that the DKBA would kidnap us.

The plan originally was to send 30 families back that day, and everyone else later. However, when the TBBC and UNHCR arrived, the deportations stopped. Three families had already been sent before TBBC arrived.

When we were sent back, we were taken to the river by five Thai soldiers, four men and one woman, carrying pistols. They put us in a boat, and then videoed us. They asked us ‘do you really want to go back?’. When we said ‘no, we don’t want to’, they told us ‘no, you must say that you do.’ The Thai pressure on us was going on the whole of January and February. They went house by house, saying that we could not stay there and that we must go back. They broke down some houses because those families had gone back inside Burma.

When we arrived at Ler Per Hur, the DKBA were standing their with their guns, looking very serious. ‘Why have you come back here?’, they asked. ‘We want the whole camp to come back, not just you.’ We stayed four days. During the day, the DKBA went to the shallow riverside, but at night they stayed around the houses, patrolling. The DKBA said we could stay in the best houses, but people stayed where they were, scared of landmines and of the DKBA. We could not sleep at night, we were so worried. At least two DKBA soldiers guarded each house.

We brought four kilos (eighteen tins) of rice with us, but the DKBA told us that it is from foreigners and that we should throw it away. We didn’t throw it away, but we hid it and couldn’t eat it. The soldiers gave us their rice, for four days. We were afraid they might poison it. They asked what did you get from TBBC in the camp, and we told them ‘rice, yellow beans, chillis and fish paste’.

Some of the houses were burned down, especially around the clinic at Ler Per Hur. The teacher’s home was destroyed, and the school dismantled. Some of the timber was kept, so that the DKBA could sell it, but the dorms were destroyed. The church was kept, in the hope that people would come back.

The DKBA asked us 'why do you come alone? Where are the others?'. After four days, the DKBA said they didn't want just three families to stay, they wanted the whole camp, and so they sent us back. We were afraid of the Thai authorities, but the DKBA said don't go into camp, just stay outside. The Thai authorities came to the house where we are hiding three times just this morning. We can't do anything. We don't have enough food, no subsidy, we have to move around, and we can't earn anything. We have to just sneak around. We need rice, and medical care."

7.1.2. Naw X, 20 years old, from village Y, Tha Kre Township, Pa'an District, Karen State

Her original village was attacked by the SPDC and DKBA, and so she fled to Ler Per Hur in 1998. In June 2009, she was among the people who fled Ler Per Hur to the Thai side. The following is her account:

"When we first ran away, it was very rainy and the river was flooding. The SPDC and DKBA were shooting mortars and so everybody escaped. Mortars were fired every day and night for one week. Around two weeks after we escaped, DKBA troops arrived.

On 28 January, the Thais forced us to go back. We went back for just one day. We were sent back to the Thai side by the DKBA, although they told us that if we could not stay on the other side, we could come back. In the morning, the DKBA captain came with us, by rowing boat. We arrived on the Thai side and hid in a bush until the evening. Then at night time we walked to the camp. The camp leader came to collect us. The DKBA had called him, saying that 'we're sending back a family because we can't take responsibility for them. Please look after them!'

7.1.3. Saw D, village headman

Saw D is the headman of the village, and has been separated from the refugees. He said:

"The DKBA attacked Ler Per Hur because the SPDC wants them to be a Border Guard Force, before the elections. They select village people to be soldiers, in order to increase the size of their military.⁵ The DKBA also collects porters from the villages. So if we go back, maybe later we will be forced to work for the DKBA. Just this morning, DKBA asked Karens on the Thai side of the border, who are without ID, to build fences for them. They also charge a tax of five to ten Thai Baht for boats crossing the river.

DKBA soldiers don't want to fight anymore, but their leaders are greedy and make business with the regime. Some soldiers don't want to be DKBA, but if they are in the DKBA they are exempt from portering or paying tax. Many DKBA want to come back to the KNU. But if a soldier defects, their family has to pay double the cost of a gun, as compensation. An M16 costs 100,000 kyat."

7.1.4. Saw M, from village X, three hours walk from Ler Per Hur

Saw M is a teacher and is responsible for looking after 210 students aged between five and fifteen years old, in the dormitory. He was a Grade Four teacher in his village, before fleeing in June 2009.

⁵ According to the KHRG, the DKBA wants to increase troops by 3,000 and will do this by forcible conscription, requiring every man between the ages of 15 and 50 in areas under DKBA control.

“The SPDC entered Ler Per Hur and we could not stay in our place. We fled due to fighting. We heard landmines exploding. When the SPDC comes, villagers are very afraid of being taken as porters.

