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# INTERNAL DISPLACEMENT

## AND PROTECTION IN EASTERN BURMA

ပြည်တွင်းစစ် အလိုမရှိ



Thailand Burma Border Consortium



**Thailand Burma Border Consortium**

**October 2005**

# **Internal Displacement and Protection in Eastern Burma**

**With Field Research and Situation Updates by:**

**Committee for Internally Displaced Karen People  
Karen Office of Relief and Development  
Karenni Social Welfare and Development Centre  
Mon Relief and Development Committee  
Shan Relief and Development Committee**

Thailand Burma Border Consortium  
12/5 Convent Road, Bangkok, 10500, Thailand  
tbbcukk@tbbc.org  
www.tbbc.org (under construction)

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Peace Rally against Civil War, Kawkaeik township, October 2004, CIDKP.

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## ACRONYMS

AIDS	Acquired Immune Deficiency Syndrome
CIDKP	Committee for Internally Displaced Karen People
DKBA	Democratic Karen Buddhist Army
HIV	Human Immunodeficiency Virus
IASC	(UN) Inter-Agency Standing Committee
ICRC	International Committee of the Red Cross
ILO	International Labour Organisation
KHRG	Karen Human Rights Group
KNLP	Kayan New Land Party
KNPLF	Karenni National People's Liberation Front
KNPP	Karenni National Progressive Party
KnSO	Karenni Solidarity Organisation
KNU	Karen National Union
KNLA	Karen National Liberation Army
KORD	Karen Office of Relief and Development
KPA	Karen Peace Army
KSWDC	Karenni Social Welfare and Development Centre
MRDC	Mon Relief and Development Committee
NGO	non government organisation
NMSP	New Mon State Party
OCHA	(UN) Office for the Coordination of Humanitarian Affairs
PNO	PaO National Organisation
SPDC	State Peace and Development Council
SSA-S	Shan State Army – South
SSA-N	Shan State Army - North
SSNA	Shan State National Army
SSNPLO	Shan State Nationalities People's Liberation Organisation
SRDC	Shan Relief and Development Committee
TBBC	Thailand Burma Border Consortium
UN	United Nations
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations International Children's Emergency Fund
UWSA	United Wa State Army

## EXECUTIVE SUMMARY

The Thailand Burma Border Consortium (TBBC) first collaborated with community-based organizations to document the scale and distribution of internal displacement in Eastern Burma during 2002. Two years later, another survey was coordinated to enhance understanding about the vulnerability of internally displaced persons. These assessments sought to increase awareness about the situation in conflict-affected areas which remain largely inaccessible to the international community.

More communities have been displaced during the past year while others have attempted to return to former villages, resettle elsewhere in Burma or continue their journey of forced migration into Thailand. As the environment is constantly evolving, situation assessments also need to be regularly revised. Part of the purpose of this report is thus to update estimates of the scale and distribution of internally displaced persons in eastern Burma.

Threats against conflict-affected populations in eastern Burma have been well documented by a range of independent institutions. However, there is little information on humanitarian efforts to stop existing patterns of abuse, mitigate the worst consequences, prevent emerging threats and promote judicial redress. A second key objective is therefore to inform the development of humanitarian protection strategies for internally displaced persons and other civilians whose lives and livelihoods are threatened by war, abuse and violence.

This year's surveys were designed in partnership with ethnic community based organizations with reference to the Guiding Principles on Internal Displacement and conducted between April and June 2005. Estimates for the scale and distribution of internal displacement have been compiled from interviews with key informants in 37 townships across the six states and divisions of eastern Burma. Analysis of issues relevant to humanitarian protection has been based around responses to 1,044 questionnaires with conflict-affected households spread evenly between hiding sites, government controlled relocation sites, ethnic administered ceasefire areas and mixed administration areas. These responses have been complemented by semi-structured interviews with internally displaced persons, the four main non state actors in eastern Burma and ten humanitarian agencies based in Rangoon.

During the past year it is estimated that a further 87,000 people were forced or obliged to leave their homes by the effects of war or human rights abuses. Border-wide, a further 68 villages were destroyed, relocated or otherwise abandoned during this period, including a number which had only recently been established by displaced persons. In the majority of cases, forced displacement was found to be caused by violence or abuse perpetrated by the armed forces of the ruling State Peace and Development Council (SPDC). This survey has also identified 88 previously abandoned villages which have been partially re-established during the past year. In this time, it is estimated that 40,000 people who had previously been displaced have returned to their homes or resettled elsewhere in eastern Burma.

The total number of internally displaced persons in eastern Burma who have been forced or obliged to leave their homes over the past decade and have not been able to return or resettle and reintegrate into society is estimated to be at least 540,000 people. The population is comprised of 340,000 people currently in the temporary settlements of ceasefire areas administered by ethnic nationalities, while 92,000 civilians are estimated to be hiding from the Burma Army in areas most affected by

armed conflict and approximately 108,000 villagers have followed eviction orders from the SPDC and moved into designated relocation sites.

Overall this represents a slight increase of approximately 14,000 internally displaced persons since late 2004. This is attributed primarily to flight in Shan State away from SPDC patrols and into hiding, a significant inflow into Mon ceasefire areas, and methodological differences estimating populations in Tenasserim Division's relocation sites. These combined increases have outweighed reductions in the estimates for internally displaced populations hiding in Karen State as well as for ceasefire areas in Shan and Karen State. However, these population estimates are considered conservative as it has not been possible to include displaced persons in urban areas and rural mixed administration areas who may not have reintegrated into society but rather remain in a state of internal displacement.

Patterns of insecurity, the coping strategies of survivors of abuse and violence, and attempts at engaging the humanitarian responsibility of relevant authorities were assessed to inform the development of protection strategies. The survey conclusively found that not only are soldiers from the Burma Army the primary perpetrators of abuse, but also that the Government of Burma is generally unable or unwilling to strengthen local coping strategies and protect civilians from harm.

Legal insecurity is highlighted by findings that less than a quarter of the conflict-affected population own legal title deeds for land tenure while just 12% of civilians hiding from Burma Army patrols possess an identity card. The former reflects the threat of land confiscation while the latter increases vulnerability to extortion at checkpoints, harassment in contested areas, restricted access to markets and fields as well as another obstacle for the internally displaced against returning to former homes or resettlement elsewhere in Burma.

Despite the range and severity of deliberate physical violence in conflict-affected areas, the prevalence of threats to civilian livelihoods is on a much greater scale. A third of households surveyed have been directly affected by arbitrary taxes and forced labour in the past year. During this period, the deliberate impoverishment and deprivation of civilians as a counter-insurgency strategy is reflected in 17% of households having had food supplies destroyed or confiscated. Similarly, a quarter of households in hiding and relocation sites reported having had housing destroyed or having been forcibly evicted during the past year.

Although unable to stop or prevent violence and abuse, internally displaced and conflict-affected villagers have developed a range of coping strategies to resist threats and mitigate the worst consequences. Other civilians are the main source of early warning signals about approaching troops, which stresses the importance of building social capital, or networks of trust, within and between local communities for the development of a more protective environment.

Hiding food supplies and preparing alternative hiding sites in case counter-insurgency patrols induce an emergency evacuation were the main approaches to coping with threats amongst households in hiding sites. Conversely, the main method of minimizing risks in relocation sites and mixed administration areas is reportedly to pay fines and follow orders. These findings suggest that abuses against civilians by government forces are motivated not only by retaliation against armed opposition patrols, but also by economic imperatives or greed.

Six percent of households reported that they had at some point resorted to procuring a hand gun to minimize threats to safety and livelihoods. Given the threat of being suspected as either a rebel sympathizer by the SPDC or a government collaborator by the armed opposition, this gauge of the prevalence of assault weapons is considered high. Due to the breakdown in law and order and the ease of procurement, transport, concealment and use, the prevalence of small arms is in itself a significant threat of violent insecurity.

Humanitarian responsibilities relate to ensuring that parties to a conflict respect human dignity and prevent harm from being inflicted on civilians. While it was beyond the possibility of this survey to engage Burmese national authorities, the views of non state actors were solicited. Humanitarian agencies based in Rangoon were also consulted about their experiences in dealing with the government.

Non state actors acknowledged that the use of landmines was their main transgression in terms of threatening the safety and livelihoods of civilians. 86% of villagers surveyed were not aware of any signs on location warning about minefields, indicating that there is no systematic demarcation of minefields in eastern Burma. However the armed opposition authorities, and indeed a quarter of civilian households hiding in the most conflict-affected areas, perceived landmines as a necessary means of self-defense against the military might of the Burma Army.

It was also admitted by non state actors that their protective capacities are limited. Authorities from ceasefire parties negotiated a cessation of hostilities ten years ago to reduce the deprivations suffered by the civilian population, but have still not been able to address ongoing human rights abuses. In areas of ongoing armed conflict, the non state actors responded that short term protection objectives are limited to deterring and delaying SPDC patrols, using radio communication to provide warnings to villagers of approaching troop movements, and securing access for local humanitarian agencies to provide relief aid.

Humanitarian agencies based in Rangoon have managed to expand not only their access into eastern Burma but also the engagement of government authorities in policy-level dialogue during the past decade. However, United Nations (UN) agencies reported that since the purge of the former Prime Minister and his allies in October 2004, humanitarian agencies in Burma have either been disregarded or viewed with suspicion by the government. Unless the government is willing to engage in policy-level dialogue about protection concerns, it is recognised that the humanitarian space will contract further.

At the same time humanitarian agencies increasingly feel squeezed by restrictions from donors who are worried that foreign aid may be prolonging the rule of an illegitimate government. A perceived concern is that humanitarian sanctions will further restrict contact with policy makers, and exacerbate the reluctance of the Burmese government to negotiate about protection concerns. The challenge for humanitarian responses is to promote protection oriented programming which includes assessment of the programme's impact on the conflict.

These surveys sought to update estimates of internal displacement and inform the development of protection strategies for conflict-affected areas in eastern Burma. Recommendations are not presented, but it is hoped that this report will enlighten collaborative strategies to stop existing patterns of abuse and prevent emerging threats from harming internally displaced and other conflict-affected communities.

## **CAPTION**

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1. Displacement in Thaton, 2003, (KHRG)
2. Hiding in Shwegyin, November 2004, (KHRG)
3. Crossing the Salween, Shadaw, June 2005, (KSWDC)
4. Uncertain futures in Mong Ton, December 2004, (SRDC)

"We are upland farmers, but landmines have been planted around our fields so we dare not cultivate our crops. Its like our land is occupied by someone else."

Karenni man, hiding site,  
Pasaung township, May 2005



## CHAPTER 1

# INTRODUCTION

## 1.1 PROTRACTED CONFLICT IN BURMA

Burma's post-independence history has been dominated by civil war between the central government and a plethora of armed opposition groups.<sup>1</sup> Political instability has been rooted in ideological conflict between a socialist State and communist resistance, and more recently between military rule and democratic opposition. However, the most protracted armed conflict has been between the Burman controlled State and a loose alliance of non-Burman ethnic nationalities who are fighting for self determination.<sup>2</sup>

After decades of low-intensity conflict, the Burma Army's negotiation of seventeen ceasefire agreements with various ethnic-nationalist forces reduced the scale of armed conflict in the 1990's. While these ceasefires have led to the establishment of special regions with some degree of administrative autonomy, broader political grievances are yet to be addressed and human rights abuses continue to be widespread. In the mid-1990's, Rangoon's ceasefire with the Karenni National Progressive Party (KNPP) lasted only a few months while Khun Sa's surrender of the Mong Tai Army in exchange for an amnesty against drug-related charges led to the Shan States Army (SSA) reforming around a more genuinely ethnic nationalist cause. The New Mon State Party's (NMSP's) ceasefire has been maintained, but its authority has been challenged by the deployment of Burma Army troops into areas previously controlled by the Mon.



The United Nations (UN) General Assembly has been calling annually for democratisation, national reconciliation and the restoration of human rights since 1993. The SPDC responded in 2003 with the announcement of a "road map to democracy" and then an informal ceasefire agreement with the Karen National Union (KNU). However as of October 2005, the proposed seven step democratisation process remains stuck in the first stage of drafting a new constitution while violence and abuse are ongoing in Karen areas. Given the autocratic nature of the National Convention, the continued detention of democratic and ethnic opposition leaders, increasing pressure on ethnic ceasefire parties to submit to central rule and the government's refusal to meet with the United Nations (UN) Secretary General's Special Envoy or the UN Human Rights Commission's Special Rapporteur, the prospects for national reconciliation remain bleak.

<sup>1</sup> While the Union of Burma was officially renamed the Union of Myanmar by military decree after a coup in 1988. A number of states and divisions were also renamed, including Karen state (now Kayah), Karenni state (now Kayah) and Pegu Division (now Bago). This report uses historical and colloquial titles.

<sup>2</sup> The Arakan, Chin, Kachin, Karen, Karenni, Mon, Shan and others are often described as ethnic minorities or indigenous people, but generally prefer the term "ethnic nationalities".

## 1.2 INTERNALLY DISPLACED PERSONS

Internally displaced persons have been coerced to move away from their homes but remain in their country of origin. The authoritative definition, as stated in standards derived from international human rights, humanitarian and refugee law, recognises internally displaced persons as:

*“persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.”<sup>3</sup>*

In the context of conflict-induced displacement, it is significant that not only proximity to actual fighting but also the broader effects of war are recognised as potential causes of internal displacement. Similarly, it is accepted that internal displacement may not only be the result of violence and abuse that has already taken place but also due to the avoidance of threats which are yet to occur. Both of these conditions highlight the involuntary nature of internal displacement regardless of whether people are forced to flee conflict, violence or abuse, or alternatively obliged to leave by government orders or fear.

However, the UN Guiding Principles’ framework describes a broader set of causes for internal displacement than the refugee-like criteria of fleeing conflict and human rights abuses. Apart from recognising forced migration caused by natural disasters, arbitrary displacement is also prohibited “in cases of large-scale development projects that are not justified by compelling and overriding public interests”.<sup>4</sup> Development-induced displacement is problematic even when part of genuine efforts at poverty alleviation. Yet in situations of protracted conflict, development projects are often closely related to militarisation and designed so that communities perceived as opposing the state bear a disproportional share of the costs and are denied a fair share of the benefits. In such cases, “development-induced displacement constitutes a violation of human rights and humanitarian law and calls for a response from the international community”.<sup>5</sup>

While there is no specific cessation clause defining the end of internal displacement in international standards, potential solutions are identified as incorporating either return to former areas of residence or resettlement into another part of the country voluntarily, in safety and with dignity. National authorities are obliged to support reintegration by ensuring that internally displaced persons are protected against discrimination, able to participate fully in public affairs and enjoy access to public services. It is stipulated that national authorities’ responsibilities include facilitating the recovery or compensation of property which was dispossessed as a result

<sup>3</sup> Para 2, Introduction, *UN Guiding Principles on Internal Displacement*, 1998, UN document E/CN.4/1998/53/Add.2; November 11, 1998

<sup>4</sup> Principle 6.2 (c), *UN Guiding Principles on Internal Displacement*, 1998

<sup>5</sup> Courtland Robinson, 2003, *Risks and Rights: The Causes, Consequences and Challenges of Development-Induced Displacement*, Brookings-SAIS Project on Internal Displacement

of displacement. Further, international humanitarian agencies are to be granted unimpeded access to assist internally displaced persons during all phases of return or resettlement and reintegration.<sup>6</sup> These principles have been expanded upon in 2005 with the adoption of international standards specifically addressing the rights of displaced persons to recovery of their homes, lands and properties.<sup>7</sup>

While recognising the plight of internally displaced persons is essential to advocating for appropriate protection and solutions, programmatic responses to protracted conflicts tend to broaden the focus to conflict-affected populations.<sup>8</sup> At an international level, the institutional framework since the late 1990's for responding to the assistance, protection and recovery needs of internally displaced persons has been based on inter-agency collaboration rather than mandating one agency. However it has been acknowledged that this collaborative response has been largely ineffective in dealing with governments either unwilling or unable to deal with internally displaced persons.<sup>9</sup>

Recognising these concerns, in 2004 the Inter-Agency Standing Committee (IASC) revised and expanded its guidelines to UN Country Teams responding to situations of internal displacement. This revised policy package identifies the following as key sequences necessary for putting the collaborative response into practice<sup>10</sup>:

- cross-sectoral needs assessment and data collection
- common analysis of assistance and protection needs
- a UN system-wide strategic plan
- division of labour across agencies
- agency involvement derived from respective mandates
- regular review to adjust responses to the evolving environment

This has been followed with the designation of lead agencies for major sectors and cross-cutting issues relevant to situations of internal displacement. Sectoral responsibilities have been clustered and delegated to relevant UN agencies in relation to emergency shelter, camp coordination, health, nutrition, water and sanitation, and the logistics of service provision. In terms of cross-cutting issues, UNHCR has been assigned the lead for protection of people displaced by conflict and UNDP has assumed primary responsibilities for supporting early recovery.

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<sup>6</sup> Principles 28-30, *UN Guiding Principles on Internal Displacement*, 1998

<sup>7</sup> *UN Principles on Housing and Property Restitution for Refugees and Displaced Persons*, 2005, UN document E/CN.4/Sub.2/2005/17

<sup>8</sup> ICRC, 2000, *Internally Displaced Persons : The Mandate and Role of the International Committee of the Red Cross (ICRC)*, Geneva, p2.

<sup>9</sup> Simon Bagshaw and Diana Paul, 2004, *Protect or Neglect – Towards a More Effective United Nations Approach to the Protection of Internally Displaced Persons*, The Brookings-SAIS Project on Internal Displacement, UN OCHA – Inter Agency Internal Displacement Division.

<sup>10</sup> IASC, 2004, *Implementing the Collaborative Response to Situations of Internal Displacement: Guidance to UN Humanitarian Coordinators and/or Resident Coordinators and Country Teams*, p10.

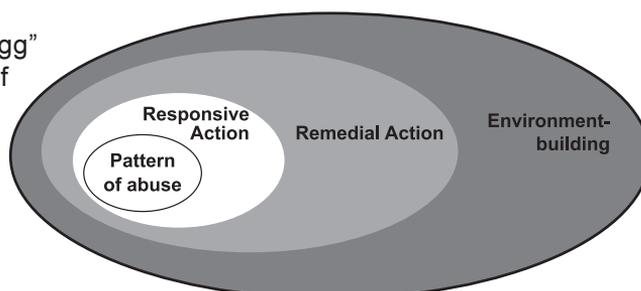
## 1.3 HUMANITARIAN PROTECTION

Although the international legal framework for humanitarian action was founded over half a century ago, the protection agenda has only gained prominence since the end of the Cold War and the genocide in Rwanda. The UN definition that has evolved for humanitarian protection is “all activities aimed at ensuring full respect for the rights of the individual in accordance with the letter and spirit of the relevant bodies of law, i.e. human rights law, international humanitarian law and refugee law”.<sup>11</sup> In practice, this purpose has been interpreted as “making states and individuals meet their humanitarian responsibilities to protect people in war and filling in for them as much as possible when they do not”.<sup>12</sup>

So while humanitarian assistance helps people recover from harm already caused, a protective approach also strives to stop violence and abuse, or at least to mitigate the effects, to ensure survivors have access to judicial and social redress and to prevent emerging threats from causing further harm. This necessitates engaging national authorities who are primarily responsible for the protection of their citizens and empowering the coping strategies of those at risk. Protection and empowerment have thus been recognised as mutually reinforcing factors of human security. “People protected can exercise many choices. And people empowered can avoid some risks and demand improvements in the system of protection.”<sup>13</sup>

Humanitarian protection is understood as incorporating three general types of activities.<sup>14</sup> Responsive actions are urgent attempts to stop, prevent and / or mitigate the immediate harm inflicted by a pattern of abuse. Remedial actions try to restore people’s dignity subsequent to a pattern of abuse through longer-term recovery processes. Environment building involves promoting attitudinal and behavioral change as well as frameworks for governance which are conducive to respect for human rights. These three types of activities are not chronologically ordered but rather overlap, with timing related instead to the nature and gravity of the pattern of abuse. Similarly, given sufficient information sharing and resource coordination, the respective mandates and activities of different humanitarian agencies can complement each other to promote shared protection goals.

The adjacent “protection egg” represents this framework of interdependent activities.



<sup>11</sup> IASC, 2000, *Protection of Internally Displaced Persons – Inter Agency Standing Committee Policy Paper Series*, No.2, UN, New York, p4

<sup>12</sup> Hugo Slim and Luis Enrique Eguren, 2001, *Humanitarian Protection: A Guidance Booklet*, ALNAP, p21

<sup>13</sup> Commission on Human Security, 2003, *Human Security Now*, UN, p12

<sup>14</sup> IASC, 2002, *Growing the Sheltering Tree: Protecting Rights Through Humanitarian Action*, UN, p12

Techniques for securing protection range from pressuring relevant authorities to comply with their obligations to protect civilians from violence and abuse, to providing assistance for those survivors recovering from abuses. Pressure can be applied on authorities via denunciation through public censure, persuasion through private negotiation, and / or the diplomatic mobilization of advisors and other influential stakeholders. The main techniques for providing protective assistance are to support and empower existing local structures and services and / or substituting for the authorities by directly providing aid to the survivors of abuse.

Despite this protective framework, recent evaluations of humanitarian action in ten countries identified that “where national government fail to protect internally displaced persons, there is evidence of a continuing and substantial deficit in the protection work done by the international community”.<sup>15</sup> Practices contributing to this protection deficit were identified as the neglect of minorities; prioritisation of material assistance over protection needs; lack of protection capacities and will; lack of access into insecure areas; and a lack of human rights monitoring.

Yet when national authorities with the primary obligation to protect civilians are instead the perpetrators of abuse, the primary challenge is to overcome sensitivities about state sovereignty. As the UN Secretary General has commented,

*“We must also move towards embracing and acting on the responsibility to protect potential or actual victims of massive atrocities. The time has come for Governments to be held to account, both to their citizens and to each other, for respect of the dignity of the individual, to which they too often pay only lip service. We must move from an era of legislation to an era of implementation.*

*... If national authorities are unable or unwilling to protect their citizens, then the responsibility shifts to the international community to use diplomatic, humanitarian and other methods to help protect the human rights and well-being of civilian populations. When such methods appear insufficient, the Security Council may out of necessity decide to take action under the Charter of the United Nations, including enforcement action, if necessary.”<sup>16</sup>*

## 1.4 SURVEY RATIONALE

The Thailand Burma Border Consortium (TBBC) first collaborated with community-based organizations to document the scale and distribution of internal displacement in Eastern Burma during 2002. Two years later, another survey was coordinated to enhance understanding about the nature of displacement and to assess levels of vulnerability. These assessments sought to increase awareness about the situation in conflict-affected areas which remain largely inaccessible to the international community.

<sup>15</sup> John Borton, Margie Buchanan-Smith, Ralph Otto, 2005, *Learning from Evaluations of Support to Internally Displaced Persons*, Channel Research, Belgium.

<sup>16</sup> *In Larger Freedom: Towards Development, Security and Human Rights for All*, Report of the Secretary General, UN General Assembly, 59<sup>th</sup> session, 2005, paras. 132, 135.

More communities have been displaced during the past year while others have attempted to return to former villages, resettle elsewhere in Burma or flee to Thailand. As the environment is constantly evolving, situation assessments also need to be regularly revised. One of the key objectives of this research was thus to update estimates of the scale and distribution of internally displaced persons in eastern Burma.

Threats against conflict-affected populations in eastern Burma have been well documented by a range of independent institutions, including the UN Commission on Human Rights, the Global IDP database, Human Rights Watch and Amnesty International. However, there is little information on humanitarian efforts to stop existing patterns of abuse, mitigate the worst consequences, prevent emerging threats and promote judicial redress. Responding to this gap, this survey's second key objective is to inform the development of humanitarian protection strategies for internally displaced persons and other civilians whose lives and livelihoods are threatened by war, abuse and violence.

## 1.5 SURVEY METHODOLOGY

This report has been compiled from qualitative and quantitative surveys conducted between April and June 2005 with villagers and representatives of non-state actors in eastern Burma and humanitarian agencies based in Rangoon. TBBC and the participating community-based organizations designed the surveys collaboratively, by drawing from the Guiding Principles on Internal Displacement and other resources relating to humanitarian protection.<sup>17</sup> Ethnic community-based organizations facilitated questionnaires, focus group discussions and semi-structured interviews in eastern Burma.

Much of eastern Burma remains inaccessible to international observers and there are significant risks associated with collecting information from conflict-affected areas. Without the participating community-based organizations' commitment and courage, this report would not have been written.

Estimates for the scale and distribution of internal displacement have been compiled from interviews with key informants in 37 townships. Population estimates have been compiled for people who:

- have fled from SPDC patrols and hide in areas of ongoing fighting
- were forcibly evicted and obliged to move into SPDC relocation sites
- reside in ethnic administered ceasefire areas after having been forcibly relocated by non-state actors, having fled from human rights abuses or the effects of war or having returned from refugee camps in Thailand.

However, it has not been possible to estimate the number of people obliged to leave their homes but remaining in a state of internal displacement in mixed administration

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<sup>17</sup> Hugo Slim and Luis Enrique Eguren, 2001, *Humanitarian Protection: A Guidance Booklet*, ALNAP, was particularly useful.

areas or on the fringes of urban settlements. Further, given the complexities in distinguishing between different location types as well as between displaced and resident populations these are best estimates only. Approximations derived from the sub-township level have been triangulated against last year's estimates and situation updates from the field staff of ethnic community based organisations.

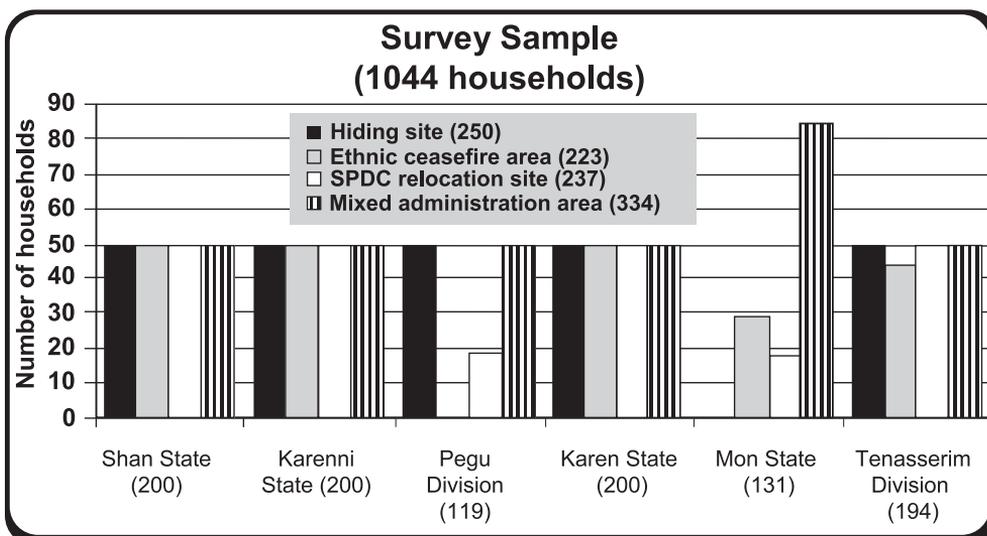
Humanitarian protection has been assessed in terms of the patterns of insecurity, coping strategies amongst survivors of abuse, and efforts at engaging humanitarian responsibility from the relevant authorities. The main method of assessing patterns of insecurity and coping strategies was through questionnaire interviews with 1,044 households. A multi-stage cluster sampling method resulted in the households being selected from 60 clusters spread across 6 states and divisions, and relatively evenly distributed between hiding sites, ceasefire areas, SPDC relocation sites and mixed administration areas. Within the constraints of ensuring relatively secure access, at least two household clusters were randomly selected for each type of location in each state or division. Upon arrival at these areas, surveyors applied interval sampling methods in clusters no bigger than 25 households.

To guide the household sampling method as well as the demarcation of population estimates, the following definitions of different location types were agreed.

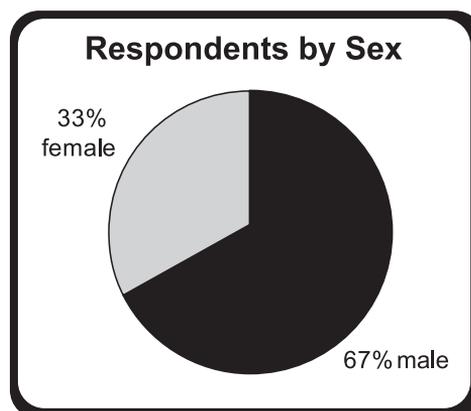
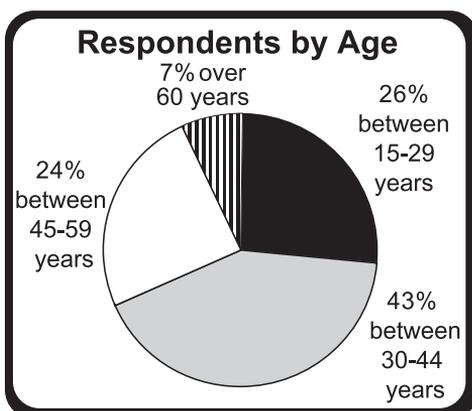
- Hiding sites were understood as the most contested areas where people are actively seeking to conceal themselves from detection by SPDC patrols.
- Relocation sites were identified as consolidated villages where people had been ordered to move by SPDC after having been forcibly evicted.
- Ceasefire areas were recognized as special regions with some autonomy for ethnic nationality authorities and provisional guarantees against SPDC attack.
- Mixed administration areas were accepted as rural areas nominally under SPDC control, but within the sphere of influence of the armed opposition.

It is recognised that the demarcation of distinct areas is largely a theoretical exercise, and that in practice the distinction between different location types is imprecise. For example, it is difficult to distinguish between civilians in the most militarily contested areas who do not expose themselves to SPDC and villagers in mixed administration areas who leave home if SPDC patrols approach. Similarly, people who were forcibly evicted and relocated but now have a relative (although still restricted) degree of choice about their place of dwelling, could justifiably be classified as living in either SPDC relocation sites or mixed administration areas.

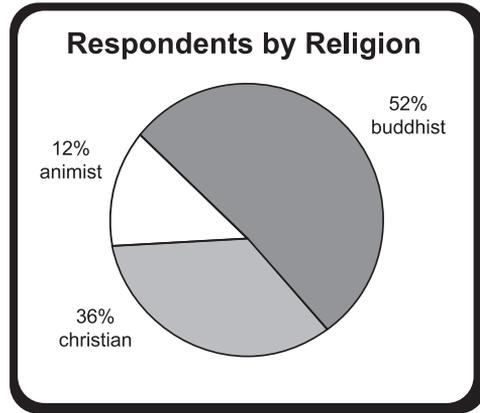
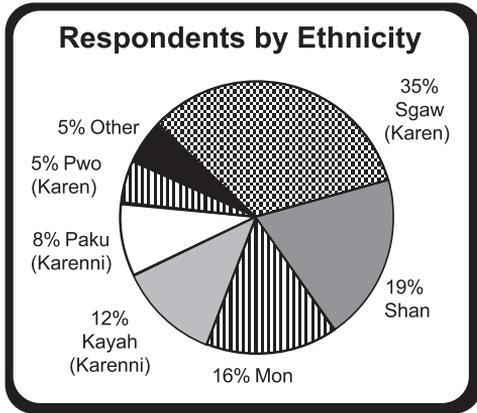
It was not possible to interview 1,200 households as originally planned due to the absence of ceasefire areas in Pegu Division, restrictions on access into SPDC relocation sites in Pegu Division and Mon State, miscommunication resulting in the failure to interview people hiding in northern Mon state, and data entry errors resulting in the omission of responses from Mon ceasefire areas. Problems with data from Mon State were compensated for by accepting additional responses from mixed administration areas to maintain geographical balance in the sample.



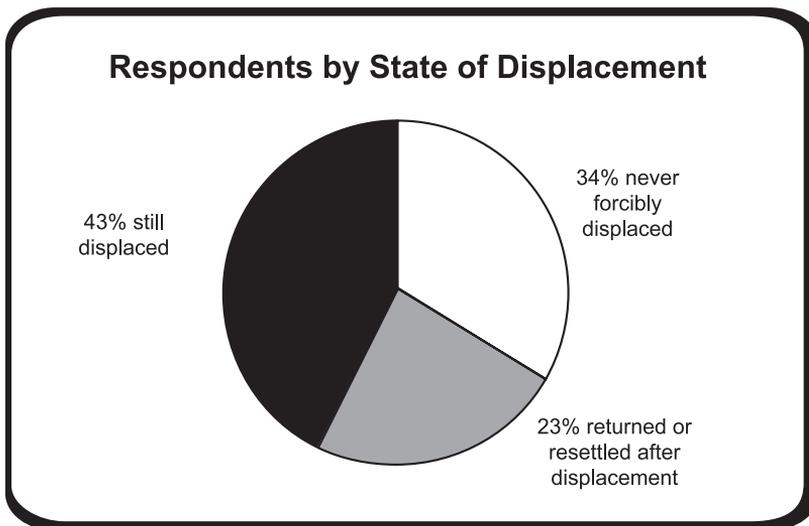
The questionnaire targeted responses from household representatives and so children were not consulted. This is reflected in the mature age distribution of the respondents, with 74% over 30 years old. However, unlike during last year's survey, it was not possible to interview an even balance of males and females. The proportion of male responses increased dramatically in Shan State compared to last year as interviews had to be conducted outside of villages. This was due to an increase in SPDC troop and checkpoints restricting the ability of surveyors to enter villages like last year. Messages were sent to ask household representatives to meet in nearby fields and forests, but this deterred women from participating.



Respondents came from eleven different ethnic groups, also indicating a diverse sample population. Greater representation of the Sgaw Karen (35%) than other ethnic groups reflects their prominence in conflict affected areas of not only Karen State, but also Pegu Division and Tenasserim Division. The majority of respondents were Buddhists and Animists, although significant proportions of Christians were represented amongst the Karen and Karenni respondents. Similarly, the civilian nature of respondents was confirmed by the absence of active soldiers in the sample population. 86% had always been civilians, 12% were demobilized soldiers and only 2% were still involved with local militia units.



The sample population includes a balance of internally displaced persons and other civilians affected by conflict who have never been forcibly displaced or who have recovered from displacement by returning to their homes or resettling elsewhere. 34% of respondents considered themselves to have never been forcibly displaced, which includes those who have moved for economic reasons. However, it is not clear how many of these households felt they had been obliged to leave their homes to avoid the effects of conflict. Similarly although 23% reported that they had re-established their livelihood since forced displacement, the extent to which these efforts are sustainable remains yet to be determined. While these are subtle distinctions in definition, a more comprehensive assessment of initial responses may have found more than 43% of the conflict-affected population remains internally displaced.



These quantitative surveys have been complemented by more qualitative discussions with internally displaced persons, while semi-structured interviews with non state actors and humanitarian agencies have informed the assessment related to engaging humanitarian responsibility. Quotes cited from internally displaced persons throughout the report were recorded during focus group discussions facilitated with male, female and children's groups in each of the four location types. Similarly, descriptions of the views of non state actors have been based on discussions with representatives of the four main armed opposition groups in eastern Burma. These discussions included representatives from the political and military wings at both the central committee and field levels. Consultations were also conducted with senior staff from five United Nations agencies and five non-governmental organizations in Rangoon.

This survey has been constrained by restricted access into conflict-affected areas and the inability of humanitarian agencies to engage Burmese national authorities in policy-level dialogue about internal displacement and protection. However, the process has been steered by the same humanitarian principles which guide the UN agencies present in Burma: humanity, impartiality and independence.<sup>18</sup>

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<sup>18</sup> United Nations Country Team, "Strategic Framework for UN Agencies in Myanmar", 22 April 2005.

# **CAPTION**

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1. Relocation site near Loikaw, May 2005, (KSWDC)
2. New Arrivals in ceasefire area, Ye, January 2005
3. Hiding in Tenasserim, November 2004 (CIDKP)

"In most cases, the human rights abuses by Burma Army troops continue. So how can we return to our homes if the situation is like this?"

Mon woman, ceasefire area,  
Ye township, June 2005



## CHAPTER 2

# INTERNAL DISPLACEMENT IN EASTERN BURMA

## 2.1 CONFLICT-INDUCED DISPLACEMENT

The impacts of war, and specifically counter-insurgency strategies, on human rights and population displacement in eastern Burma have been widely documented.<sup>19</sup> Through decades of low-intensity conflict, the State Peace and Development Council (SPDC) and its predecessors have based their counter insurgency strategy on targeting the civilian population. The “Four Cuts” policy aims to undermine the armed opposition’s access to recruits, information, supplies and finances by forcibly relocating villagers from contested areas into government controlled areas. The policy has aimed to turn “black” opposition controlled areas into “brown” contested areas and ultimately into “white” areas controlled by Rangoon.

Villagers who do not comply with forced relocation orders are considered sympathetic to the armed opposition. The subsequent targeting of these civilians as military targets is a violation of international humanitarian laws which the State of Burma has formally ratified.<sup>20</sup> Threats to lives are the most severe manifestations of this counter-insurgency policy and include military attacks, summary execution, landmines and inhumane punishment. However threats to livelihoods in the form of the destruction of agricultural fields and housing as well as the confiscation of land and food supplies are a more common method of undermining the capacity of villagers to remain in militarily contested areas. Either way the risks for civilians generally increase after military skirmishes, when the SPDC retaliates against villagers for supposedly enabling the armed opposition forces to strike.

Burma Army offensives and territorial gains over the past decade have effectively occupied the customary lands of non-Burman ethnic nationalities. Displaced villagers, who could previously resettle into areas administered by the armed ethnic opposition closer to the border, can retreat no further. According to records of the major armed opposition forces, the SPDC have approximately doubled the deployment of battalions to consolidate territorial gains across eastern Burma during the past ten years.<sup>21</sup> Troop numbers vary wildly and are difficult to estimate, but this represents between 10,000 and 20,000 additional Burma Army soldiers deployed since 1995 into the 37 townships covered by this survey.

The deployment of Burma Army troops directly displaces civilians by confiscating prime land for military camps and smaller outposts. Confiscation of rice fields and fruit plantations has been exacerbated since the SPDC stopped providing full rations to frontline troops and began encouraging soldiers’ families to resettle to border areas in the late 1990’s. Yet it is the increased capacity of Burma Army to search contested areas, and the corresponding threats for civilians associated with detection, which has been a greater factor of conflict-induced displacement. It is thus the smaller outposts and roving patrols of smaller Burma Army companies that are generally the immediate threat to civilians in remote areas.

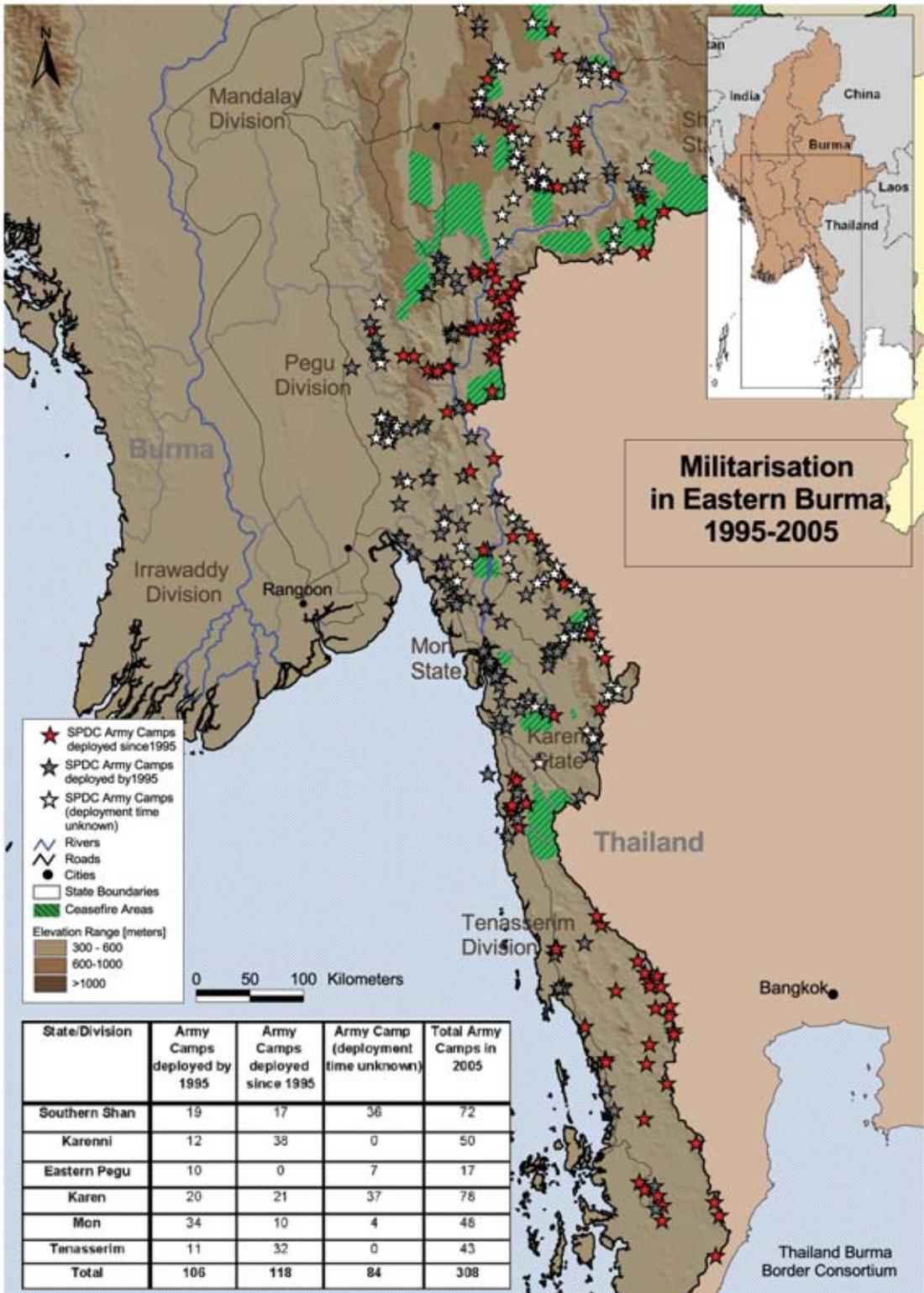
<sup>19</sup> Global IDP Project, June 2005, *Burma : Displacement Continues Unabated in one of the World’s Worst IDP Situations*, [www.db.idpproject.org/Sites/idpSurvey.nsf/wCountries/Myanmar+\(Burma\)](http://www.db.idpproject.org/Sites/idpSurvey.nsf/wCountries/Myanmar+(Burma))  
Human Rights Watch, 2005, *They Came and Destroyed our Village Again: The Plight of Internally Displaced Persons in Karen State*, Vol.17, No. 4(C).

UN Commission on Human Rights, 2 December 2004, *Situation of Human Rights in Myanmar*, Report of the Special Rapporteur, Paulo Sergio Pinheiro, 61<sup>st</sup> session, E/CN.4/2005/36, paras 37-45.

<sup>20</sup> Amnesty International, 2002, *Lack of Security in Counter-Insurgency Areas*, London.

<sup>21</sup> Geneva Conventions I-IV, 1949, Common Article 3.

<sup>21</sup> These trends have been corroborated by a comprehensive analysis of the Burma Army’s order of battle, forthcoming from Australian National University’s Strategic and Defense Studies Centre.



## 2.2 DEVELOPMENT-INDUCED DISPLACEMENT

Burma lags behind most of its neighbours in terms of poverty alleviation, with UN agencies and the Asian Development Bank recently reporting that Burma is either unable to provide credible data, off-track or regressing in regards to indicators for all of the Millenium Development Goals.<sup>22</sup> This can partly be attributed to an estimated 40% of the government budget being allocated to the military which is more than double that designated to health and education combined.<sup>23</sup> A recent global survey of transparent governance in 145 countries also found only three nations where systematic corruption was more prevalent than in Burma.<sup>24</sup>

While poverty is a nation-wide phenomenon, many of the most deprived areas are in border areas where protracted conflict has further undermined human, social, economic and natural capital. By focusing on infrastructure construction and commercial agriculture, the government's Border Areas Development programme has done little to alleviate poverty in conflict-affected areas.<sup>25</sup> In contrast, state-sponsored development initiatives have often undermined livelihoods and "primarily served to consolidate military control over the rural population"<sup>26</sup>

The majority of households displaced under the auspices of development have been dispossessed at short notice prior to the relevant project's commencement. In the cases of large scale hydro-electric projects proposed for the Salween River in Shan and Karen state, SPDC troops have forcibly evicted villages in the vicinity both downstream and upstream and relocated them along access routes. This reflects the government's focus on securing investment sites rather than resettling only those villagers residing in projected flood zones. Land confiscation, rather than forced relocation per se, is a more common cause of displacement associated with the expansion of commercial agriculture, natural resource extraction and the construction of infrastructure. Compensation is generally not paid, although some of those displaced during construction of the Moulmein-Martaban bridge in Mon State received just over half of the market value for their property.

Once state-sponsored development projects are operational, increased proximity to SPDC troops increases the threat of human rights abuses which sustains another round of involuntary displacement amongst local villagers. Further, the previously displaced populations are commonly excluded from a fair share of the benefits. The Lawpita Power Station in Karenni State exemplifies both scenarios, with the electricity relayed to the central Divisions of Burma and local livelihoods still undermined by demands for forced labour and the laying of landmines to secure surrounding areas.

Forced labourers have also been widely used for road repairs, which, apart from undermining livelihoods and inducing displacement, have directly facilitated the strategic deployment of SPDC troops into remote areas. "Model villages", which purportedly extend administrative and social services to the sub-township level, have also often been built with forced labour on confiscated land.