I have now been here in Thailand for eight months. We spent the first month in the No Bo monastery, and seven months here in this camp. Every two or three days for the past two months, the Thai military comes to our homes in this camp and tells us we have to go back. But we cannot go back – the DKBA has surrounded Ler Per Hur with landmines and bamboo sharpeners. The Thais asked us if we would like to go to Mae La refugee camp, and we said yes, but they said there is no space there. The landowner says we cannot live here, we have already spent six months here, we have to go back. But we cannot go back. There is no peace. The Thai military press us to go back, and the whole Karen people are very afraid. Some people have already fled back because of the Thai pressure, but I cannot go back. I have to look after the dorm.

The Thais threaten us, saying if we do not go back, they will take us on a bus to Myawaddy Bridge and send us across the border there. Most villagers are very afraid of that. The Thais go house by house, saying we cannot stay. They ask again and again. Sometimes they come with guns. In the daytime I am teaching, but I have to stop my class when the Thai authorities come.

I have 30 children in the dorm, but I only have food rations for fourteen people. We shower at a well down the hill, but we are only allowed one hour for all of us. The Thai authorities are very strict.

In mid-January, the District Commander arrived by plane. He said everybody has to leave, between 5-15 February. Previously, we could go shopping in No Bo village, but now, after the black rangers came, we cannot go out. Sometimes we are allowed one hour to go and buy chillis, but usually we are told we cannot go out. We ask if we can go out to find vegetables and we are told no. But we do not have enough vegetables here.”

7.1.5. Saw L, aged 35

Saw L is married and has five children, aged sixteen, thirteen, ten, six and three. He lost both legs after stepping on a landmine in June, 2009.

“On 11 June last year, early in the morning, I was going out to find vegetables in the jungle, inside Karen state, at Kler Kar, opposite Mae Salit. I was with two friends. I stepped on a landmine. My friends carried me to the riverside and by boat and car to Mae La refugee camp. From there, AMI took me to Mae Sot hospital. It took one day to get to hospital.

In October 2009, after medical treatment, I arrived in this camp. My wife and children were already here, because they fled from Ler Per Hur. But now I cannot support my family. I am not registered with TBBC and although my wife tried to ask the Thai military to allow me to receive rice, they said no. The Thais pressure me to go. I have no legs, no rations, and I have to stay in camp and share my wife and children’s rations. I cannot pay for my children’s snacks at school.

When I had two legs, I could earn money for the whole family and I could give my children money for snacks. Now I cannot provide for them. It is not a normal life, it is hard to earn money. If I stay here, the Thais will not give me a chance to go out. I cannot do anything for the children now. But I hope they will be able to live for the future.

My wounds still itch and hurt. Inside Burma, I had to flee the SPDC and DKBA many times. I did portering for the SPDC many times, carrying big pots. Run and run and run until now – this is my life.

I know many who have been killed by landmines. In April last year, my cousin, aged 35, was killed by a landmine.”

7.2. Visit to Mae La refugee camp

CSW and BurmaInfo (Japan) visited Mae La refugee camp, where we were able to interview several recent arrivals.

7.2.1. Saw A, Naw B - a family from village K, Thaton (Doo Tha Htoo) District, 3rd Brigade, Karen State

This family consists of a grandfather, aged 80, his granddaughter, and her seven children. The grandfather's daughter died when her child, the granddaughter, was one week old. One of the grandfather's other daughters has been arrested, and her husband shot dead.

“We arrived in Mae La camp in May 2009. We fled our village because it was relocated, and we were used for forced labour. We could not work for our family. Everything we did became theirs. We were forced to be guards for the SPDC and DKBA. If we could not provide labour, we had to pay, and if we could not pay, we were brutally beaten. It became very difficult to cultivate a farm, as we could not look after our farms. The SPDC and DKBA both built camps close to the village. The DKBA treated us no different than the SPDC. Whatever they needed for work, they would call villagers – to cultivate paddy, to porter. We were forced to build a camp for the SPDC, and work as porters. But the SPDC didn't let porters enter the camps. What was inside? Why could we not enter?

To escape, we travelled two days and two nights and paid 50,000 kyat each to enter Rangoon. We then came to the border from Rangoon.”

The grandfather described his personal bereavement and experiences:

“Two and half years ago, SPDC attacked our village. They arrested my daughter and killed her husband, who was a disabled man, without reason. One of my sons came to Thailand, but I do not know where he went. He was chased by the SPDC.

I fought with the British army in the Second World War, under Captain Wilson. I kept my army ID card but when the village was burned, it was all burned – nothing left but ashes. I worked for the British because we were suffering under the Japanese, and I thought that if I worked for the British, I expected something better.