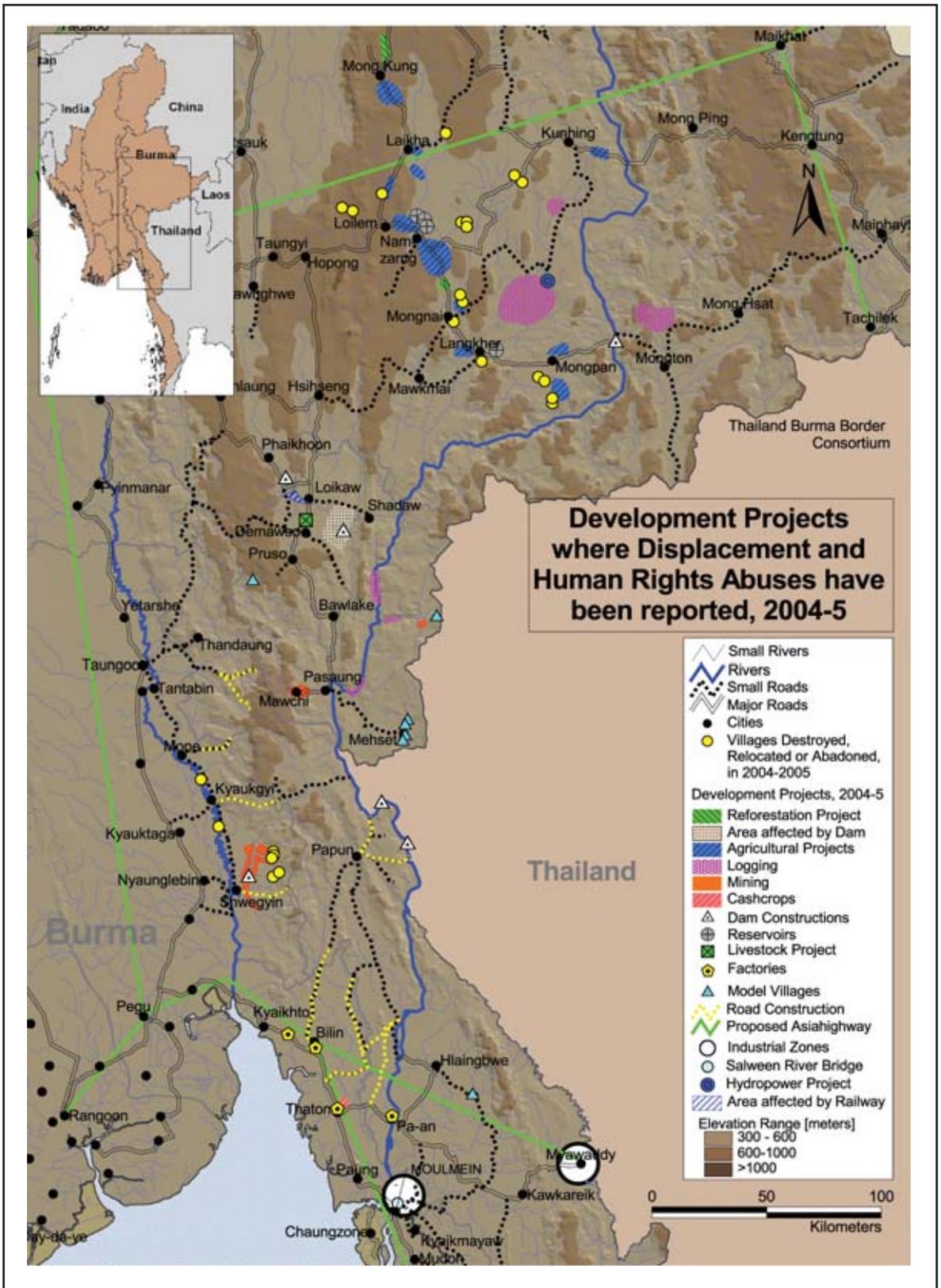
<sup>22</sup> *A Future Within Reach: Reshaping Institutions in a region of Disparities to meet the Millenium Development Goals in Asia and the Pacific*, UNESCAP, UNDP and ADB, 2005, New York, p13

<sup>23</sup> United Nations Working Group, 1998, *Human Development in Myanmar*, UNDP, Yangon.

<sup>24</sup> Transparency International, 2005, cited in *A Future Within Reach*, UNESCAP, UNDP and ADB, 2005, New York, p 73

<sup>25</sup> International Crisis Group, 2004, *Myanmar: Aid to the Border Areas*, Yangon / Brussels, p4

<sup>26</sup> Human Rights Watch, 2005, *They Came and Destroyed our Village Again: The Plight of Internally Displaced Persons in Karen State*, Vol. 17, No. 4(c), p43



## 2.3 DISPLACEMENT BETWEEN 1996 AND 2005

In 2002, best available data collated from indigenous humanitarian and human rights groups suggested that more than 2,500 villages had been destroyed, relocated or otherwise abandoned in eastern Burma since 1996. Approximately one million people were estimated to have been forcibly displaced during those six years.<sup>27</sup> Estimates collected in 2004 from across Burma's six eastern states and divisions indicated that another 157,000 civilians had been displaced by war or human rights abuses and 240 villages relocated since the end of 2002.<sup>28</sup>

This survey estimates that between May 2004 and May 2005, a further 87,000 people were forced or obliged to leave their homes by the effects of war or human rights abuses. Southern Shan State recorded the most substantial increase in displacement during the past year, which is consistent with increased political harassment and militarisation. Border-wide, a further 68 villages were destroyed, relocated or otherwise abandoned during this twelve month period, including a number which had recently been established by displaced persons without official permission. These figures suggest there has been a relatively steady rate of around 80,000 civilians per year having been displaced by war or human rights abuses over the past three years in eastern Burma.

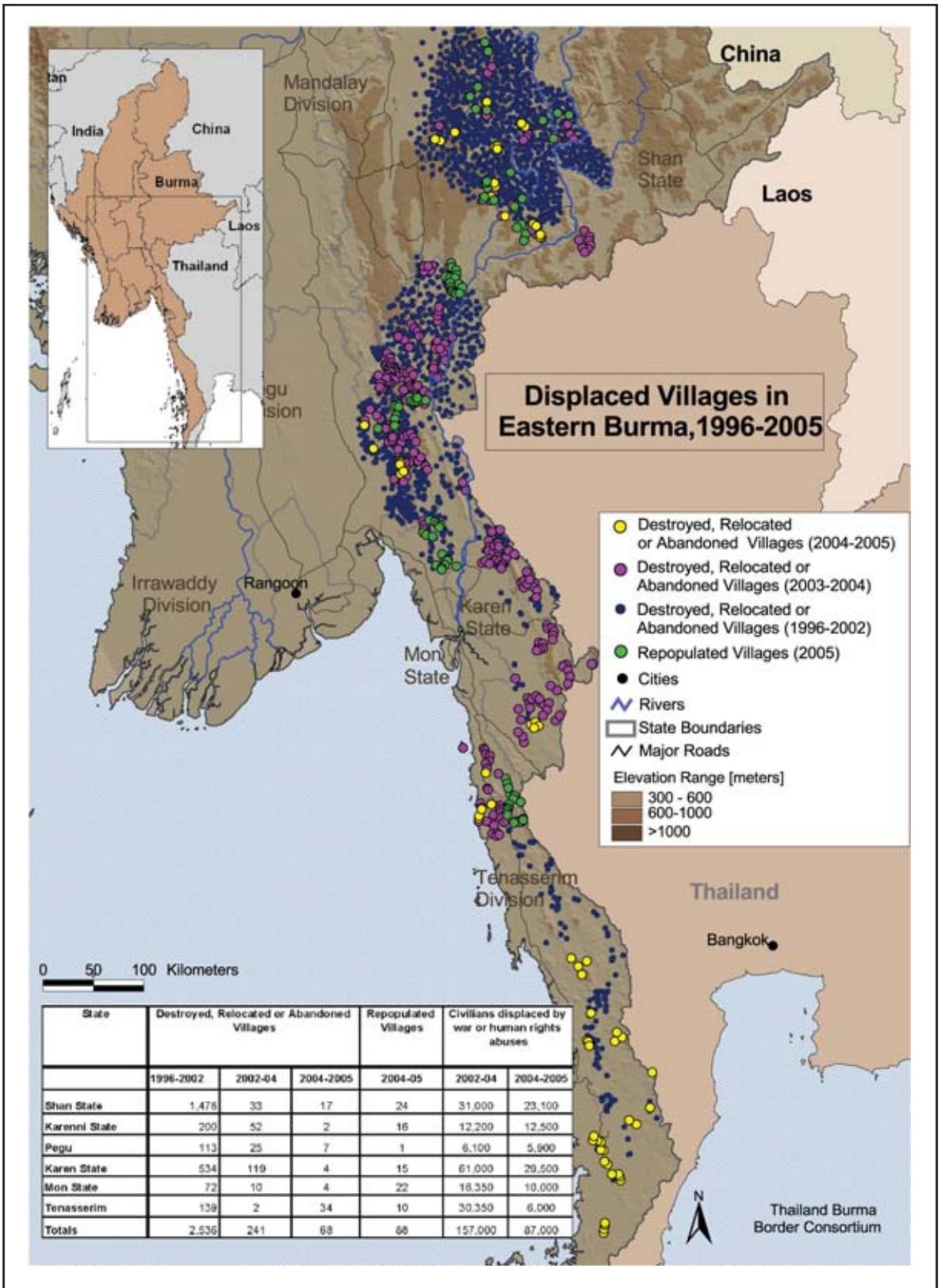
The cumulative impact of SPDC's forced relocation campaigns between 1996 and 2002 reflects the extent of the Burma Army's expanded presence. This period followed the fall of Manerplaw, Khun Sa's surrender of the Mong Tai Army and ceasefire agreements in Mon and Karenni states. The Burma Army substantially expanded its control over contested areas in the late 1990's by establishing new bases in strategic locations and forcing rural villages to relocate into towns or consolidated villages. By 2002 relatively few rural villages had not already been subjected to forced relocations. Forced relocations in the past year have been most prominent in the two most southern townships surveyed in Tenasserim Division, indicating that previous expansion of control was relatively constrained in more remote townships.

While over 2,800 villages have been forcibly displaced since 1996, some of these villages have been at least partly repopulated. This survey has identified 88 previously abandoned villages which have been partially re-established during the past year. It is also estimated that 40,000 people who had previously been forcibly displaced have returned to their homes in this period. However the sustainability of such return and resettlement is restricted not only by livelihood constraints, but also lack of official authorisation. This was illustrated by findings last year that attempts to re-establish over 100 villages during 2003 and 2004 were thwarted by harassment leading to further displacement.

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<sup>27</sup> Burmese Border Consortium, 2002, "Internally Displaced Persons and Relocation Sites in Eastern Burma", Bangkok, [www.ibiblio.org/obl/docs/BBC\\_Relocation\\_Site\\_Report\\_\(11-9-02\).htm](http://www.ibiblio.org/obl/docs/BBC_Relocation_Site_Report_(11-9-02).htm)

<sup>28</sup> Thailand Burma Border Consortium, 2004, "Internal Displacement and Vulnerability in Eastern Burma", Bangkok, [www.ibiblio.org/obl/docs/TBBC-IDPs2004-full](http://www.ibiblio.org/obl/docs/TBBC-IDPs2004-full)



## 2.4 INTERNALLY DISPLACED POPULATION ESTIMATES IN 2005

The total number of internally displaced persons who have been forced or obliged to leave their homes and have not been able to return or resettle and reintegrate into society as of September 2005 is estimated to be at least 540,000 people. The population is comprised of 340,000 people currently in the temporary settlements of ceasefire areas administered by ethnic nationalities, while 92,000 civilians are estimated to be hiding from the SPDC in areas most affected by military skirmishes and approximately 108,000 villagers have followed SPDC eviction orders and moved into designated relocation sites.

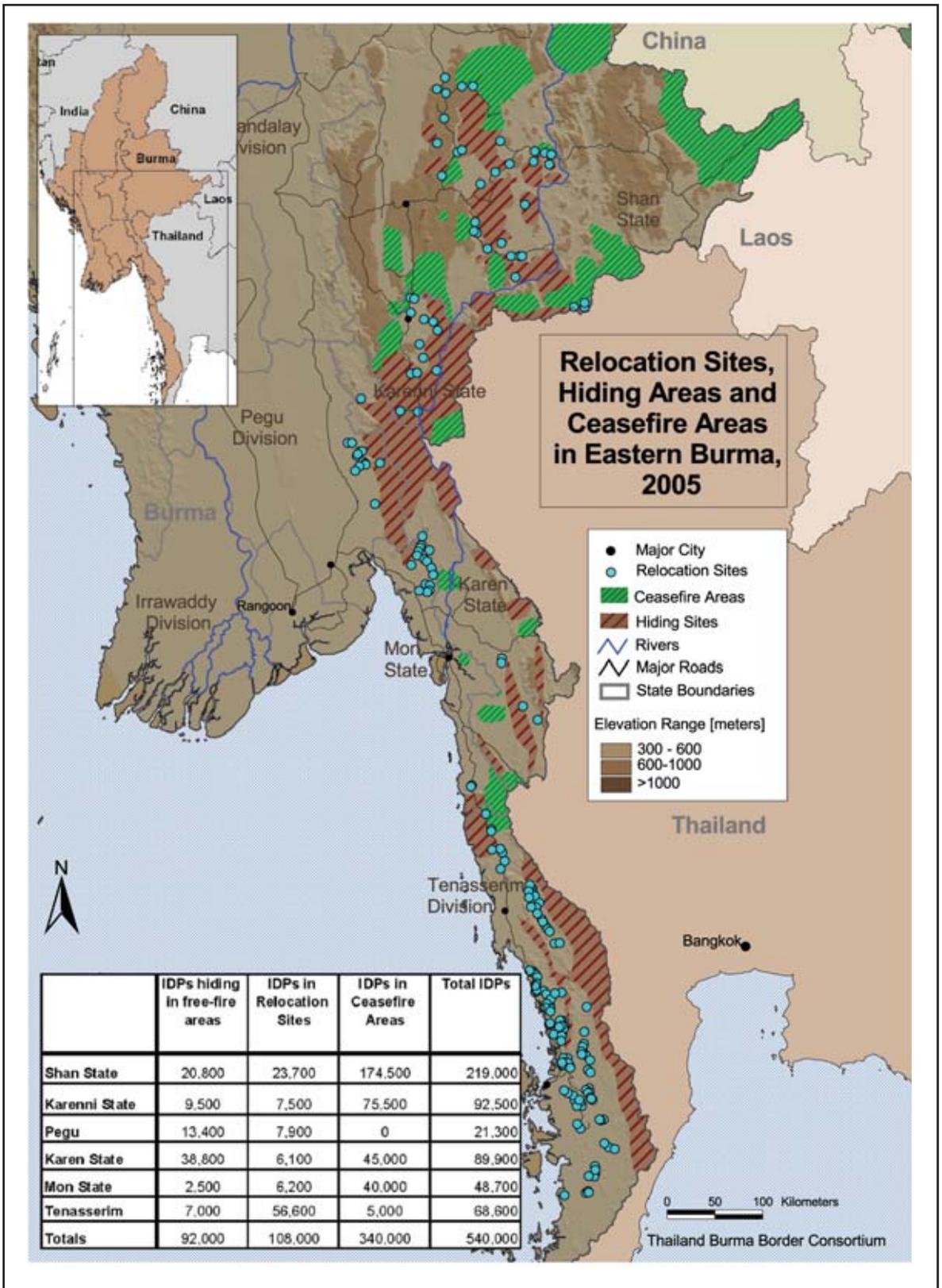
### DISTRIBUTION OF INTERNALLY DISPLACED PERSONS IN 2004 AND 2005

States and Divisions	IDPs in Hiding		IDPs in Relocation Sites		IDPs in Ceasefire Areas		Total IDPs	
	2004	2005	2004	2005	2004	2005	2004	2005
South Shan	9,300	20,800	21,800	23,700	185,000	174,500	216,100	219,000
Karenni	7,000	9,500	6,400	7,500	75,000	75,500	88,400	92,500
East Pegu	13,500	13,400	4,500	7,900	0	0	18,000	21,300
Karen	46,900	38,800	13,400	6,100	75,000	45,000	135,300	89,900
Mon	2,300	2,500	3,800	6,200	25,000	40,000	31,100	48,700
Tenasserim	5,000	7,000	27,100	56,600	5,000	5,000	37,100	68,600
<b>Overall</b>	<b>84,000</b>	<b>92,000</b>	<b>77,000</b>	<b>108,000</b>	<b>365,000</b>	<b>340,000</b>	<b>526,000</b>	<b>540,000</b>

Overall, this represents a slight increase of approximately 14,000 internally displaced persons since late 2004. The recent increase is attributed primarily to flight in Shan State away from SPDC patrols and into hiding, a significant inflow into Mon ceasefire areas, and methodological differences estimating populations in Tenasserim Division's relocation sites. These combined increases have outweighed reductions in the estimates for internally displaced populations hiding in Karen State as well as for ceasefire areas in Shan and Karen State.

From a longer term perspective, the internally displaced population estimates for 2005 represent a decrease of over 90,000 people compared to the first border wide reports that TBBC documented in 2002. This decrease is explained by a mix of sustainable return or resettlement, forced migration into Burma's urban communities, flight into refugee and migrant populations in Thailand and possibly developments in surveying processes.

As hinted above, these population figures are considered conservative due to constraints in the methodology. While estimates have been derived from the rural areas of 37 townships most affected by internal displacement, it has not been possible to include approximations from urban areas and from other townships. Similarly, there remain difficulties distinguishing between formerly displaced persons who have successfully returned or resettled into mixed administration areas compared to those who still dare not expose themselves if SPDC patrols approach. This survey has generally discounted such populations in mixed administration areas, as it was not possible to verify how many have reintegrated into society and how many remain in a state of internal displacement.



## INTERNALLY DISPLACED PERSONS IN ETHNIC CEASEFIRE AREAS

People in ethnic administered ceasefire areas represent the largest category of internally displaced persons in eastern Burma. 340,000 people are distributed between areas administered by ceasefire groups in eastern Burma who have each been granted a relative degree of autonomy by the Burma Army. This authority is generally formalised by the demarcation of special regions, with the main exception being in the areas of southern Shan State which are claimed by the United Wa State Army (UWSA). Authorities in ceasefire areas can generally be divided into three types. There are former members or allies of the Communist Party of Burma,<sup>29</sup> militias who split from the main political party representing their ethnic group<sup>30</sup> and former members of the armed opposition's National Democratic Front.<sup>31</sup>

Over 110,000 people are estimated to remain in areas nominally governed by the United Wa State Army (UWSA) along the Thailand border. This population primarily consists of villagers who were evicted from their homes in northern Shan state between 1999 and 2001 and forcibly relocated for strategic and supposedly drug eradication purposes. Autocratic rule and the ongoing suppression of rights by the UWSA has obstructed opportunities for people to re-establish their livelihoods, while at the same time inducing further displacement amongst former land owners whose property has been seized to accommodate the new arrivals. Approximately 10,000 people have felt obliged by these restrictions to move away from UWSA's southern areas during the past year. It is believed that the majority have attempted to either resettle in neighbouring townships or return to their former homes on the China border, rather than search for work or seek refuge in Thailand.

Conversely, there has been an increase in the populations reported from ceasefire areas where the legitimacy of ethnic nationality authorities is less disputed. A further 15,000 people are estimated to have fled from human rights abuses in SPDC controlled areas or from conflict in contested areas to seek refuge in the New Mon State Party's (NMSP's) ceasefire areas during the past year. This brings the overall population estimates for these areas, which also includes returned refugees, to roughly 70,000 people. However these areas can not provide a sustainable solution for the internally displaced due to population density with limited access to suitable agricultural land, SPDC restrictions on travel outside of ceasefire areas, and the inability of ethnic nationality authorities to support resettlement or compensate for livelihood assets lost.

Other major ceasefire parties include the Kayah National People's Liberation Front (KNPLF) which governs around 65,000 people, the Shan State Army-North (SSA-N) which administers close to 40,000 civilians, and the Democratic Karen Buddhist Army

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<sup>29</sup> United Wa State Army (UWSA), Karenni National People's Liberation Front (KNPLF), and Shan State Nationalities People's Liberation Organisation (SSNPLO)

<sup>30</sup> Democratic Karen Buddhist Army (DKBA), the Karen Peace Army (KPA), and the Karenni Solidarity Organisation (KnSO)

<sup>31</sup> New Mon State Party (NMSP), Shan State Army North (SSA-N) and Pao National Organisation (PNO)

(DKBA) which oversees around 20,000 villagers. The population governed by DKBA is approximately half of that estimated in 2004 due to an expansion of SPDC control since negotiating a verbal ceasefire with KNU. Similarly, 7,000 people are estimated to have departed from SSA-N areas during the past year due to increased SPDC restrictions on trade and travel and the threat of forced relocation. Similar pressures have also been placed on other ceasefire authorities and their internally displaced constituents. For example, the monthly distribution from Rangoon of up to four million kyat (US\$3,500) in economic aid to NMSP and KNPLF respectively has been cancelled.<sup>32</sup> Given the probability that costs will be passed on to the villagers, it is likely that outflows from ceasefire areas will continue in the year ahead.

## INTERNALLY DISPLACED PERSONS IN HIDING SITES

An estimated 92,000 civilians are hiding in the most militarily contested areas, which are generally located in remote and mountainous forests and fields. This type of geography strengthens the ability of the armed opposition forces to move undetected and weakens the logistical advantage of the government forces. Natural growth also provides shelter under which internally displaced populations can hide their temporary settlements.

This population has fled from their homes to avoid contact with SPDC military patrols due to fear of harassment under the pretext of counter insurgency activities. People in this group may not move far from their homes, which is a key motivating factor for remaining despite the risks of being detected by SPDC or paramilitary patrols. Threats to lives include military attack on civilian settlements, landmines and inhumane punishment if people are found, while threats to livelihoods such as the destruction and theft of crops and food stocks are more common when settlements are discovered uninhabited. While there may be opportunities for people to return periodically to nearby villages and fields, these dangers prohibit the possibility of a more sustainable return or resettlement.

In comparison to disaggregated estimates for internally displaced populations in hiding during 2004, the most significant increases have been recorded in southern Shan State. These increases primarily reflect the extent to which civilians were harassed by SPDC attempts to block SSNA from re-establishing an armed opposition alliance with the SSA-S. The mobilization of ceasefire armies in support of SPDC offensives against the SSA-S along the Thailand border was another cause for the population in hiding to double in Shan State.

Conversely, the findings indicate that the most substantial reductions in the size of populations in hiding since 2004 have been in Karen State. While this overall decrease reflects a fall in military skirmishes since the KNU-SPDC ceasefire, it is significant that displaced populations are estimated to be comparable to last year in northern Karen state and eastern Pegu Division. These estimates suggest that the human rights dividend of the ceasefire agreement has been negligible for internally displaced Karen persons hiding in the most remote areas.

<sup>32</sup> Irrawaddy, 9 September 2005, "Burmese Junta Cuts Support for NMSP",

## INTERNALLY DISPLACED PERSONS IN SPDC RELOCATION SITES

The third category of internal displaced persons in eastern Burma consists of approximately 108,000 villagers who currently reside in designated relocation sites after having been evicted from their homes. Government relocation sites are generally situated on barren land near a town or village and in close proximity to roads and SPDC army bases. Relocation sites can result from either the forced transfer of villages to a newly constructed centre, or the forced consolidation of dispersed villages into a more densely populated pre-existing settlement.

Residents of relocation sites were generally obliged to dismantle their houses and carry whatever property and food stocks were transportable to the designated area within a few days notice. There is commonly no assistance provided for the reconstruction of shelters and tenancy is usually not officially registered. Restrictions on movement outside of relocation sites vary, with travel passes for between a day to a week generally available for purchase from SPDC military commanders. These passes guarantee passage through checkpoints and into markets but single day passes are often not long enough to enable people to return to their homes and fields.

Apart from the fundamentally coercive nature of population movements into SPDC relocation sites and the loss of property as a result of displacement, possibilities for resettlement and reintegration are also restricted by limited livelihood options. Limited access to suitable agricultural land results either from relocation sites being located close to towns, adjacent to SPDC army bases where lands have been confiscated to support the livelihoods of soldiers, or due to population density and barren soil. Proximity to SPDC bases results in orders to work without compensation, taking time away from earning an income, as well as demands for payment of arbitrary taxes at irregular and short notice.

Population estimates for internally displaced persons in relocation sites have increased by over 30,000 people since 2004. However this essentially reflects more comprehensive data collection from Tenasserim Division. Unlike last year, population estimates from relocation sites in 2005 have included a number of forcibly consolidated villages, which are generally recognised as smaller and more difficult to document and map than newly constructed centres.<sup>33</sup> In contrast, the most significant decrease in estimates for internally displaced persons in relocation sites comes from Karen state's Papun township. Even though restrictions in Papun on movement away from relocation sites have ceased, and hence these villages have no longer been counted as relocation sites, some villagers remain out of preference for resettling elsewhere.

Clarification of the definition used by field workers for estimating populations increases the accuracy of both the number of relocation sites and internally displaced persons in Tenasserim Division, but obscures broader trends related to relocation sites. Compared to 2002, the estimated population in relocation sites has reduced significantly. High population density, limited access to fertile land, restrictions on movement, and the prevalence of forced labour and arbitrary taxes have obliged villagers to attempt resettlement elsewhere. The exodus has been greater than the inflow of new arrivals due to the decreased rate of forced relocations.

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<sup>33</sup> Human Rights Watch, 2005, *They Came and Destroyed our Village Again: The Plight of Internally Displaced Persons in Karen State*, Vol. 17, No. 4(c), p50

## **CAPTION**

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1. Returning home in Papun, February 2005 (KHRG)
2. River travel in Bokpyin, December 2004, CIDKP
3. Flight in Thandaung, January 2004, (KHRG)
4. Community hiding in Pasaung, May 2005 (KSWC)

"If the Burmese troops arrive and demand porters, we send someone to warn nearby villages."

Karen man,  
mixed administration area,  
Papun township, May 2005



## CHAPTER 3

# SITUATION UPDATES

FROM COMMUNITY BASED ORGANISATIONS

### 3.1 SOUTHERN SHAN STATE

Since 1989, Shan state has basically consisted of various ceasefire areas in the north and east compared to areas of armed conflict in the south where the Shan State Army-South (SSA-S) is active. This has begun to change since February 2005 when leaders of the legal Shan political opposition were arrested and pressure increased on ceasefire parties to surrender their arms. In April the Palaung State Liberation Army and two brigades of the Shan State National Army (SSNA) surrendered their territories in northern Shan State. This was soon followed by the remainder of the SSNA declaring that they had broken off their ceasefire agreement and joined forces with SSA-S. However, the national authorities have continued to pressure the SSNA and the other main ceasefire party, the Shan State Army-North (SSA-N) to surrender by threatening to forcibly relocate villagers away from their areas of influence.

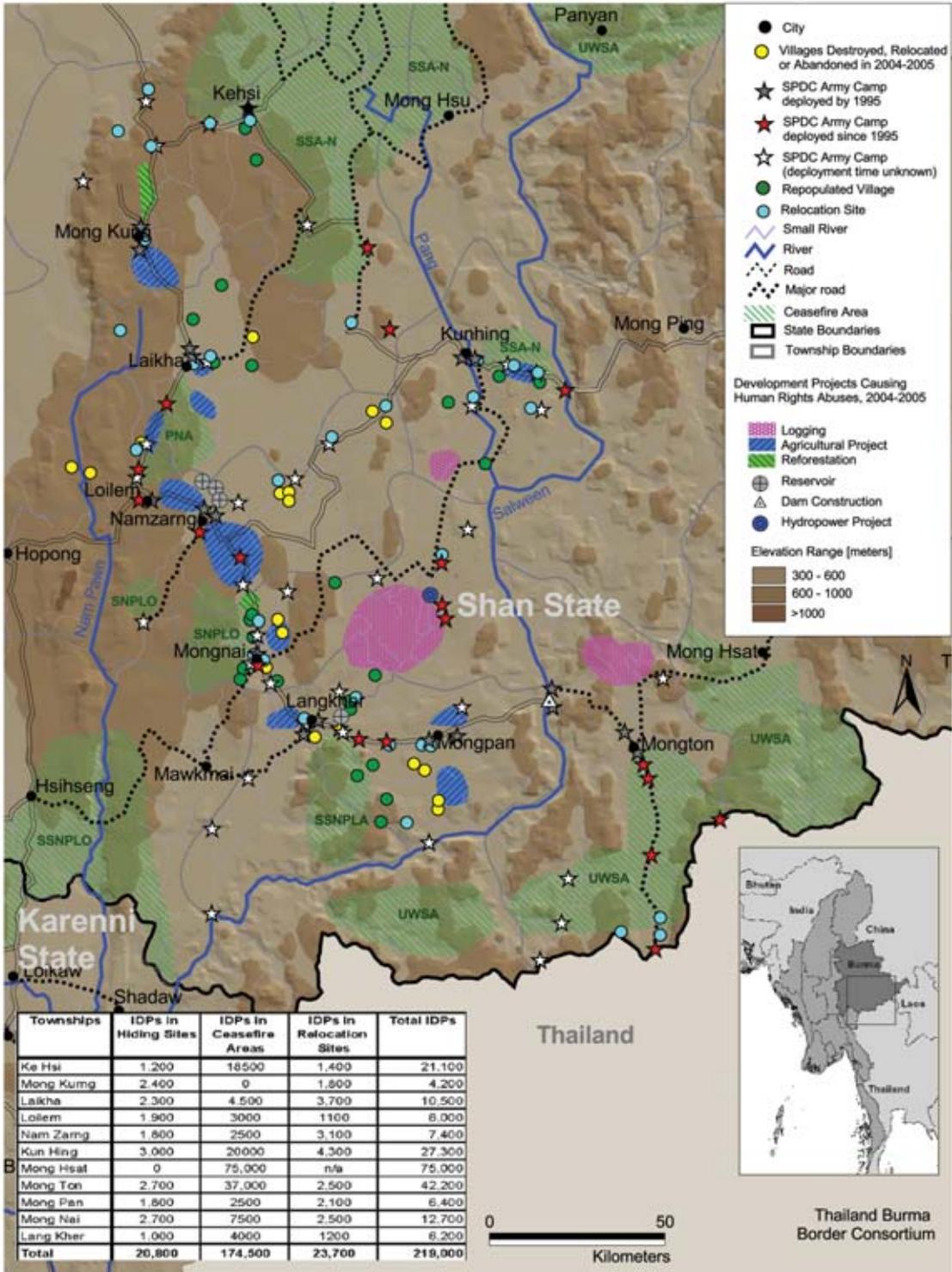
The government has also succeeded in pressuring some of the ceasefire groups to begin actively fighting against the SSA-S in southern Shan State. The United Wa State Army (UWSA) launched a military offensive to try and seize the SSA-S headquarters along the Thai border during April 2005. Similarly, an ethnic PaO ceasefire group, the Shan State Nationalities People's Liberation Organisation (SSNPLO), joined forces with SPDC to militarily engage SSA-S forces in the townships surrounding Mawmai. This fighting has led to the displacement of over 3,000 villagers during March and April 2005.

However, more civilians have been displaced by forced relocations and other human rights abuses than by fighting. The forced relocation of a further 17 villages during the past year was aimed at cutting strategic links between SSA-S bases on the Thai border and their areas of influence deeper in Shan state. Mong Pan township has been heavily reinforced by SPDC troops as it is a strategic point for SSA-S troops to pass through and for official access to the planned 3,600 megawatt hydro-electric dam at Ta Hsang.

In townships west of the Salween River, displacement was partly due to the harassment of civilians as the Burma Army tried to prevent SSNA troops moving further south to join up with SSA-S. Displacement was also related to the declaration by some politicians in exile in April 2005 of an independent Shan government. Villagers accused of rallying to support these opposition politicians were subjected to arrest and punishment by SPDC troops. As a result of this increased harassment, estimates for the number of civilians hiding in southern Shan State have doubled during the past year. Even though some people have returned to their original villages, they still flee into hiding when SPDC patrols approach their area.

Population estimates for ceasefire areas in southern Shan state have slightly decreased. This is partly because some of the Wa villagers who were forcibly relocated from northern Shan state into Mong Hsat township have attempted to resettle elsewhere. It is also related to the breakdown of SSNA's ceasefire agreement with the SPDC.

# Internal Displacement in Southern Shan State, 2005



## 3.2 KARENNI STATE

Karenni State has been dominated by the State Peace and Development Council (SPDC) in towns and along the major communication lines since the mid 1990s. Under the monitoring command of the SPDC, the ceasefire groups are administering the west and south-east of the state, while the armed opposition of Karenni National Progressive Party (KNPP) is operating across the north and south-west of the State. The SPDC had doubled its troops numbers by deploying a further 12 battalions into the Karenni State in the past ten years. However, lawlessness is widespread in the rural areas as various armed groups have imposed restrictions on travel and the transport of goods in order to control political and economic resources.

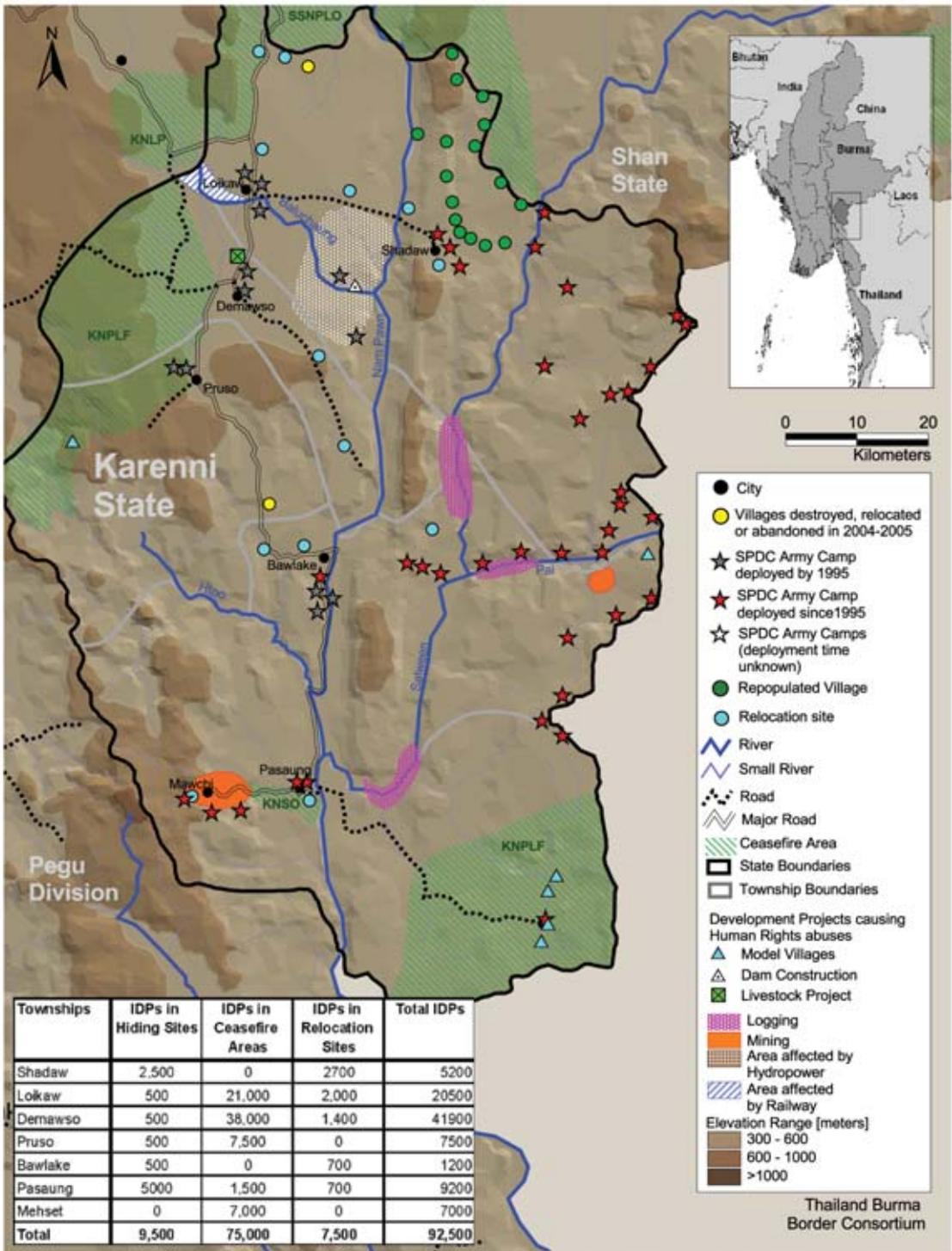
Amongst the ceasefire groups, only the Karenni National People Liberation Front (KNPLF) and the Karenni National Solidarity Organization (KNSO) are still allowed to hold arms. The reason is that they are manipulated by the SPDC to continue combating against the KNPP. KNPLF is operating mainly in Demawso and Mae Set townships and KNSO is mostly in Pasaung.

The guerilla warfare strategy of the KNPP armed forces constantly engages SPDC troops with small scale skirmishes. When the SPDC launches its counter insurgency it often responds by retaliating against nearby villagers with torture during interrogations and various forms of cruel punishment. Under the command of SPDC early in 2005, KNPLF conscripted more than 400 civilians for a military offensive against the KNPP's bases along the border which lasted three months under the command of the SPDC. Hundreds of civilians were reportedly wounded during this operation.

The greatest area of instability is in Pasaung township where around 5,000 villagers are constantly hiding in forests. Out of 1,500 people who had fled from SPDC patrols into Karen state in early 2004, around 1,000 have returned to hide in areas surrounding their former villages. However due to insecurity, they are only able to cultivate small plots of land which yield just 3-4 months' supply of food. SPDC troops have planted landmines around water sources and jungle paths, so the villagers do not dare search for forest vegetables. Burma Army commanders forcibly relocated around 500 people from Mawchi into KNPLF administered areas of Mehset during the past year. The SPDC issued an order and also warned that in the event of a skirmish between SPDC and KNPP forces in the Mawchi areas, nearby villages would be burnt and civilians forcibly evicted.

In Shadaw township, internally displaced persons are in relocation sites near the town as well as villages further north. Over 2,000 people have attempted to resettle in 16 northern villages during the past year. They have not had official permission, but the SPDC authorities have ignored these movements. However, the villagers are susceptible to eviction at any time and flee whenever SPDC patrols approach, only to return again after the troops have passed. The areas north of Shadaw and Loikaw have also provided refuge to over 500 people who fled from the PaO ceasefire areas of Mawk Mai and Hsi Hseng townships in neighbouring Shan state. These villagers fled due to conflict which broke out between joint forces of the SPDC and their ceasefire allies the SSNPLF against the SSA-S in June 2004. These displaced persons attempted to resettle next to existing villages along the Shan-Karenni border, but this is dangerous as the area is designated as a "black area" by the SPDC.

## Internal Displacement in Karenni State, 2005



### 3.3 KAREN STATE

Despite the informal ceasefire agreement in January 2004, a reduction in military skirmishes and ongoing negotiations between the Karen National Union (KNU) and SPDC, human rights abuses continue in Karen State. The Burma Army have used the increased freedom of movement to extend control by deploying troops and building new camps further into remote areas. Villagers in SPDC-controlled areas have had to do more forced labour improving roads and hauling rations to support this expansion of control. Meanwhile, villagers who have fled their villages to hide in the forests now find it more difficult to avoid Burma Army patrols and being relocated into SPDC controlled areas.

In the northern-most township of Thandaung, livelihoods are being threatened by the reconstruction of a militarily strategic road linking Taungoo to Mawchi in Karenni state. Between March and May in 2005, Burma Army patrols to the north and south of this road destroyed upland rice fields and over 200 cardamon plantations by deliberately lighting forest fires. Civilians were also forced to repair military outposts and the preparation of rice fields for cultivation was restricted by the ban of overnight travel and stay away from designated villages. Similar practices elsewhere in this township ensured that over 13,000 people remain in hiding from SPDC patrols.

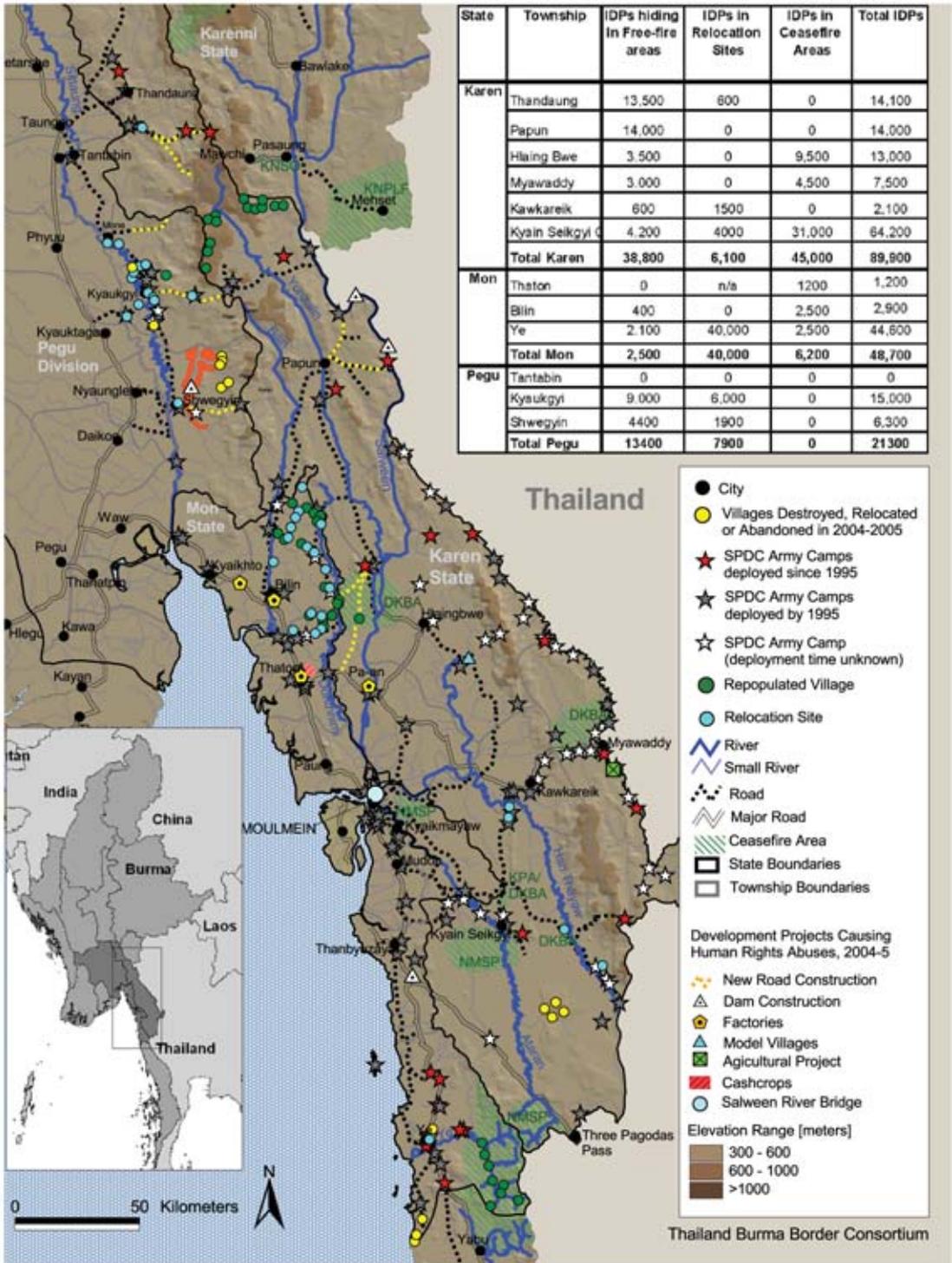
The situation in Papun township has improved and villagers have generally been able to live and work on their farms without disruption. The only search and destroy operations conducted recently were east of the Yunzalin River along the Kyaukgyi to Saw Hta road during March and April 2005 when the Burma Army attacked three villages and destroyed most of their food supplies. SPDC militarisation also continues east of Papun with the reconstruction of roads joining Papun to the vicinity of proposed hydro-electric dams on the Salween River.

Decreased restrictions on movement out of relocation sites have enabled villagers to attempt return or resettlement in 13 former villages in Papun township. Many of the civilians originally evicted from these villages still remain in 31 locations designated by the SPDC south of Papun. However given the increase in choice, these locations have not been identified as forced relocation sites in 2005.

The SPDC-KNU ceasefire has led to a reduction in the number of villagers in hiding in the southern half of Karen state. Significant falls have also been estimated for the populations living in ceasefire areas controlled by the Democratic Karen Buddhist Army (DKBA) and the Karen Peace Army (KPA). This was caused partly by a decrease in the area effectively controlled by the ceasefire groups, as well as by increased restrictions they imposed on movements which led to some villagers fleeing to mixed administration areas.

Although the populations in hiding have decreased, displacement in Hlaing Bwe, Myawaddy, Kawkareik and Kyain Seikkgyi townships remains comparable to last year. The main causes have been ongoing forced labour, extortion and land confiscation committed by SPDC and DKBA authorities to support their local troops. This is depriving villagers of the material resources and time needed to work their farms and pursue their other livelihoods. Fear of landmines restricts the opportunities for villagers to cope by reclaiming vacant fields.

## Internal Displacement in Karen State, Mon State and Pegu Division, 2005



### 3.4 EASTERN PEGU DIVISION

Villagers in the three most eastern townships of Pegu Division have been subjected to the counter-insurgency strategies of the Burma Army since the mid 1970s. The general pattern has been to undermine the livelihoods of villagers in upland areas along the Karen State border and forcibly relocate them into the lowland areas along the Sittaung River. This trend and the construction of a network of roads has continued to cause displacement during the past year.

While road construction generally improves access to markets, the main purpose in eastern Pegu Division is to support the Burma Army's military strategy. During the past year, the main sealed roads in the area connecting Tantabin in the north to Shwegyin in the south as well as western Kyauktaga and eastern Kyaukgyi have been upgraded. The constant demand for repairing dirt roads has also seen work on roads extending further towards the north-eastern and eastern border with Karen state as well as the south-eastern border with Mon state. Apart from the use of forced labour to upgrade the roads, the deployment of additional SPDC outposts has increased demands for civilian porters to transport rations and ammunitions.

However, the main cause of displacement during the past year was the forced relocation of over 4,000 villagers from four village tracts in Kyaukgyi township. Apart from being evicted from their homes, these villagers are now vulnerable to a range of SPDC demands for fees to compensate anything from porters to sentries, development projects, emergencies and sports. Apart from portering and clearing roads, SPDC troops also conscript labourers to collect bamboo, wood and thatch for housing, dig their bunkers, build their barracks, build perimeter fences, and work in military-confiscated rubber plantations and paddy fields. Food supplies and livestock are also liable to be extorted by Burma Army troops.