Two times, the villages I lived in were burned down. In one village, the SPDC shot the deacon and attacked the pastor's home, and burned all the houses. We were forced to relocate. The SPDC asked for money from villagers, and accused us of working for the KNU. My cousin was beaten up six times, once on his head, and was left blinded in 1990 by the beating. They beat him with sticks, bamboo and batons. His sight was cured in 2004 after therapy in Rangoon, but he was killed.

When we were used for portering, we were beaten, forced to run very fast, run like a bull or a horse. Why did they do these things? I don't know what to say. They want to do this to Karen people. I don't understand what we did wrong to them?

In the refugee camp, we don't get rations because we are not registered. My son-in-law is working, making baskets for rice, and earns ten to twenty baht a day. Sometimes in one month he can sell only one piece, worth 80 baht. We buy rice and vegetables. Most of the time, we are only able to eat plain rice and salt. Sometimes, the pastor gives us food when he has surplus.

To my British friends, I say I am still expecting [help] – may you have mercy on us, one way or the other, and help us.”

7.2.2. Saw R, aged 63, and Saw M, aged 40, uncle and nephew

Saw R arrived in Mae La camp in 2007, and is registered and receives rations, but his nephew Saw M arrived in 2008 and does not receive rations. Saw M came with his wife and six children. Saw R said:

“We left our village on 1 January, 2007 and it took one month to get here. I arrived on 3 February, 2007 in Mae La. I could not go directly – I had to observe the situation and only move when we could. We fled due to forced labour and portering demands. We couldn't bear it any more. If we were not able to porter, the military demanded money. It depended on their mood, but it was not less than 30,000 kyat and sometimes up to 60,000. I produced betelnut trees, but it did not leave me with enough money. It was only for survival. Most of the time, only a few could afford the demands for money, and so they usually had to borrow money, although sometimes that was impossible. There were no rich people but we lived in the villages in brotherhood, so those who have something try to help.

It was normal to be ordered to provide forced labour or portering at least twice a month. Sometimes it was for three weeks a month as a porter, or for one or two weeks forced labour. We had to provide our own food. Forced labour included digging pits, building an SPDC camp or road construction. Portering included carrying guns and ammunition, sometimes weighing twenty kilos. It depended on the situation – sometimes we would have one or two days rest and then continue, sometimes we were moving continuously. People got sick, but there was no medicine. People would die, and soldiers would just leave them. They did not care.

I was once brutally beaten when portering. They thought I was dead, so they left me alone, and when I regained consciousness I went home. They beat me on my back with a gun.”

7.2.3. Naw T, a teacher, aged 46, from village W, Lerdoh District, Brigade 3, Karen State

Naw T left her village on 1 January, 2009 and arrived in Mae La a month later, on 2 February. She came with her four sons and one of her sisters. Her other three sons and her husband were taken as porters in December 2008, just before she fled. She said:

“I became helpless without my elder sons and my husband to depend on. The whole village was forced to relocate, so I cannot live there, and that is why I left. Villagers told me that my husband and eldest sons had been caught. Forced labour is very common and normal – I have had to do forced labour myself. I was a teacher, but whenever I was taken for forced labour I had to leave the school, stop classes for a day, do the forced labour, come back

and start school again. There were six teachers in the school, and almost every week we were taken for forced labour. I do not know if it was a deliberate targeting of the school or not.

If people were sick or unable to provide forced labour, they had to pay to hire a replacement. For one day it cost 1500 kyat, and I earned on average 15000 kyat a month as a teacher. Forced labour involved digging, building camps for the military and road construction. If I got tired, I could have a very short rest, but not for long.

I request the international community to keep us in mind. We are still struggling under this oppression. Don't forget us."

7.2.4. Saw K, aged 45, from village H, Belin Township, Thaton District

Saw K left his village on 18 January, 2010 and arrived at Mae La after six or seven days. He told CSW:

"When I was a boy, my whole family – my father and mother – were shot dead by the SPDC. I remained alone. When I was older I got married. Then my wife and children were shot dead. I married again, and had nine children.

I had to do portering and forced labour, and portering took a long time. When I left the village my health was so weak. I do not remember what happened.

On one occasion I was caught at night time. Depending on operations, if the operations were happening, the army catches porters.

I sent my wife to the border first, to see how things were there, and then I followed on. I live with my wife and nine children. I could not afford to send my children to school in Burma, and at least I can enrol them in schools here in the camp. But I have no house yet, so we are staying in the house of somebody who is outside the camp for work. For food, it is difficult. We do not receive rations. Sometimes I leave the children in a friend's house so that they can get food. I go here and there, to friend's houses, for food. I have no bed, no clothes, no mat.