Villagers remain in hiding from SPDC patrols in the upland areas of Kyaukgyi and Shwegyin townships. Between January and March in 2005, the Burma Army joined forces with the Democratic Karen Buddhist Army (DKBA) to try and clear these areas by searching for and destroying food supplies, crops and settlements. Over 2,000 baskets of paddy were destroyed or confiscated by the Burma army. A similar amount had to be abandoned by villagers in paddy barns they dare not return to. The combined effect, which is equivalent to over 500 people losing their rice supplies for the whole year, undermined the food security of thousands of internally displaced persons. Informal markets where lowlanders and uplanders trade goods were also disbanded and logging companies moved into some of the forests after the villagers had scattered.

There has been an inflow of economic migrants seeking their fortune through gold mining along the Shwegyin river and its tributaries during the past year. This has been managed by the distribution of mining concessions by the Burma Army. However the result has been the confiscation and destruction of lemon, lime and "dog fruit" orchards. The livelihoods of local landowners have not been compensated for these losses, but most have so far been able to stay in their villages and have not yet been displaced.

### 3.5 MON STATE

Although the New Mon State Party (NMSP) reached a ceasefire agreement with the military government in 1995, Mon splinter groups maintain armed resistance in southern Ye township. Similarly, the KNU is still active in the Karen populated areas of Thaton and Bilin townships. Since the SPDC deployed an additional five battalions into Ye township and negotiated the informal ceasefire with KNU, the intensity of counter-insurgency operations have decreased in 2005. However, human rights abuses in SPDC controlled and mixed administration areas continue to cause high rates of displacement into the NMSP ceasefire areas.

The harassment of villagers in southern Ye township suspected by SPDC as sympathizers of the splinter group continued during the past year. Over 150 houses were burnt in April and May 2005 near the border with Tenasserim Division in retaliation for the house-owners supposedly supporting the rebels. Farmers were restricted from leaving villages and travelling to their farms and plantations without travel permits. In some cases, villagers suspected of supporting the splinter group were beaten and targeted for conscription as porters. All of these factors created food shortages which in turn led to displacement.

In the year leading up to the wet season of 2005, around 10,000 people have been displaced from their homes in Ye Township. Displacement was primarily caused by land confiscation, arbitrary taxes and the conscription of forced labourers which all undermined livelihoods. However forced conscription of villagers into military training, summary arrest of community activists and sexual violence against women were also common. Mon human rights groups documented the rape of 19 girls and women by SPDC commanders and soldiers during 2004. This led to an increased fear of sexual assault, which in turn contributed to further displacement.

The majority of these newly displaced people fled to the shelter of the NMSP's ceasefire areas. Upon discovering the mountainous terrain and limited livelihood opportunities in the Mon ceasefire areas, some villagers migrated further into Thailand. Other families moved into cities and towns, where they thought that abuses would not be as violent. A few families returned to their former villages, but this decision was only a sustainable option for a small number of households at any location. However, most stayed in the ceasefire areas despite the livelihood constraints.

There was no fighting in Thanbyuzayat and Mudon townships but human rights abuses were also widespread. Even though civilians were not forcibly displaced in these townships, thousands of young people migrated into Thailand to search for work.

The situation is similar in the northern townships of Thaton and Bilin, where most of the area is a mixed administration area. People are still facing with various kinds of forced labor and extortion, not only for the Burma Army but also for the DKBA. The construction of a car road from Thaton to Kamamaung on the Salween River has been a key cause of deprivation, with demands for construction materials and labour undermining livelihoods.

### 3.6 TENASSERIM DIVISION

Current trends of displacement in Tenasserim Division date back to 1997 when the Burma Army launched a major offensive to occupy areas previously controlled by the KNU. The civilian population was targeted for eviction from their homes and forced relocation to areas under Burma Army control, but instead tens of thousands fled either for refuge in Thailand or to hide in the forests surrounding their land. While the pattern of displacement has not changed much, the population estimates for relocation sites have doubled compared to last year because internally displaced persons staying in consolidated villages have also been included this year. This change in definition used for data collection better reflects the scale of displacement and restrictions on sustainable return and resettlement in Tenasserim Division.

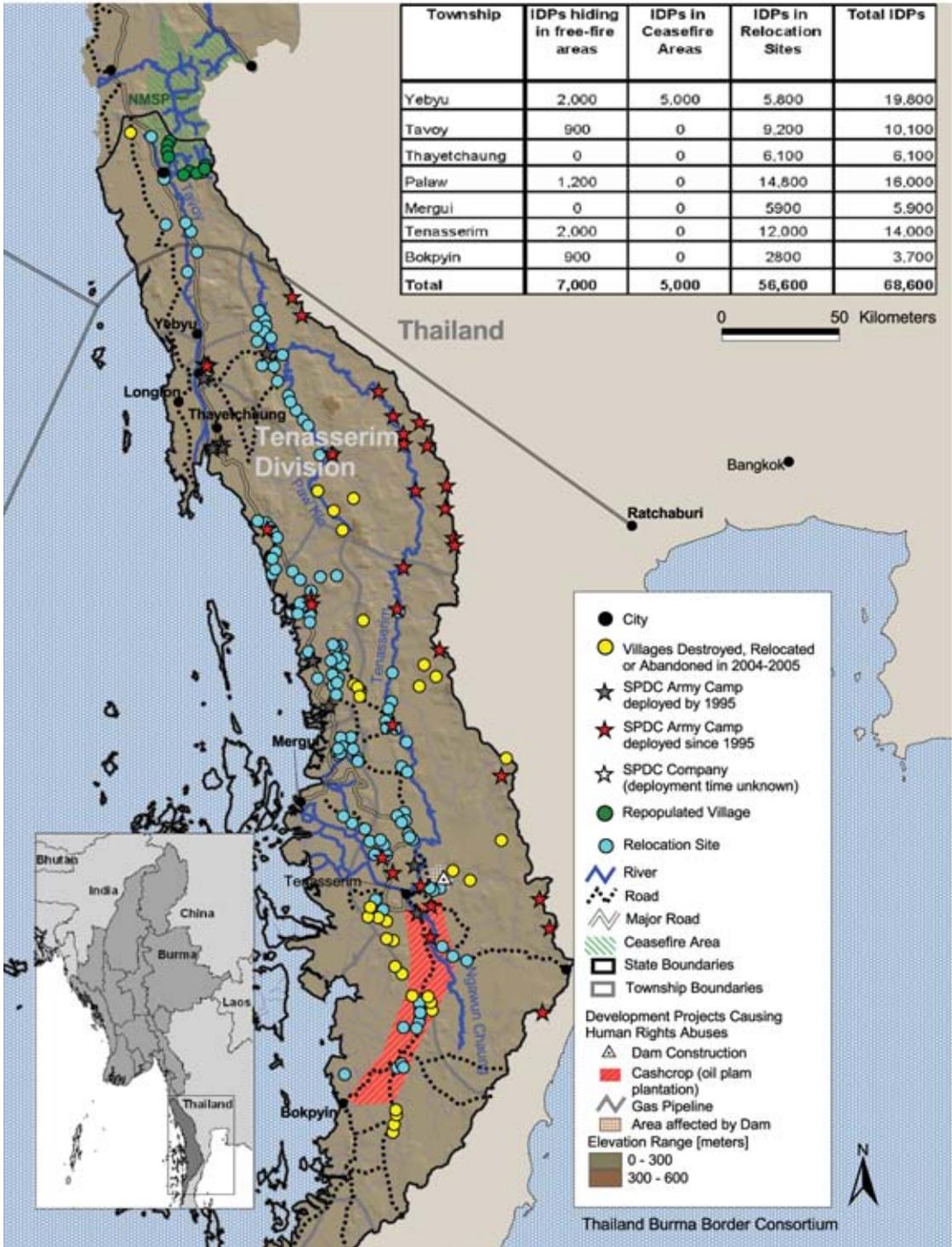
The Burma Army has built up their troop strength from 26 to 46 battalions in Tenasserim Division during the past ten years. These battalions were distributed between 13 base camps in 1995, but are now spread across 46 strategic locations. Apart from the political and military impacts of establishing base camps, the immediate consequence for villagers has generally been the confiscation of agricultural fields and plantations in the vicinity. In the past year, thousands of acres of land have also been confiscated in relation to development projects in Tenasserim Township. This is mainly related to the development of oil palm plantations and a refinery for commercial export, but has also been associated with the proposed construction of a hydro-electric dam on the Taket River.

Internally displaced persons in hiding from the Burma Army are spread through Mon communities in Yebyu township, around Mount Kaserdoh's watershed areas in Tavoy and Palaw, and in the remote rural areas of Tenasserim and Bokpyin townships. Despite the informal ceasefire between KNU and SPDC, the Burma Army has burnt 34 hiding sites and in so doing displaced around 3,000 people during the past year. Burma Army attacks commonly target crops and food supplies to try and force people back to relocation sites for their survival. However a recent attack against a small community hiding in Palaw township during July 2005 killed seven civilians, including children.

Civilians staying in relocation sites and consolidated villages face different kinds of human rights abuses. Forced labour to repair roads and military camps, forced portering to transport military supplies and extortion demanded by SPDC or militia troops are the most frequent abuses. In some consolidated villages, residents are unofficially allowed to return to cultivate their gardens but they are not provided any formal permission papers and so remain vulnerable to harassment. Similarly, people in some forced relocation sites are periodically allowed to return to their villages for up to a week at a time but are not permitted to permanently re-establish their homes there.

The Mon ceasefire areas in Yebyu township have seen an influx of 3,000 new arrivals fleeing conflict and human rights abuses during the past year. Similar to the situation in Ye township, this has primarily been in response to SPDC harassment of suspected supporters of the Mon splinter group's armed opposition. However, given less livelihood opportunities in the ceasefire areas of Yebyu, most of these new arrivals have continued their search for refuge into Ye or Thailand.

# Internal Displacement in Tenasserim Division, 2005



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## CAPTION

1. Landmines in Pasaung, June 2005 (KSWDC)
2. KNLA removal of trip-wired landmine, Papun, 2003 (KHRG)
3. Abandoned homes in Thandaung, August 2003 (KHRG)
4. Forced fence building for SPDC, September 2004, Papun (KHRG)

"We don't like the rules and laws set by SPDC and we don't want to live under their control. I haven't seen any laws protecting us."

Karen man,  
mixed administration area,  
Papun township, May 2005



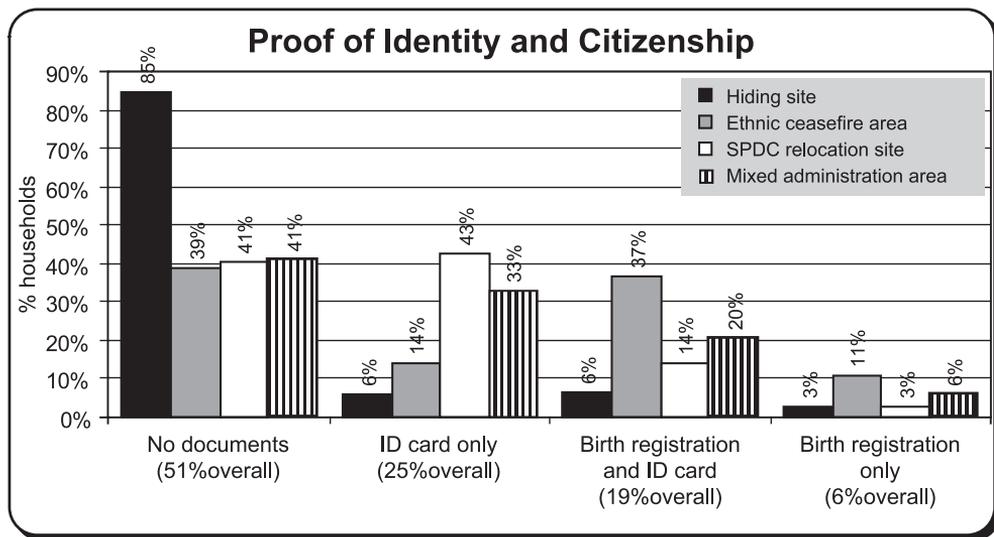
## CHAPTER 4

# HUMANITARIAN PROTECTION IN EASTERN BURMA

## 4.1 PATTERNS OF INSECURITY

Understanding patterns of insecurity is the first step in developing appropriate and effective protection strategies. Analysis of the relative impacts of legal insecurity, direct personal violence, deprivations of war and restrictions caused by fear or intimidation on the safety of civilians in conflict-affected areas is thus essential. This survey has assessed insecurity with indicators of legal status for individuals and land use, threats to physical safety, threats to livelihoods and forced migration. Results have been disaggregated in order for patterns to be compared across hiding sites, ethnic ceasefire areas, SPDC relocation sites and mixed administration areas.

### LEGAL STATUS

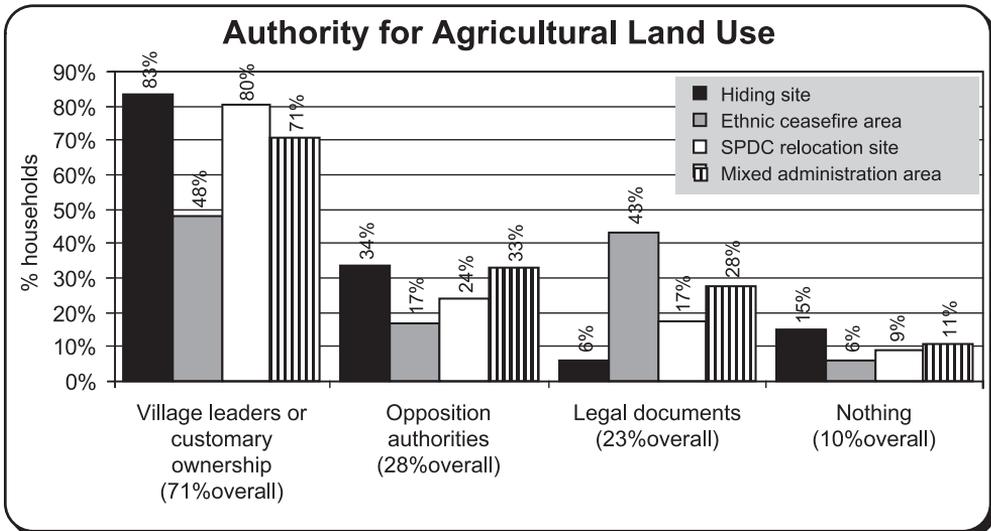


*“There might be protection for civilians if our national leaders and villagers set the rules and laws. But we don’t like the rules and laws set by SPDC and we don’t want to live under their control. I haven’t seen any laws protecting us. We live in Myanmar, but we don’t even have an ID card.”<sup>34</sup>*

By Burmese law, all adult citizens should be issued with national registration identity cards while all babies born in hospitals should be registered. Identity cards are essential to purchase tickets for long-distance travel, pass checkpoints for local travel and for further education, while birth registration cards can at least vouch for a person’s identity. Legal insecurity amongst internally displaced and conflict affected populations in eastern Burma is reflected by half of respondents possessing neither an identity nor birth registration card. 44% of the surveyed population have an identity card, but this proportion drops to just 12% amongst those civilians in hiding.

<sup>34</sup> Karen man during CIDKP focus group discussion, mixed administration area, Papun, May 2005

These findings reflect decades of conflict having restricted access to administrative bodies, widespread corruption in a system based on bribery rather than rights and the loss of documentation during displacement. Villagers lacking an identity card, in particular, are more vulnerable to extortion at check points, restricted access to markets and fields as well as harassment in contested areas. For internally displaced persons, the prospects for return to former villages or resettlement elsewhere in Burma are also further hindered by the lack of an identity card.



Insecure land tenure is indicated by only 23% of households reporting possession of legal documents authorizing the use of agricultural land. Even this ratio is likely to be exaggerated as these claims were not tested and villagers may have confused permits from opposition authorities with legally binding documents, particularly in ceasefire areas. As a note of clarification, it is also likely that villagers in relocation sites were referring to former properties or agricultural fields outside the confines of government controlled areas when reporting an opposition administration as authorizing their land tenure. Regardless, it is clear that village leaders and customary ownership remain the main sources of authority in terms of land management in conflict-affected areas. Despite the legal vacuum, the proximity of conflict-affected populations to forests, and the common use of shifting cultivation as a primary means of livelihood, only 10% of households admitted to arbitrary land claims. This suggests there remains a high degree of social capital, or networks of trust, at the local level amongst internally displaced and resident communities.

*“After the Burma Army confiscated our land, they shared it amongst their soldiers’ families. Those families took the fruits and crops and sold it in the market.”<sup>35</sup>*

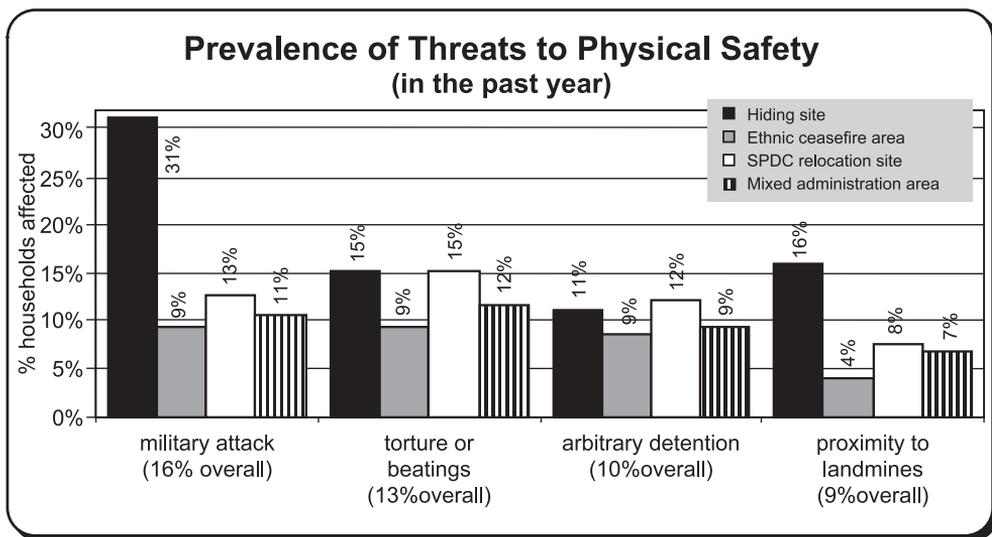
*“The Burma Army constructed two roads which resulted in many of the villagers’ paddy fields, orchards and gardens being destroyed. After that, they joined with a businessman and cut down all the surrounding ironwood and teak. None of the profits came back to the villagers, but they killed our forest.”<sup>36</sup>*

<sup>35</sup> Mon woman during MRDC focus group discussion, ceasefire area, Ye township, May 2005

<sup>36</sup> Karen man during CIDKP focus group discussion, mixed administration area, Papun, May 2005

Given this climate of insecure land tenure, internally displaced persons were asked about the motives for land confiscation during focus group discussions. It was reported that properties are taken both out of political grievance and economic greed. The confiscation of land and economic assets to facilitate the strategic deployment of Burma Army troops has been a factor of counter-insurgency operations for decades. This has been exacerbated since the late 1990's by the migration of soldiers' families into border areas and by the cessation of full rations for frontline troops. In contrast, the appropriation of land for business purposes has been a more recent trend associated with larger tracts of land. Such is the case in Tenasserim Township where thousands of acres of land have reportedly been confiscated during the past year to establish an export-oriented oil palm plantation and refinery.

## DIRECT PERSONAL VIOLENCE



Deliberate physical violence remains a threat to personal safety across all location types in conflict-affected areas. The risks of military attack and landmines are especially acute for households hiding in the most contested areas. However, a comparably high proportion of households reported a member being subjected to torture or beatings and arbitrary detention during the past year in relocation sites as for those in hiding. These responses support the assessments of human rights groups that the primary perpetrators of violence against civilians are authorities and soldiers from the SPDC. For humanitarian agencies, these findings highlight the imperative of responding to primary needs for protection along with food aid and health care so the people for whom assistance is targeted do not end up well-fed, but dead.

*"Last year, the SPDC called for people from our village to carry rations to their outpost. Before we went, we asked our leaders about landmines on the way. They told us if we stayed on the road we'd be OK. But when we had nearly arrived at the camp, a landmine exploded and ten villagers were injured."<sup>37</sup>*

<sup>37</sup> Karen woman during KORD focus group discussion, mixed administration area, Papun, May 2005

*"We are upland farmers, but landmines have been planted around our fields, so we dare not cultivate our crops. Its like our land is occupied by someone else."*<sup>38</sup>

The quantitative survey of threats to physical safety was complemented by focus group discussions with internally displaced persons about landmines, gender based violence, HIV / AIDS and threats specifically related to children. Villagers recognised that landmines are a threat to both physical safety and food security but also claimed that landmines are a means of self-defense, as will be discussed in the chapter on coping strategies. Regardless landmines are indiscriminate weapons which maim combatants, civilians and livestock alike. Villagers in mixed administration areas and relocation sites reported feeling most at risk when conscripted as porters of military supplies by the SPDC, as this was when they could inadvertently be killed or injured by opposition-laid mines. However, the internally displaced in hiding are more afraid of landmines laid by SPDC patrols in abandoned villages and fields. This fear often prevents villagers from returning to their means of livelihood and exacerbates vulnerability.

*"Women and girls are asked to cook, carry water and do other chores at the Tatmadaw's bases during the day – and then forced to sleep with the commanders and soldiers at night."*<sup>39</sup>

*"With all the worries about livelihood problems, husbands end up hitting their wives. We're all running from Tatmadaw abuses so there's no chance to deal with household needs."*<sup>40</sup>

While only the most prevalent abuses are recorded in the previous chart, 2% of households surveyed also reported that a member had been raped or sexually violated during the past year. Local human rights and women's groups have comprehensively documented sexual violence and concluded it is commonly perpetrated as a weapon of war by SPDC troops in a climate of impunity.<sup>41</sup> Focus group discussions conducted with women during this survey suggested that domestic violence is also not uncommon in conflict-affected communities. Women described an increasing incidence of physical and sexual violence committed by husbands against their wives, and explained the causes in terms of men's increasing frustration and anger at being abused by warring parties.

<sup>38</sup> Karenni man during KSWC focus group discussion, hiding site, Pasaung township, May 2005

<sup>39</sup> Mon woman during MRDC focus group discussion, ceasefire area, Ye township, May 2005

<sup>40</sup> Karenni woman during KSWC focus group discussion, hiding site, Pasaung, May 2005

<sup>41</sup> Shan Human Rights Foundation & Shan Women's Action Network, 2002, "Licence to Rape: The Burmese Military Regime's use of Sexual Violence in the Ongoing War in Shan State, Burma" Chiang Mai Women's League of Burma, 2004, "System of Impunity: Nationwide Patterns of Sexual Violence by the Regime's Armed Forces and Authorities in Burma", Chiang Mai.

## HIV / AIDS

*"If someone has AIDS, it must be god's punishment."*<sup>42</sup>

*"I have heard about condoms, but haven't seen one."*<sup>43</sup>

*"Many girls and women are working in Thailand to get income, but their parents don't know what kind of work. We hear rumours that some women are forced to be sex workers, and some young girls are sold to rich people."*<sup>44</sup>

*"Someone here might have AIDS because the traditional healers mostly only use one needle."*<sup>45</sup>

*"We don't know where AIDS came from and didn't see who brought it. Everyone used the same needle for tattoos. And we didn't think about AIDS before sex. We thought we only had to avoid prostitutes. But then people in our village became thin and died. That was AIDS."*<sup>46</sup>

While estimates of the number of people living with HIV/AIDS nationally range from 340,000 to double that amount, the prevalence in conflict-affected areas of eastern Burma is unknown.<sup>47</sup> Thailand and Burma share a porous border which facilitates transmission of the virus into eastern Burma from both sides. It was mentioned in focus group discussions that young women seeking to supplement their families incomes by migrating to work in towns were at risk of being coerced into sex work and contracting the virus. However internally displaced persons did not recognise that young men were similarly at risk of being exposed to the virus through intravenous drug use if they migrated to search for work, especially in the mining industry. Given the lack of access to information, it was not surprising that a number of internally displaced persons were self-righteous in blaming people living with HIV for immoral behaviour. Yet there was acknowledgement that customary activities where needles are commonly shared between multiple users, such as when consulting traditional healers and decorating bodies with virility tattoos, may have also contributed to the spread of HIV.

## CHILDREN AT RISK

*"We've seen both SPDC and KNLA recruit children to be soldiers. Last year, a KNU member asked a boy if he wanted to continue his education. But after he started studying in the fifth standard, someone called him to become a soldier. And this year, we saw five children patrolling for the Burma Army. They told us they didn't want to be soldiers, but were lied to and promised a salary they hadn't received."*<sup>48</sup>

<sup>42</sup> Karenni man during KSWC focus group discussion, hiding site, Pasaung township, May 2005

<sup>43</sup> Karenni man during KSWC focus group discussion, hiding site, Pasaung township, May 2005

<sup>44</sup> Mon woman during MRDC focus group discussion, ceasefire area, Ye township, May 2005

<sup>45</sup> Karenni woman during KSWC focus group discussion, hiding site, Pasaung township, May 2005

<sup>46</sup> Shan man during SRDC focus group discussion, SPDC relocation site, Mong Pan township, May 2005

<sup>47</sup> Strategic Framework for UN Agencies in Myanmar, Yangon, 22 April 2005, p16

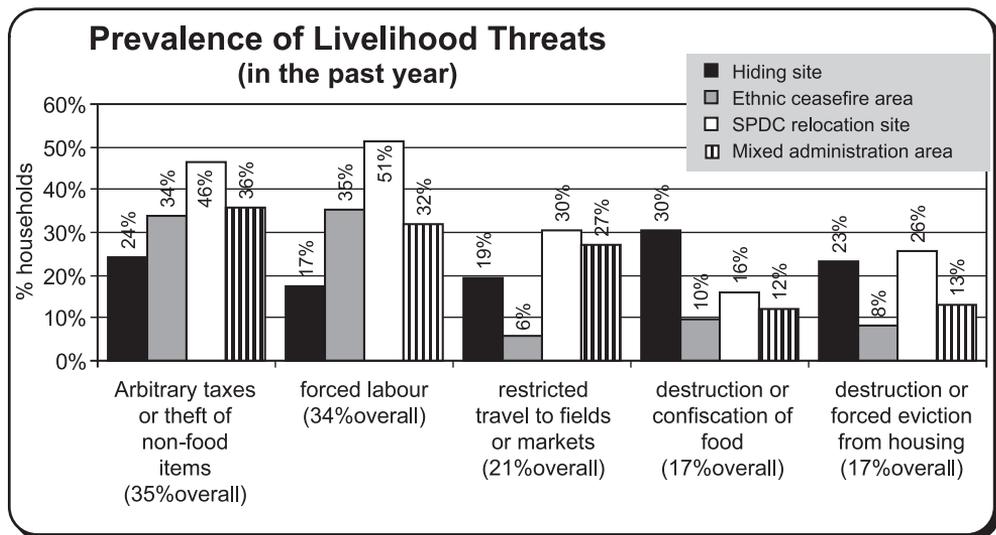
<sup>48</sup> Karen women during KORD focus group discussion, mixed administration area, Papun, May 2005

*“The children were just watching and playing. But then the soldier suddenly ran at them, cocked his gun and shouted. They all ran away crying, and we can see they’re still afraid of SPDC soldiers until now.”<sup>49</sup>*

Responses from the focus group discussions suggest the main threat of violence specifically targeted at children is military recruitment. Previous comprehensive assessments have estimated that while all warring parties recruit children into the army there are 70,000 soldiers under 18 years of age in the Burma Army, and that these constitute the “overwhelming majority of Burma’s child soldiers”.<sup>50</sup> However, villagers in this survey reported that the Burma Army’s child soldiers are more likely to come from central Burma or other borders rather than the conflict-affected communities of eastern Burma. The internally displaced recognized that in many cases, desperation or destitution drives children into volunteering for military service with the armed opposition. Further, it was noted in the Karen and Mon areas at least, that the armed opposition generally supports children to continue their education rather than recruit them immediately into the armed forces. However, despite pledges to the contrary from both the SPDC and various armed opposition forces, villagers reported that all sides continue to recruit children into military service.

Apart from military recruitment, the internally displaced also expressed concern about the psychological effects of prolonged exposure to violence for children. Indeed, generations have now witnessed the horrors of war but not the tranquility of customary village life.

## DEPRIVATIONS OF WAR



<sup>49</sup> Karen man during CIDKP focus group discussion, mixed administration area, Papun, May 2005

<sup>50</sup> Human Rights Watch, 2002, *My Gun was as Tall as Me: Child Soldiers in Burma*, New York, pp 2 & 3

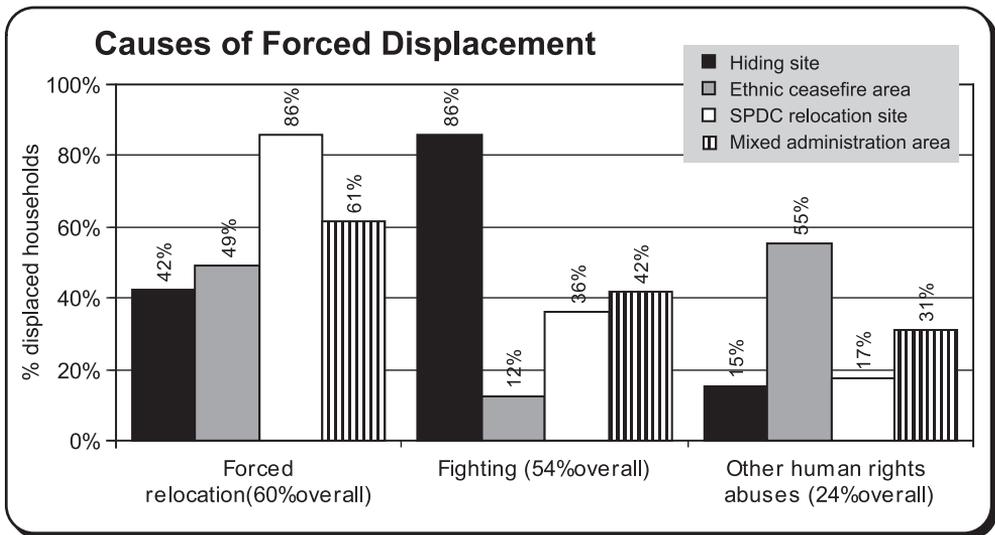
Despite the range of threats to personal security, the prevalence of threats to livelihoods is on a much greater scale. A third of households surveyed have been directly affected by arbitrary taxes and forced labour in the past year. These were the most pervasive human rights abuses recorded, which is consistent with the results of last year's household survey. The proportion of households affected by arbitrary taxes and forced labour was highest in relocation sites, indicating the oppressive conditions associated with living in close proximity to SPDC soldiers. Yet the rate of arbitrary taxation amongst those displaced in hiding sites was also significant, and reflects the demands of the armed opposition forces upon their perceived constituents in exchange for security.

The deliberate impoverishment and deprivation of civilians as a counter-insurgency strategy is reflected in responses relating to the destruction or confiscation of food supplies. Overall, 17% of households were affected by these abuses during the past year which is comparable with the prevalence reported by last year's survey. The crops and food stocks of villagers hiding in the most contested areas were twice as likely to be destroyed or stolen as those in other areas. Field reports suggest theft of food may be related to the cessation of full rations for SPDC frontline troops, but the burning of crops can only be intended to undermine the food security of civilians considered sympathetic to the armed opposition.

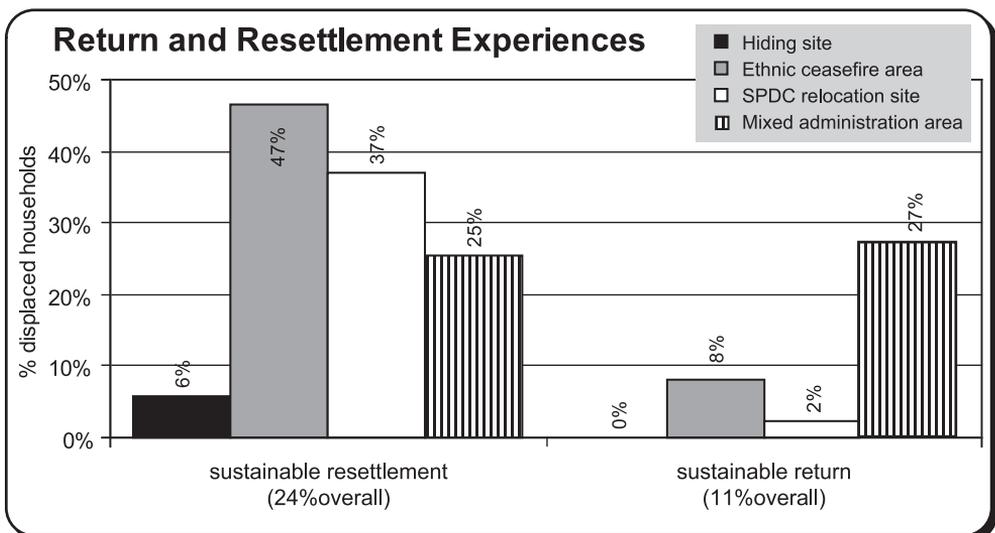
A quarter of households in hiding and relocation sites reported having had housing destroyed or having been forcibly evicted during the past year. Significantly lower rates amongst households in ceasefire and mixed administration areas indicate the extent to which forced eviction is used as a military strategy to relocate civilians away from contested areas in order to undermine the armed opposition.

21% of households surveyed reported restrictions on travel during the past year, with the highest rates coming from relocation sites and mixed administration areas where SPDC troops issue travel permits. However, responses from hiding sites and ceasefire areas are likely to understate the extent to which movements were restricted by fear of violence rather than specific orders. A wide range of threats to personal safety have been described above, and these combine to restrict upland farmers from preparing agricultural fields in the dry season, tending their fields in the wet season and harvesting crops for the coming year's food supply. An inability to access traders and social services similarly increases vulnerability.

## FORCED MIGRATION



As mentioned in the introduction, a third of households surveyed responded that they have not been forced to flee their homes during the past ten years. Amongst households who acknowledged they have been displaced, 84% were forced or obliged to leave by forced relocations or other human rights abuses, while 54% have fled from fighting. When disaggregated by location type, it is only households in hiding who have fled from military skirmishes more than counter-insurgency strategies targeted against civilians. These findings illustrate the severity of the threats to lives for internally displaced persons in hiding sites compared to other areas of eastern Burma. Yet, they also represent the extent to which displacement is caused by the effects of war, rather than actual fighting.



Amongst households forced or obliged to leave their homes during the past ten years, two thirds reported that they remain in a state of internal displacement. These respondents have not been able to return to former areas of residence nor resettle into another part of the country voluntarily, in safety and with dignity. The findings suggest that resettlement elsewhere in the country is a more likely solution than return to former homes in the current climate. While experiences of sustainable return or successful resettlement were negligible amongst those in hiding, half of the displaced households in ceasefire and mixed administration areas reported having re-established a livelihood. Significant rates of sustainable resettlement were also identified after forced migration into relocation sites. This finding contradicts stereotypes of relocation sites as internment camps, and may reflect relatively better access to markets and social services at some relocation sites. However, claims of sustainable resettlement may be slightly exaggerated as the extent to which these re-established livelihoods can cope with stresses and shocks was not challenged.

*“We get information about what’s happening in our villages. In most cases, the human rights abuses by Burma Army troops continue. So how can we return to our homes if the situation is like this?”<sup>51</sup>*

*“To return home, the first thing we need is land. Without a field to farm, I don’t know how to survive.”<sup>52</sup>*

*“The SPDC and White Star (KNSO) planted land mines in our villages. So we dare not return to our own villages, and its not easy to fend for ourselves.”<sup>53</sup>*

*“The government should allow access to allow humanitarian organizations. We can build schools, clinics and churches by ourselves. But if we are going to return, we will need help”.<sup>54</sup>*

Focus group discussions with internally displaced persons sought opinions about their needs for returning to former homes or resettling elsewhere in the country. Villagers were primarily concerned with protection against human rights abuses, landmine clearance and access to land. It was perceived that community networks generally provided sufficient access to information about conditions in their former villages, but not necessarily in potential areas for resettlement elsewhere in the country. Although people wanted to be self-reliant, it was recognised that humanitarian aid would be essential to help them re-establish their communities. Similarly, international standards have established that national authorities are obligated to support these claims to facilitate a sustainable end to displacement.<sup>55</sup>

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<sup>51</sup> Mon woman during MRDC focus group discussion, ceasefire area, Ye township, June 2005

<sup>52</sup> Mon man during MRDC focus group discussion, ceasefire area, Ye township, June 2005

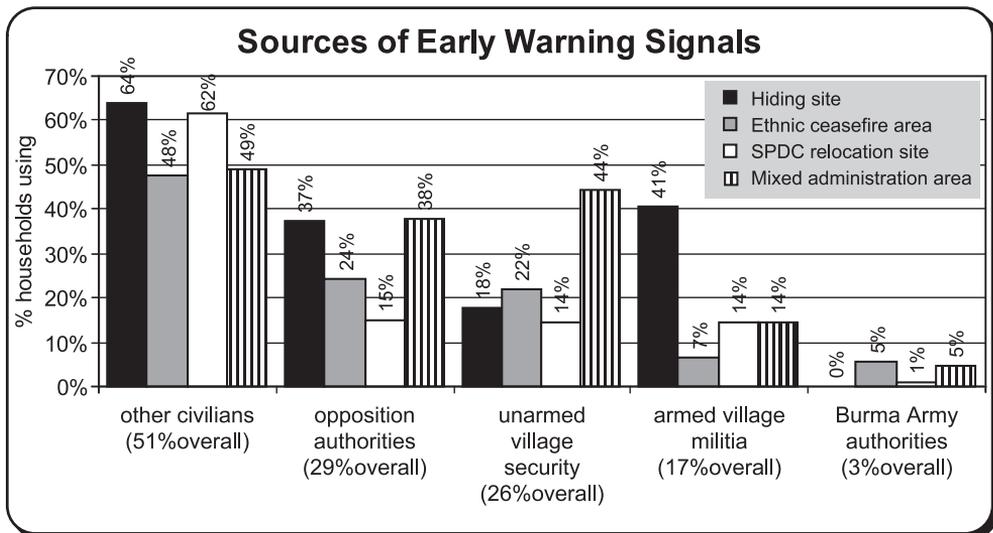
<sup>53</sup> Karenni man during KSWC focus group discussion, hiding site, Pasaung township, May 2005

<sup>54</sup> Karenni man during KSWC focus group discussion, hiding site, Pasaung township, May 2005

<sup>55</sup> Principles 28-30, Guiding Principles on Internal Displacement, 1998

## 4.2 COPING STRATEGIES

Although unable to stop or prevent threats, internally displaced and conflict-affected populations have developed a range of coping strategies to resist threats and mitigate the worst consequences of violence and abuse. Victims of conflict are thus also resilient survivors with a wealth of knowledge about the nature of threats, the psychology of perpetrators and potential practical responses. Recognition of, and support for, these local capabilities will be the foundation for developing the most effective humanitarian protection strategies. This survey has analysed early warning systems, threat management practices, landmine avoidance and child protection measures to gain an understanding of coping strategies.



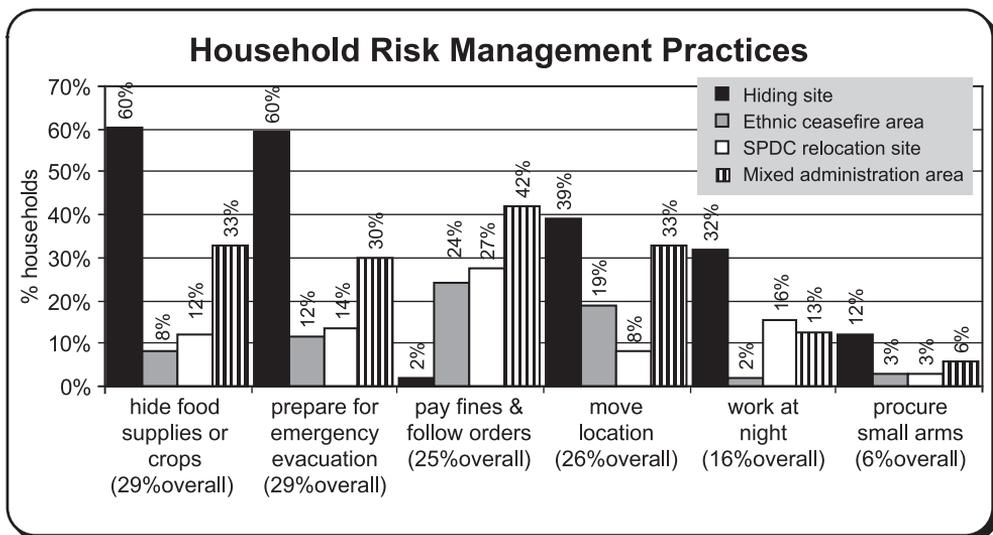
Early warning systems enhance the abilities of civilians to prepare for a range of contingencies and avoid threats. This survey found that civilians are generally left to fend for themselves in terms of monitoring troop movements. Other civilians are the main source of early warning signals about approaching troops across all location types, while civilian security guards are also a significant factor contributing to preparedness. This highlights the importance of building social capital, or networks of trust, within and between local communities for the development of a more protective environment. However given that some villagers may have access to opposition communications systems without their neighbours knowing, the significance of civilian networks as early warning sources may be overstated.

Even if the role of non state actors is understated, villagers still reported being ten times more likely to receive warnings of troop movements from opposition forces than SPDC authorities. The highest rates of early warning assistance offered by the opposition authorities were reported from villagers in hiding sites and mixed administration areas. These responses partly reflect the lower needs for warnings in ceasefire areas and restricted access into relocation sites. The findings also confer legitimacy to claims by opposition authorities that they are genuine representatives of the ethnic nationalities, regardless of the expansion of SPDC control.

17% of respondents identified armed militia units as a source of early warning, but the nature of militia groups varies so it is difficult to draw any conclusions from this indicator. For example in Shan State militia groups are generally affiliated to some degree with SPDC forces, whereas in Karen State references to armed militias are more likely to relate to groups supported by the armed opposition. There are also non-aligned militias involved in community policing or as local security guards without a political agenda. However, the extent to which villagers' responses refer to any of these variations is unknown.

*"If the Burmese troops arrive and demand porters, we send someone to warn nearby villages. Sometimes a written message is sent. But we don't dare to use walkie-talkies, because if the SPDC found equipment like that in our home we'd be arrested and accused of being a KNU supporter. We also have to be careful while on the way to inform other villages. If we meet troops on the way, we have to throw away any letters before they are seen. Otherwise we might be arrested, interrogated, punished or tortured."<sup>56</sup>*

While early warning systems enhance preparedness, internally displaced persons expressed different opinions about the relative merits of introducing communications technology during focus group discussions. Villagers in hiding sites were generally more enthusiastic than those in regular contact with SPDC authorities who were concerned that equipment such as walkie-talkies could inadvertently affiliate them with the armed opposition forces.



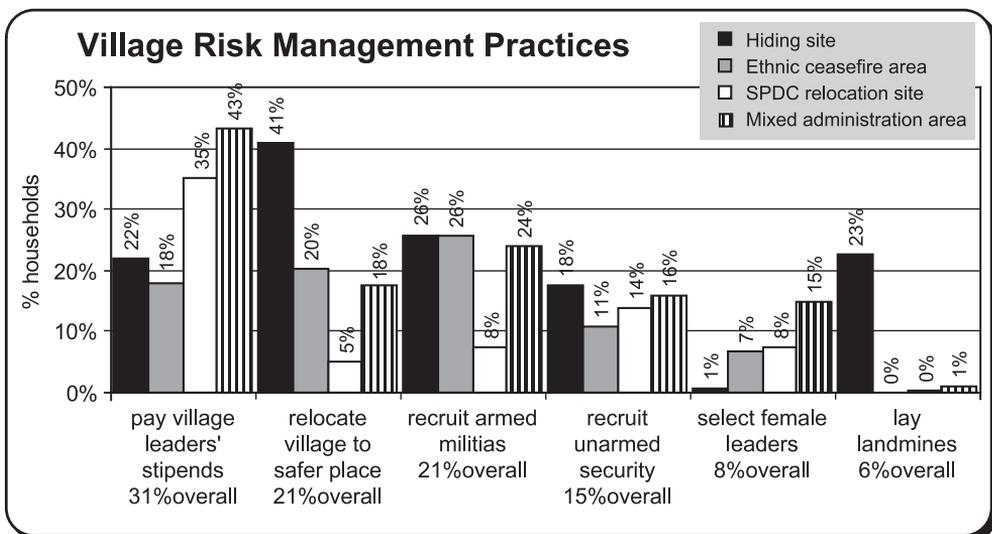
The means of coping with threats to physical safety and livelihoods at the household level varied considerably across different location types, reflecting the diverse nature of threats. Hiding food supplies in various locations and preparing alternative hiding sites in case of emergency evacuation were the main approaches to mitigating the consequences of military patrols amongst households in hiding sites. These households are also the most likely to move location and work at night to avoid

<sup>56</sup> Karen man during CIDKP focus group discussion, mixed administration area, Papun, May 2005

detection, indicating not only the severity of threats in hiding sites but also the determination of villagers to survive.

Conversely, the main method of minimizing threats in ceasefire areas, relocation sites and mixed administration areas is reportedly to pay fines and follow orders. This is consistent with field reports that fees can be paid in lieu of submitting oneself to demands for porters or labourers. This finding reflects that abuses against civilians by government forces are motivated not only by retaliation against armed opposition patrols, but also by financial imperatives or greed.

Six percent of households reported that they had at some point resorted to procuring a hand gun to minimize threats to safety and livelihoods. While this indicator may include some responses referring to simple hunting rifles, landmines made from bamboo, bottles and milk cans which are readily available and any weapons belonging to warring parties are excluded. Given the threat of being suspected as either a rebel sympathizer by the SPDC or a government collaborator by the armed opposition, this gauge of the prevalence of assault weapons is alarmingly high. Due to the breakdown in law and order and the ease of procurement, transport, concealment and use, the prevalence of small arms is in itself a significant threat of violent insecurity. Rather than being used for self-defense, small arms are easily misused for criminal violence. While the prevalence and misuse of small arms has not previously been identified as a major concern in eastern Burma, field reports from central Karenni State and southern Mon state during the past year suggest that banditry is on the rise.



Collective harm minimization strategies that are coordinated at the village level also vary considerably depending on the type of location. The most common approach reported from villages in both relocation sites and mixed administration areas was to pool resources and pay stipends to village leaders in recognition of how important negotiation skills at the local level are. A significantly higher proportion of villagers in mixed administration areas than anywhere else also reported selecting female village leaders. These responses reflect perceptions that the degree of abuse in

government controlled areas is subject to negotiations at the village level, and that women may be more able to engage the sympathy of local commanders and authorities.