I have gone through death and all things. My mind is not settled. I am scared of everything. I am traumatised."

7.2.5. Saw H, aged 50, from village T, Belin Township, Thaton District, Karen State

Saw H left his village in 2007, and travelled for four days with his wife and three children. He told CSW:

"Twenty years ago, my whole village was burned. We have been suffering until today, suffering difficulties caused by the SPDC. I have tried to endure, thinking it might become better, but finally I decided to leave the village.

Every villager was forced to do portering on a monthly basis. We were relocated often, then invited to return to our village. Why? We are in their hands. Whatever they want us to do, we have to do, just like we are nothing.

During operations, they sometimes used a truck, so we had to build a road for the truck. Once I had to spend a night guarding the truck and observing conditions.

I left because I don't want to die. I left because of the unbearable things happening, and because I don't want to die meaninglessly. I want to live a meaningful life. Life in Burma is very uncertain, with no meaning. I am looking for a better future."

7.2.6. Naw Y, aged 54, from village Y, Pa'an District, Karen State

Naw Y left her village in May 2007 and arrived in Mae La after a five day journey.

"I left because of forced labour. My husband died during portering. My children couldn't go to school. I was elected to be the village leader, and as a representative of the village I had to deal with the SPDC. I didn't know how to talk. I was scared, threatened and beaten.

Once, DKBA came and called me to meet them. They asked if I met KNU. Then they asked me to dig my own grave. I ran away, but the SPDC chased me. The village men came to talk to them and saved me.

I stopped being village leader after I was once caught with some friends and told to lead some SPDC troops somewhere. Five women had to lead them. They didn't care if we stepped on landmines. They take women because they know that the KNLA won't shoot women. I had to carry a backpack and it was so heavy. I don't know what was inside. They shot my friend and she died. At that moment, I ran. I returned home and lost consciousness. The SPDC thought I had died.

Before I left, the DKBA came to the village and set up a wireless communications system. The SPDC were jealous, and came and destroyed the equipment. Then the SPDC said that the villagers were to blame and so we had to pay. They said it was the KNU, and so we had to pay the DKBA 300,000 kyat per family for the loss of equipment.

When I did forced labour, sometimes it was only for one night, sometimes for three or five days. Many times we went without food.

The village leader is normally a man. But for more than ten years, in some villages women have been leaders because the men are afraid. They fear being killed before completing a term as village leader. So when I was chosen as village leader, I could not avoid it – I had to do it.

My hopes for the future? As long as I can stay here, peacefully, then I have a better life than in Burma. I am illiterate. I hope my children will become better people through education."

7.2.7. Three villagers from village K, Ler Doh District, Karen State

Saw E, aged 39 years old, arrived with his family in June 2007. Ten people from his family came together, including his nephew and sister-in-law. Saw H, aged 39, arrived a month later, in July 2007, with four family members including a niece. Saw D, aged 31, came in September 2007, with eight people altogether, including six children.

Saw D said:

“We fled forced labour and portering. I also fled because I had met a friend who was in the KNLA, and he asked me for something to eat. I felt pity, so gave him food, and then the SPDC heard about it. They came to know that I had given food to the KNLA, and so the SPDC were searching for me. I had to run here and there, hiding, for one and a half months. I couldn’t hide any more, so finally I had to come to the border. All I gave was a small bag of sweets, one time, to a KNLA soldier.

Until now, here in the camp I have received no rations. I still want to be alive. I want the world to know.”

Saw H told CSW:

“Twice the KNLA came to my village, and I gave them one tin of rice, because they are our own people and they needed food. The SPDC always suspected me of being ‘KNLA backbone’. I was once caught and put into stocks. They poured water on me, drop by drop, as water torture. I was released after seven months but was still under suspicion so I had to escape.

We feel we are so forgotten. Our suffering continues. We have never experienced freedom. No one cares for us. We want the world to know that we are here in the camp, and that inside Burma it is getting worse and worse. We want the world to know we are still suffering.”

Saw H said:

“There was fighting in my village, and I was arrested and accused of not giving information to the SPDC on time. They blamed the fighting on me. I was beaten on my back and shoulders with guns. They then covered me with plastic over the head, and poured water over me. They interrogated me for fifteen days, threatening me with a knife and beating me up. We want the world to know we are really suffering – not to forget us.”

For further information, please contact Benedict Rogers, East Asia Team Leader at CSW, on ben@csw.org.uk or visit www.csw.org.uk