*“Landmines also help to protect us against the SPDC soldiers destroying our paddy barns and crops and stealing things. If a landmine explodes when they are on their way, it disrupts them because they have to carry the injured person back to town for medical treatment.”<sup>57</sup>*

However, villages hiding from sight of SPDC are most likely to spontaneously relocate in order to avoid contact with patrolling troops, reflecting the degree to which displacement occurs as both an effect of fear and a coping strategy. A quarter of villages in hiding also reported organising armed militia units or requesting opposition forces to lay landmines as self-defense mechanisms. Nominally independent armed militias also have a significant presence in mixed administration and ceasefire areas. However, as mentioned above, it is difficult to judge whether the presence of armed militias indicates that civilians have taken armed security into their own hands or aligned themselves with one of the warring parties. In the context of a breakdown in law and order, the prevalence of armed militias supposedly for community policing purposes can also raise the threat of violent insecurity if trust is broken and weapons are abused for criminal intent.

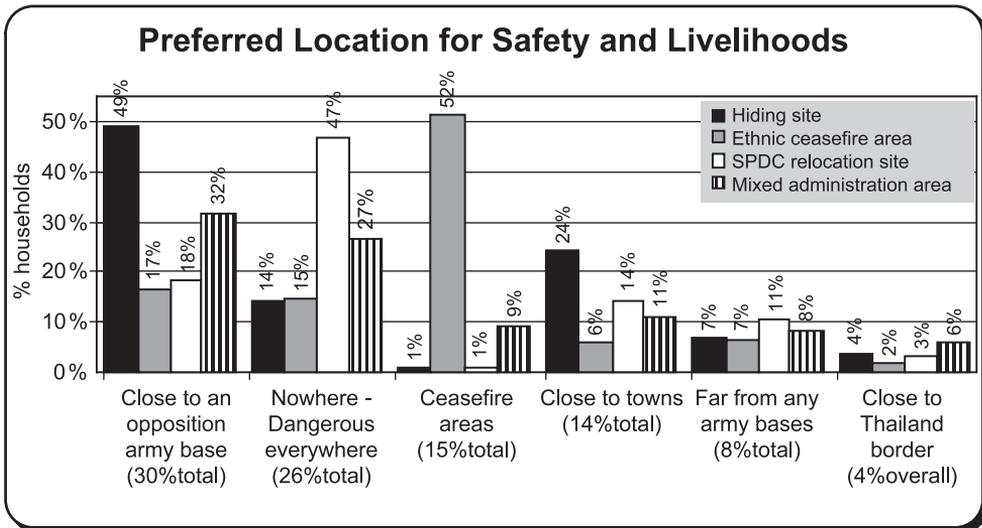
*“If we know that the SPDC are coming, the young men run out of the village. If they don't run and hide, the soldiers will demand that they carry supplies along the way.”<sup>58</sup>*

Focus group discussions also identified the problem of coping strategies which increase the vulnerability of women. While women are often conscripted as porters, there is a perception that the threat of hard labour is greater for young men. However if given sufficient warning of approaching troops, there is a dilemma between running away to avoid such threats and staying to protect property from theft. While villagers will often flee together, it is not uncommon for women, children and the aged to stay while the men run away. The paradox is that by minimizing the threat of forced labour to men, this coping strategy increases the risk of physical and sexual violence against women.

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<sup>57</sup> Karen man during CIDKP focus group discussion, mixed administration areas, Papun, May 2005

<sup>58</sup> Karen woman during KORD focus group discussion, mixed administration area, Papun, May 2005



There were no outstanding preferences identified from the survey for locations which offer the best combination of physical safety and sustainable livelihoods. However there were some clear indications of differing situation analyses and coping strategies when responses were disaggregated according to the type of current location. Half of the households hiding from SPDC forces assessed that areas close to opposition army bases offered their lives and livelihoods the greatest protection. A similar proportion of villagers in ceasefire areas considered their current location type as the best option. Residents of relocation sites were the most skeptical with half of them stating that such a place didn't exist, while people in mixed administration areas were less decisive and reported a wider range of opinions.

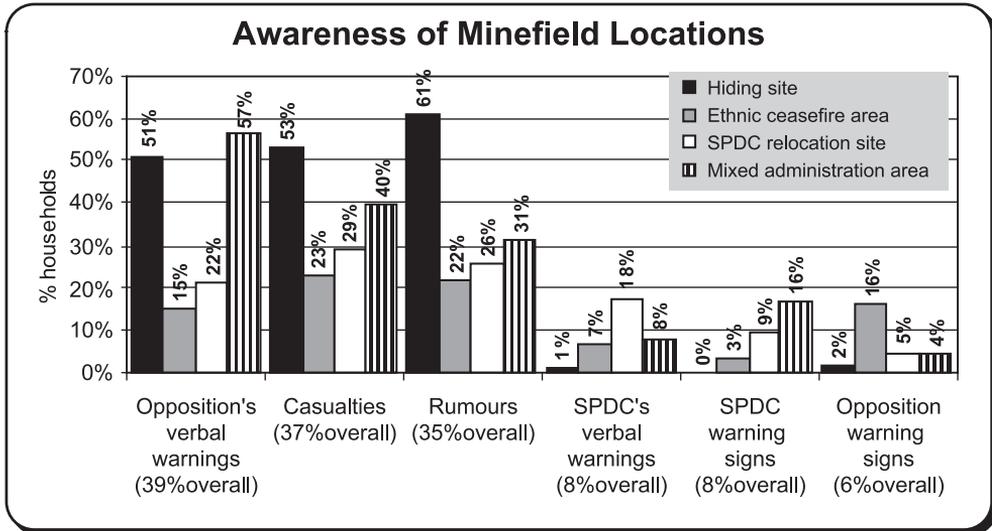
The diversity of responses suggests that residents of relocation sites may have been the most perceptive, and that there is a widespread trade-off between physical safety and food security for conflict-affected households. People hiding in mountainous areas further away from SPDC control generally report a lower prevalence of security threats and human rights abuses, but greater limitations on agriculture and access to trade. Conversely villagers in lowland areas have more fertile soil and close proximity to markets, but are cursed with higher incidence of forced labour, arbitrary taxation and a generally more predatory government.

*"Whoever plants the landmines, nobody tells us where or marks the area."<sup>59</sup>*

*"When the Mon army lay landmines, they privately inform the local village headmen and the headmen privately tell the villagers."<sup>60</sup>*

<sup>59</sup> Karenni man during KSWC focus group discussion, hiding site, Pasaung township, May 2005

<sup>60</sup> Mon man during MRDC focus group discussion, ceasefire area, Ye township, June 2005



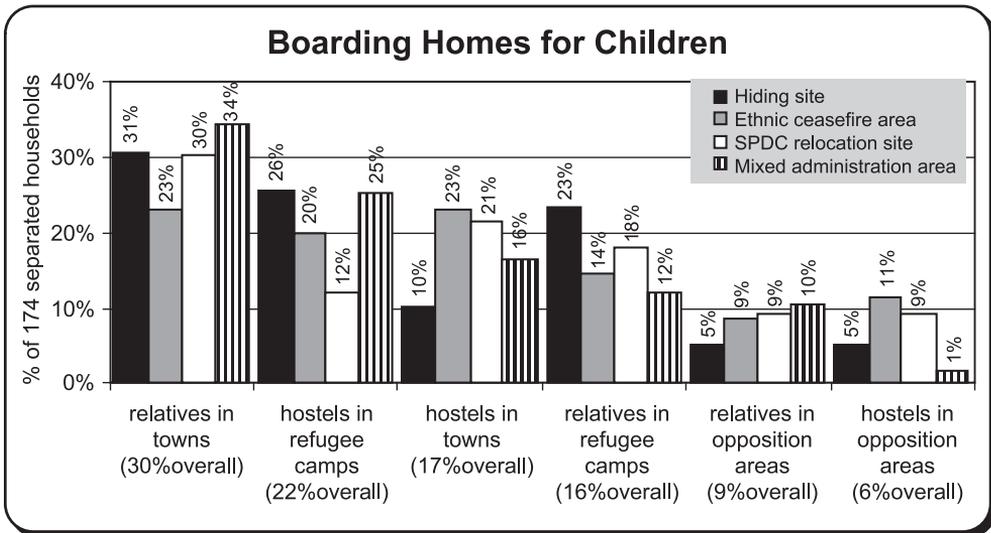
Six out of every seven households surveyed were not aware of any warning signs of minefields in eastern Burma. While there is no systematic demarcation, warning signs reported on location include crosscuts in tree trunks and vaguely phrased sign posts. However the main physical warning of minefields does not appear until someone or an animal has been wounded or killed.

Almost half the villagers surveyed had received verbal warnings about the general location of minefields from the warring parties, with the majority of these households hearing from the armed opposition. While these verbal warnings may be better than nothing and are passed on to other villagers, it is likely that the degree of ambiguity is considerable and increases as messages spread by word of mouth. Distinctions between verbal warnings passed on by villagers and unsubstantiated rumours are liable to be vague. Where there are doubts about the legitimacy of authorities, villagers may also be wary that verbal warnings about landmines are merely another tactic used by warring parties to control civilian movement.

*"Some of our villagers are retired soldiers who previously attended training about how to make landmines, lay them down, and remove them. But they don't know what to do with modern landmines because they retired years ago."*<sup>61</sup>

Even if minefields are demarcated, the removal of landmines requires training which is generally only available from military forces. In some cases, retired soldiers can provide this service but volunteering to do so carries the risk of amputation or death if a mistake is made.

<sup>61</sup> Karen man during CIDKP focus group discussion, mixed administration area, Papun, May 2005



Consistent across all types of locations in conflict-affected areas, over 80% of households stick together rather than sending children to board in “safer” locations. This suggests that families perceive the risks of separation are less manageable than living with the threats there are to lives and livelihoods in their immediate environment. Amongst households that separate in order to further the education or otherwise protect children, the majority of respondents send children to stay with relatives but 45% are placed with hostels which are primarily located in refugee camps in Thailand or towns in Burma.

### 4.3 ENGAGING HUMANITARIAN RESPONSIBILITY

Humanitarian responsibility relates to ensuring that parties to a conflict respect human dignity and prevent harm from being inflicted on civilians. This necessitates engaging relevant authorities from belligerent forces so that existing patterns of abuse can be stopped and emerging threats of violence can be prevented. Non state actors in eastern Burma have been consulted for their perspectives on the protection of civilians, and humanitarian agencies in Rangoon have been surveyed about engaging national authorities in humanitarian protection. Perspectives from civilians in conflict-affected areas about the responsibility of authorities supplement these responses from humanitarian agencies and non state actors. Insights have been analysed in relation to the operational framework for protection, negotiating humanitarian presence and assistance, monitoring and advocating against abuses as well as building an environment conducive to peace and justice.

## OPERATIONAL FRAMEWORKS FOR PROTECTION

Authorities from both the political and armed wings of non state actors in eastern Burma demonstrated a general awareness of international humanitarian law regarding the limits to war and the distinguishing between civilians and combatants. Indeed the importance of protecting civilians was recognized not only as a fundamental humanitarian responsibility, but also for the political advantage of seeking and maintaining support from constituents. While reliance on the food supplies of villagers, the levying of taxes and in some cases the conscription of porters was acknowledged, these were claimed as legitimate expectations in exchange for security against abuses by SPDC patrols.

The use of landmines was acknowledged as the main transgression of non state actors in terms of threatening the safety and livelihoods of civilians. Landmines were unanimously perceived as a necessary means of self-defense for the armed opposition forces against the military might of the national authorities. It was widely claimed that the threat of opposition landmines to civilians was minimized by informing local villagers of locations and by the relatively short lifespan of handmade and dry cell battery operated landmines compared to commercially manufactured landmines.

Most armed opposition groups claimed that policies had been developed prohibiting the recruitment of child soldiers. Field level commanders recognized that children who had been the victims of violence often wanted to fight back against the perpetrators of abuse. However, it was reported that these children are generally supported to continue their education in exchange for a commitment to serve the military or administrative wings of non state actors upon reaching 18 years of age.

Similarly, non state actors generally asserted that they have policies prohibiting the abuse of prisoners of war. However in practice, after interrogating captured combatants or defectors and confiscating weapons, it is difficult for field commanders to detain and feed prisoners of war. Instead they may be released to fend for themselves, executed, asked to switch allegiances and fight for the armed opposition, or escorted back to headquarters for further interrogation, detention or release into Thailand.

Humanitarian agencies in Rangoon reported that despite the lack of political developments in Burma over the past decade, there has been an expansion of humanitarian space. This is demonstrated not only by the geographic spread of relief and development programs across the country, but also by the increased engagement of government authorities by humanitarian agencies in policy level dialogue. Official recognition of the HIV/AIDS epidemic, acknowledgement that child soldiers exist in the Burma Army, the proclamation of a law prohibiting human trafficking and edicts against forced labour are examples of the protection gains made during this period.

However, feedback from representatives of UN agencies and NGOs suggested that since the purge of former Prime Minister Khin Nyunt in October 2004, humanitarian agencies in Rangoon have either been disregarded or viewed with suspicion by the government. After immediately participating in a regional meeting to combat human trafficking, incoming Prime Minister Soe Win has reportedly been reluctant to engage

with the humanitarian community. Increased information collection activities suggest the “new” government does not have an institutional memory, and humanitarian monitoring procedures have been disrupted by increased restrictions on the travel of expatriate managers. Significantly, the government has stalled the International Labour Organisation’s (ILO’s) progress in fulfilling its mandate relating to forced labour, which is one of the most widespread protection concerns.

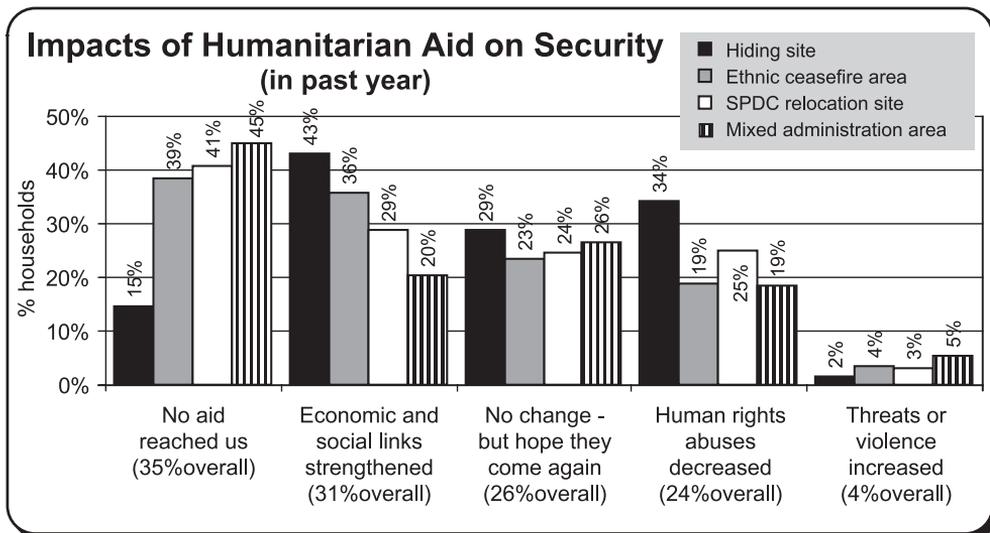
At the same time humanitarian agencies based in Rangoon increasingly feel squeezed by restrictions from donors who are worried that foreign aid may be prolonging the rule of an illegitimate government. The UN agencies and NGOs surveyed recognised that long term solutions to humanitarian suffering will only come when there is the domestic political will to promote structural change. However in the meantime agencies in Rangoon are concerned that humanitarian sanctions will further restrict opportunities for policy-level dialogue about protection issues with the key perpetrators of abuse.

### **NEGOTIATING HUMANITARIAN PRESENCE AND ASSISTANCE**

The presence of humanitarian workers can inhibit some acts of violence and the provision of material and technical aid may alleviate the immediate effects of abuse and deprivation. However, humanitarian presence and assistance do not necessarily reduce current threats nor prevent further violations. If aid is manipulated by warring parties and the humanitarian responsibilities of relevant authorities are not engaged, aid may even prolong conflicts.

Representatives of non state actors recognised that the suffering of civilians in ethnic nationality areas was overwhelming, and that there was a humanitarian imperative for assistance to reach those most in need. In principle, it was accepted that the provision of aid should be facilitated regardless of whether it came via Rangoon or cross-border. NMSP leaders noted that it is ten years since refugees were repatriated into Mon ceasefire areas but that humanitarian relief is still essential as displaced persons still can not return to their former homes or resettle elsewhere in Burma. Although the majority of assistance provided to internally displaced Mon communities comes via Thailand, NMSP leaders reported that the SPDC has not disrupted the transport of supplies nor caused problems for the recipients of aid.

KNPP representatives suggested that humanitarian agencies and the warring parties in any given area should develop agreements guaranteeing secure access and the humanitarian nature of assistance in order to ensure that aid does not prolong the conflict. KNU authorities stated that the management principles of transparency, accountability and independent monitoring should guide humanitarian operations regardless of where they were based.



Responses from households in conflict-affected areas held similarly positive perspectives on the impact of humanitarian aid on physical safety and security during the past year. As a note of clarification, it can be assumed that assistance to people in hiding has generally come from ethnic community-based organizations working across national borders, while aid to other areas has also come from groups based in Burmese cities. The majority of those who had received assistance believed that their economic and social links across areas divided by political conflict had strengthened or the incidence of human rights abuses had decreased. Only 4% of households responded that they had suffered from intimidation prior to the arrival, or violent repercussions after the departure, of humanitarian agencies. Even the quarter of households whose state of protection had not changed, reported sufficient material benefits from the aid to hope that more relief or development assistance would be forthcoming. The relative significance of aid channeled from Thailand is reflected in the finding that only 15% of households in hiding sites had not received any aid during the past year compared to around 40% in other areas.

While the causes of displacement for Rohingyas in northern Rakhine state are fundamentally different from the political conflicts in eastern Burma, the impacts of humanitarian assistance for reintegration are insightful. Humanitarian agencies reported that despite over ten years of programmatic presence, negotiations with the government continue to focus on supply chain blockages and there is still little policy-level dialogue about protection concerns. The authorities have recently issued temporary residence permits (as opposed to foreigner's residence permits) which was small progress, and relief programmes have mitigated against further displacement. Yet attempts to remove discriminatory restrictions on border trade and marriage, the continuing high prevalence of forced labour, and other patterns of abuse remain frustrated. It may be possible to quietly establish access and a presence prior to addressing fundamental patterns of abuse through protection sensitive programming. However, experiences in northern Rakhine state suggest that unless the national authorities are willing to engage in policy level dialogue about protection issues, access to returned refugees does not lead to an expansion of humanitarian space.

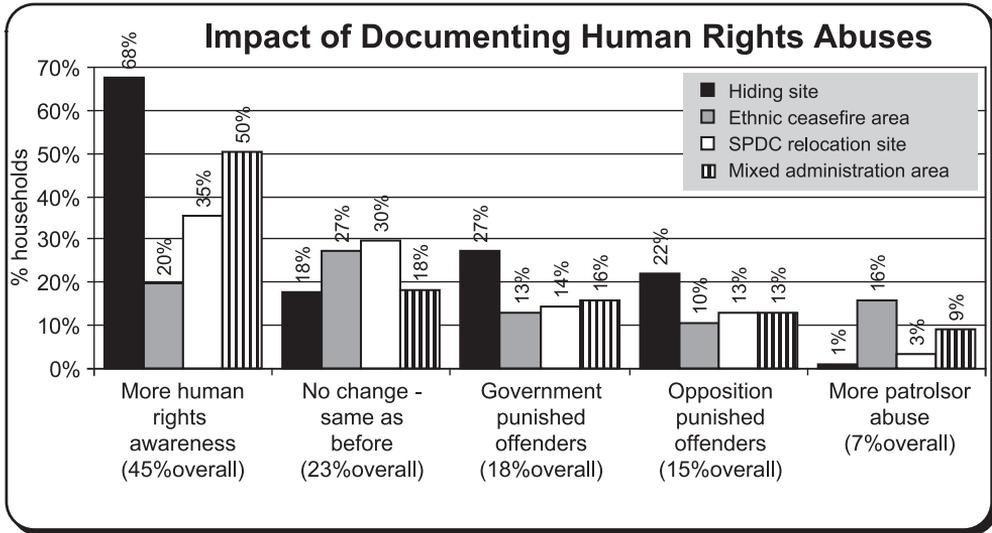
Given the relative vulnerability of national staff who engage authorities on protection concerns, the majority of humanitarian agencies surveyed designate expatriate staff to lead such negotiations. Some agencies will not even consider a field presence unless there is an expatriate presence. However, there is recognition that the sustainability of expansions in humanitarian space depends on building the awareness and capacities of national staff and local agencies. Basic humanitarian awareness trainings coordinated by the UN Resident Coordinator's Office in 2004 and the ongoing development of procedural guidelines to support township coordinators who negotiate with local authorities are good examples of what can be done. Yet there remains a lack of protection-oriented capacity building initiatives for civil society actors.

### **MONITORING AND ADVOCATING AGAINST ABUSES**

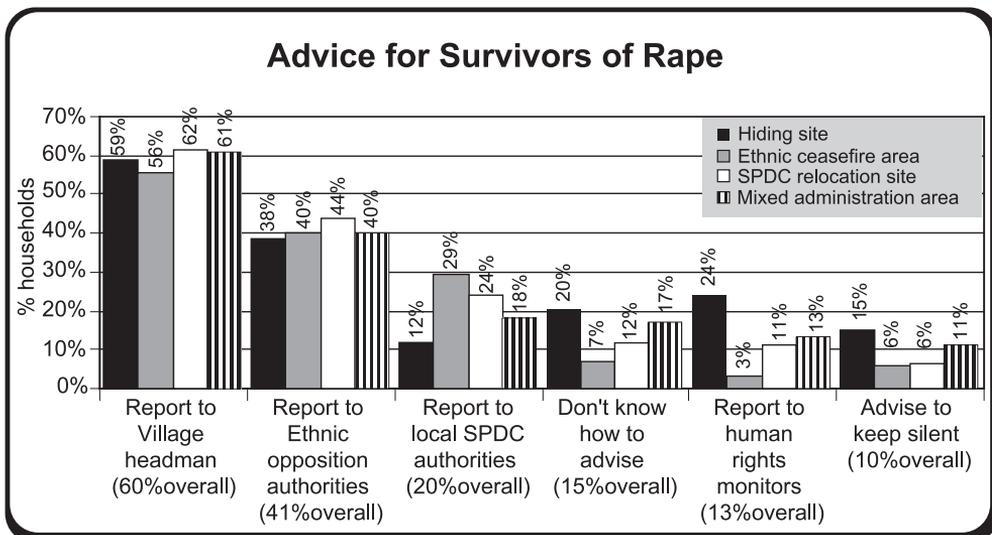
Monitoring human rights abuses informs situation analysis, which in turn strengthens the capacity of humanitarian agencies to advocate for authorities to comply with their obligations to protect civilians. The state of judicial systems in protecting human rights is cited here as an indicator of the degree to which non state actors are engaged in these humanitarian responsibilities. Similarly, the characteristics of mechanisms for reporting human rights abuses by humanitarian agencies are identified as an indicator of the engagement of national authorities. Perceptions from conflict-affected populations about the impact of documenting and reporting abuses qualify these indicators.

Each of the non state actors consulted had their own judicial systems. Generally these systems incorporate civil and criminal laws adapted from the colonial era to govern the behaviour of civilians, as well as a specific set of regulations for soldiers. While these laws reflect basic human rights principles, administrators of justice need also to consider customary laws which are influenced to varying degrees by shamanism, Old Testament values and other distorting factors. Policing is also relatively weak at the local level, so non state actors are generally unable to protect civilians from abuses of power by their own military commanders. While a number of community-based human rights organizations are active in the conflict-affected areas, the New Mon State party was the only non state actor which reported forming an association to educate its soldiers about human rights principles.

Representatives of United Nations (UN) agencies in Rangoon reported that there is no coordinated system of raising protection concerns with the government authorities. Broad trends and some specific cases of abuse and violence are formally raised onto the government's agenda, but not every case. For example, broad trends have included investigations by the ILO into forced labour and UNICEF's engagement in the recruitment of child soldiers. Specific cases have included the UN Resident Coordinator's investigations into allegations of chemical weapons use by the Burma Army and interventions leading to the release of four people who had been indicted for distributing the Universal Declaration of Human Rights in 2004. Given that the UN agencies generally perceive their role in this regard as one of persuading authorities to fulfill their obligation through private dialogue rather than denouncing the government publicly, it is generally not reported when these concerns are raised. The International Committee of the Red Cross (ICRC) apparently undertake such confidential correspondence about protection concerns in conflict-affected areas with government authorities the most comprehensively.



The survey of conflict affected households found that the perceived impact of documenting human rights abuses was greatest in terms of raising awareness rather than actually leading to judicial or social redress. This reflects an acceptance that even if human rights documentation does not directly lead to the punishment of perpetrators, the promotion of attitudinal change in society is important to stop the pattern of abuse in the long term. People in hiding sites were the most optimistic about human rights documentation improving conditions, even in terms of the prospects for SPDC punishing offenders. Conversely, villagers in ceasefire areas were the most pessimistic in believing that investigating human rights abuses would increase the threat of violent repercussions. It could be speculated from these responses that people in hiding sites may have lost everything but their faith in justice, and that the inability to restore law and order in ceasefire areas is more significant than previously assumed.

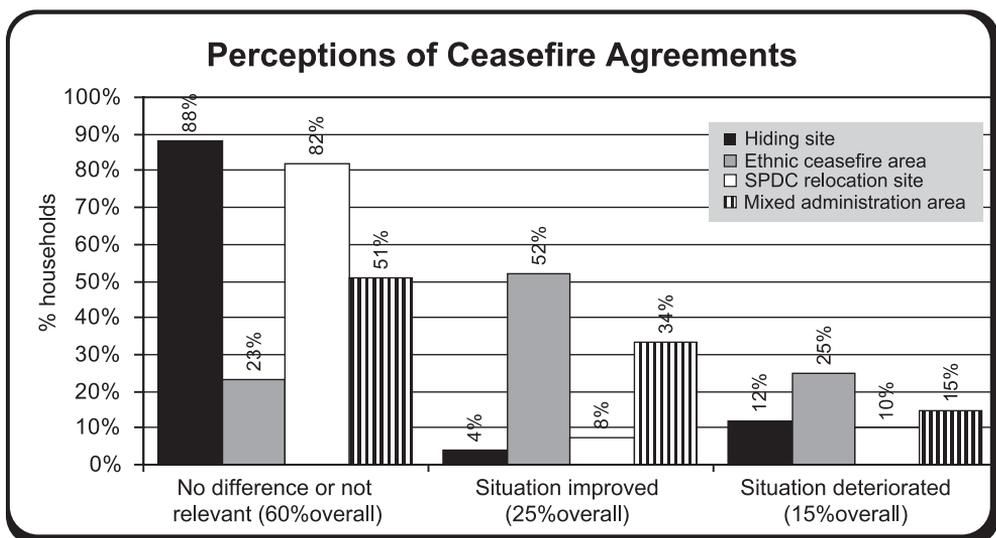


Households in conflict-affected areas were asked how they would advise a rape survivor seeking justice, and responses suggest that the primary contact for civilians seeking judicial redress for past abuses remains the local village headman. This indicates the extent to which social capital amongst ethnic communities remain strong as well as a general lack of confidence in the prospects for judicial redress. Twice as many civilians would advise the survivor to report the incident to armed opposition authorities rather than local SPDC authorities, even in mixed administration areas and relocation sites. This suggests not only that a greater acceptance in the legitimacy of non state actors, but also greater confidence in their willingness and ability to punish the perpetrators of abuse.

However, a significant percentage of villagers do not know what to suggest or would advise victims to remain silent. This suggests not only cultural factors of shame but also perceptions that reporting abuses is counter-productive and may lead to violent repercussions. Further, the scarcity of civil society actors and the difficulty for villagers in finding them is reflected in the low rate of households who consider human rights monitors a viable reporting mechanism.

## ENVIRONMENT BUILDING

In the context of humanitarian protection, environment building initiatives promote structural and attitudinal improvements in respect for human rights. In this regard, the perspectives of villagers about the impacts of ceasefires have been assessed as an indicator of the extent to which the cessation of hostilities has promoted peace and justice. This has been supplemented by consultations with non state actors about their short term protection objectives and longer term views on the prospects for national reconciliation. Humanitarian agencies were surveyed about experiences in developing protection-sensitive programmes and engaging authorities in public service reform.



The majority of respondents to the household survey believed that various ceasefire agreements declared over the past decade had made no difference, or were not relevant, to the environment in which they lived. Even amongst villagers living in ceasefire areas, only half responded that the situation had improved while a quarter perceived that their plight had deteriorated since hostilities ceased. Given that the cessation of hostilities significantly reduces casualties of fighting and direct personal violence, this finding suggests that benefits in terms of livelihoods and the prevalence of human rights abuses have been limited. While ceasefire agreements are an essential first step towards the restoration of respect for human rights, the peace agreements and political settlements which are necessary for rebuilding a just society remain elusive.

While all the non state actors surveyed profess to long term political objectives of democratization and self determination for the non-Burman ethnic nationalities, they admitted that their protective capacities in the short term were limited. NMSP authorities in ceasefire areas have established villages, distributed agricultural land and administered some health and education programmes to reduce the deprivations suffered by internally displaced persons. Yet they have not been able to address restrictions on movement, forced labour and land confiscations in Mon populated areas outside of ceasefire areas. In areas militarily contested by armed forces, the non state actors responded that short term protection objectives are limited to deterring and delaying SPDC patrols, using radio communication to provide warnings to villagers of approaching troop movements, and securing access for local humanitarian agencies to provide relief aid.

All the non state actors surveyed agreed in the strategic importance of national reconciliation. Tri-partite dialogue between the military government, democratic opposition and the non-Burman constituent nations of the state is widely perceived as the best means for facilitating this. However, there remains a wide range of views on processes for reconciling the survivors and perpetrators of abuses committed during the past decades of conflict. It was recognised that there needed to be some kind of end to impunity and recognition of the abuses committed by both the national government and the armed opposition forces. However, there was no agreement on whether perpetrators should be punished or merely acknowledge their guilt. Similarly, focus group discussions found that debates are only beginning about the relative merits of redress for past abuses through the International Criminal Court compared to a domestic process such as South Africa's Truth and Reconciliation Commission.

Protection sensitive programming refers to the incorporation of conflict impact assessments in humanitarian management processes so that the provision of aid does not inadvertently prolong patterns of violence and abuse. This is a primary means by which humanitarian agencies can promote environments conducive to the realization of rights. Since re-establishing their presence in Burma in 1999, ICRC have attempted to achieve this by undertaking protection assessments in conflict-affected areas prior to considering any programme expansion. In general, however, a lack of access to credible information, both from inside the country as well as from agencies working across national borders, is a major constraint against humanitarian agencies based in Burma conducting conflict impact assessments. A lack of access

to conflict-affected areas makes it even more difficult for local and expatriate staff to develop appropriate protection strategies.

Agencies with a mandate to provide technical advice or resources to government bureaucracies have a unique opportunity to directly engage the public service in developing a more protective environment. Examples of ongoing activities in this regard include UNICEF's training programs with police officers in regards to juvenile justice as well as their involvement with an inter-agency government committee established to stop the recruitment and facilitate the demobilization of child soldiers. While this is essential to promote a skilled and protection sensitive public service, the benefits will remain limited unless policy level dialogue can be developed. A perceived concern is that humanitarian sanctions will further restrict contact with policy makers, and exacerbate the reluctance of the Burmese government to negotiate about protection concerns. The challenge for humanitarian responses is to promote protection oriented programming which includes assessment of the programme's impact on the conflict.

## **CAPTION**

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1. Prosthesis workshop in Papun, January 2005, (CIDKP)
2. Rafting to safety in Bokpyin, December 2004, (CIDKP)
3. New arrivals in Mon Ceasefire Areas, January 2005

"We don't know where AIDS came from and didn't see who brought it...  
But then people in our village became thin and died. That was AIDS."

Shan man, SPDC relocation site, Mong Pan township, May 2005



# APPENDICES

## APPENDIX 1 : QUESTIONNAIRES AND SURVEY GUIDELINES

### TOWNSHIP QUESTIONNAIRE

*Township name (on maps of Burma ):* .....

*Background of key informants :* .....

.....

.....

1. How many villages have been completely destroyed, relocated or abandoned since last year's dry season? Where were these villages?
2. How many households have fled or been forced to leave their homes and moved elsewhere due to war or human rights abuses since last year's dry season?
3. How many villages which were previously destroyed, relocated or abandoned, have been re-populated since last year's dry season? Where are these villages?
4. How many households which were previously displaced have been able to return to live in their village area since the end of last year's dry season?
5. How many SPDC "relocation sites" (including consolidated villages) currently remain populated by force? Where are these relocation sites?
6. How many households are currently obliged to live in SPDC relocation sites (including consolidated villages)?
7. Where are any "free-fire areas" which are most contested in war, including de-populated areas, hiding areas and opposition controlled areas?
8. How many households currently hide from, or do not show themselves to, SPDC patrols in free-fire areas?
9. Where are any special regions or "ceasefire areas" in which the ethnic nationality authorities have limited autonomy and guarantees against SPDC attack?
10. How many households currently live in ethnic "ceasefire areas"?
11. Where are any development projects which have resulted in forced labour, forced relocations or the confiscation of land since last year's dry season? What type of projects are these? (eg roads, dams, plantations, etc)
12. Where are SPDC battalion headquarters and company garrisons currently located? Which were established in the past ten years (since Mannerplaw fell, MTA surrendered, and the NMSP and KNPP ceasefire agreements)?

## HOUSEHOLD QUESTIONNAIRE

Village tract : ..... Township : .....

Type of place survey is conducted in :

- |  |  |
|--|--|
| <input type="checkbox"/> Hiding site           | <input type="checkbox"/> SPDC Relocation site      |
| <input type="checkbox"/> Ethnic Ceasefire area | <input type="checkbox"/> Mixed administration area |

Sex :  Male  Female

We are interviewing civilians who are over 18 years old about their experiences and opinions on safety and security in eastern Burma. We would like your help, and we can promise that your personal responses will not be shared with any sides of the conflict. We do not need to know your name. We want to start by asking some questions about your background to check that we are talking to all kinds of people.

**1. How old are you? .....years**

**2. What religious beliefs do you follow?**

**(Mark one box only)**

- |                                  |                                   |  |
|----------------------------------|-----------------------------------|--|
| <input type="checkbox"/> Animist | <input type="checkbox"/> Buddhist | <input type="checkbox"/> Christian     |
| <input type="checkbox"/> Moslem  | <input type="checkbox"/> None     | <input type="checkbox"/> Other : ..... |

**3. How do you recognise your ethnicity?**

**(Mark one box only)**

- |                                       |                                    |                                 |
|---------------------------------------|------------------------------------|---------------------------------|
| <input type="checkbox"/> Sgaw Karen   | <input type="checkbox"/> Pwo Karen | <input type="checkbox"/> Kayah  |
| <input type="checkbox"/> Kayaw        | <input type="checkbox"/> Paku      | <input type="checkbox"/> Kayan  |
| <input type="checkbox"/> Shan         | <input type="checkbox"/> Palaung   | <input type="checkbox"/> PaO    |
| <input type="checkbox"/> Lahu         | <input type="checkbox"/> Mon       | <input type="checkbox"/> Burman |
| <input type="checkbox"/> Other: ..... |                                    |                                 |

**4. How many people currently stay in the same house or hut as you?**

.....people

**5. What has been your role in the armed conflict?**

**(Mark one box only)**

- |  |   |
|--|---|
| <input type="checkbox"/> always a civilian                         | <input type="checkbox"/> civilian now, previously a soldier |
| <input type="checkbox"/> civilian now, previously a militia member | <input type="checkbox"/> currently a soldier                |
| <input type="checkbox"/> currently a militia member                | <input type="checkbox"/> Other (specify) : .....            |

**6. How can you prove you are a citizen of Burma? (Mark all relevant boxes)**

- |   |  |
|---|--|
| <input type="checkbox"/> Birth registration documents                       | <input type="checkbox"/> Valid Burmese Identity card               |
| <input type="checkbox"/> Passport   | <input type="checkbox"/> Out of date Burmese Identity card         |
| <input type="checkbox"/> Membership card of legal organization              | <input type="checkbox"/> Membership card of armed opposition party |
| <input type="checkbox"/> Identity papers from local SPDC or village leaders | <input type="checkbox"/> Family and friends                        |
| <input type="checkbox"/> Other (specify) : .....                            |  |

**7. What authority do you have to use land for housing and / or agriculture?  
(Mark all relevant boxes)**

- |  |  |
|--|--|
| <input type="checkbox"/> Legal documents for private land ownership or use | <input type="checkbox"/> Customary land ownership      |
| <input type="checkbox"/> Legal documents for community forest management   | <input type="checkbox"/> Approval from village leaders |
| <input type="checkbox"/> Approval from armed opposition party              | <input type="checkbox"/> Approval from ceasefire party |
| <input type="checkbox"/> None  | <input type="checkbox"/> Other (specify) : .....       |

**8. What has been your experience of migration to live in another place?  
(Mark all relevant boxes)**

- |   |  |
|---|--|
| <input type="checkbox"/> Never moved residence.                 | <input type="checkbox"/> Never forced to move                    |
| <input type="checkbox"/> Forced relocation during the past year | <input type="checkbox"/> Forced relocation over 1 year ago       |
| <input type="checkbox"/> Fled fighting during the past year     | <input type="checkbox"/> Fled fighting over 1 year ago           |
| <input type="checkbox"/> Fled human rights during the past year | <input type="checkbox"/> Fled human rights abuse over 1 year ago |
| <input type="checkbox"/> Other (please explain) : .....         |  |

**9. If you have been forced to leave your home in the past 10 years, what has been your experience of returning home or resettling somewhere else?  
(Mark all relevant boxes)**

- |   |   |
|---|---|
| <input type="checkbox"/> not forcibly displaced in past 10 years        | <input type="checkbox"/> still displaced and homeless                   |
| <input type="checkbox"/> returned safely, and re-established livelihood | <input type="checkbox"/> resettled safely and re-established livelihood |
| <input type="checkbox"/> returned briefly then forced to move again     | <input type="checkbox"/> resettled briefly, then forced to move again   |
| <input type="checkbox"/> return home occasionally to farm or visit only | <input type="checkbox"/> have not attempted to return yet.              |
| <input type="checkbox"/> Other (please explain) : .....                 |   |

**10. Has the physical safety of your household been affected in any of the following ways?  
(mark one box / row)**

	Never	Yes, > 1 year ago	Yes, in past year
military attack on civilians	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
forced recruitment of soldiers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
recruitment of children into the army	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
forced recruitment of porters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
recruitment of landmine sweepers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
extra-judicial killing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
rape or other sexual abuse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
arbitrary arrest or detention	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
forced disappearance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
torture or beatings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
landmines laid around your village	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**11. Has your household's means of livelihood been affected in any of the following ways? (mark one box in each row)**

	Never	Yes, > 1 year ago	Yes, in past year
human destruction of crops or food supplies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
confiscation of food supplies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
forced eviction and relocation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
destruction of housing or shelter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
land confiscation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
extortion or arbitrary taxes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
forced labour	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
theft of possessions (other than food)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
restricted travel to fields or markets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**12. How has your household received early warning signals about approaching troop movements? (mark all relevant boxes)**

- |  |  |
|--|--|
| <input type="checkbox"/> unarmed civilian defense volunteers | <input type="checkbox"/> armed village militia groups              |
| <input type="checkbox"/> Burma Army authorities              | <input type="checkbox"/> armed opposition or ceasefire authorities |
| <input type="checkbox"/> Civilian operated walkie-talkies    | <input type="checkbox"/> radio news broadcasts                     |
| <input type="checkbox"/> Traders and other villagers         | <input type="checkbox"/> humanitarian or human rights monitors     |
| <input type="checkbox"/> Never received warnings             | <input type="checkbox"/> Other (specify) : .....                   |

**13. How has your household tried to minimize threats to physical safety and livelihoods? (mark all relevant boxes)**

- |   |   |
|---|---|
| <input type="checkbox"/> hid food supplies or crops in different places | <input type="checkbox"/> prepared hiding sites for evacuation     |
| <input type="checkbox"/> paid fines and followed orders                 | <input type="checkbox"/> worked at night                          |
| <input type="checkbox"/> all members moved to a different place         | <input type="checkbox"/> some members moved to a different place  |
| <input type="checkbox"/> got a gun                                      | <input type="checkbox"/> joined armed opposition group or militia |
| <input type="checkbox"/> did nothing different                          | <input type="checkbox"/> Other (specify) : .....                  |

**14. How has your village tried to minimize threats to physical safety and livelihoods? (mark all relevant boxes)**

- |   |   |
|---|---|
| <input type="checkbox"/> selected female village leaders        | <input type="checkbox"/> paid village leaders                 |
| <input type="checkbox"/> reported lower population figures      | <input type="checkbox"/> relocated the village to safer place |
| <input type="checkbox"/> laid landmines                         | <input type="checkbox"/> coordinated an armed militia group   |
| <input type="checkbox"/> coordinated unarmed defense volunteers | <input type="checkbox"/> did nothing different                |
| <input type="checkbox"/> other (specify) .....                  |   |

**15. How would you advise someone who had been raped and wanted justice? (Mark all relevant boxes)**

- |  |   |
|--|---|
| <input type="checkbox"/> Report the assault to local Burma police      | <input type="checkbox"/> report the assault to local Burma Army       |
| <input type="checkbox"/> Report the assault to village headman         | <input type="checkbox"/> report the assault to opposition authorities |
| <input type="checkbox"/> Report the assault to civilian defense guards | <input type="checkbox"/> Report to human rights monitors              |
| <input type="checkbox"/> Keep silent – complaining will not help       | <input type="checkbox"/> Don't know how to advise                     |
| <input type="checkbox"/> Report to religious leader                    | <input type="checkbox"/> Other (specify) : .....                      |

**16. How do you know about the location of mine fields? (mark all relevant boxes)**

- |  |  |
|--|--|
| <input type="checkbox"/> Verbal warnings from Burma army   | <input type="checkbox"/> verbal warnings from opposition authorities   |
| <input type="checkbox"/> Signs on location from Burma army | <input type="checkbox"/> Signs on location from opposition authorities |
| <input type="checkbox"/> Reports of casualties in an area  | <input type="checkbox"/> other villagers warned me                     |
| <input type="checkbox"/> other (specify) .....             |  |

**17. Where do the children from your household currently stay? (mark one box)**

- |  |   |
|--|---|
| <input type="checkbox"/> together with us in current location          | <input type="checkbox"/> we have no children                |
| <input type="checkbox"/> with hostels in towns                         | <input type="checkbox"/> with relatives in towns            |
| <input type="checkbox"/> with hostels in opposition or ceasefire areas | <input type="checkbox"/> with relatives in opposition areas |
| <input type="checkbox"/> with hostels in refugee camps                 | <input type="checkbox"/> with relatives in refugee camps    |
| <input type="checkbox"/> other (specify) .....                         |   |

**18. If humanitarian agencies providing food relief, health care, or other types of aid reached you during the past year, how has that affected your safety and security? (mark all relevant boxes)**

- |   |  |
|---|--|
| <input type="checkbox"/> No change – but hope they come again     | <input type="checkbox"/> No change – but hope they stay away         |
| <input type="checkbox"/> Improved - human rights abuses decreased | <input type="checkbox"/> Improved – economic & social links stronger |
| <input type="checkbox"/> Worse – violent threats beforehand       | <input type="checkbox"/> Worse - violent repercussions afterwards    |
| <input type="checkbox"/> No humanitarian aid reached us           | <input type="checkbox"/> Other (specify) : .....                     |

**19. In your experience, where is the best location to live for your physical safety and livelihoods? (mark one box)**

- |   |   |
|---|---|
| <input type="checkbox"/> Close to an opposition army base   | <input type="checkbox"/> Close to Burma army base |
| <input type="checkbox"/> Close to the border with Thailand  | <input type="checkbox"/> Close to towns           |
| <input type="checkbox"/> In ceasefire areas                 | <input type="checkbox"/> Far from any army bases  |
| <input type="checkbox"/> Nowhere – its dangerous everywhere | <input type="checkbox"/> Other (specify) : .....  |

**20. In your experience, how have ceasefire agreements affected your situation (mark all relevant boxes)**

- |   |  |
|---|--|
| <input type="checkbox"/> Not relevant – there’s no ceasefire here | <input type="checkbox"/> no difference – situation similar to before |
| <input type="checkbox"/> Situation has worsened                   | <input type="checkbox"/> situation has improved                      |
| <input type="checkbox"/> other (specify) .....                    |  |

**21. If information about human rights abuses has been reported from your area, how has that affected your household’s safety? (mark all relevant boxes)**

- |   |   |
|---|---|
| <input type="checkbox"/> No change – same as before                     | <input type="checkbox"/> No one’s collected that information here |
| <input type="checkbox"/> better- more awareness about human rights      | <input type="checkbox"/> Worse - more troop patrols afterwards    |
| <input type="checkbox"/> better – government punished offenders         | <input type="checkbox"/> Worse – victim suffered more abuse       |
| <input type="checkbox"/> better – ethnic authorities punished offenders | <input type="checkbox"/> Other (specify) : .....                  |

## GUIDELINES FOR FOCUS GROUP DISCUSSIONS WITH IDPS

*This focus group is with people from a :*

*Hiding site*

*SPDC Relocation site*

*Ethnic Ceasefire area*

*Mixed administration area*

*Type of group :*  *Men*  *Women*  *Children*

*Facilitate discussion on each of the issues identified, and record responses as fully as possible without stopping the flow of ideas. For the children's group, spend most of the time discussing child protection issues.*

### RETURN OR RESETTLEMENT

What are the basic conditions that need to be addressed before you can consider returning to your village or resettling in another place in safety and with dignity?

### LAND CONFISCATION

What has been the pattern of land confiscation in this area?

### GENDER BASED VIOLENCE

Apart from abuses which affect men and women equally, what are the main threats and abuses which specifically affect women?

How can the vulnerability of women to these kinds of violence and abuse be decreased?

### CHILD PROTECTION

What are the main threats and abuses which specifically affect children?

How can the vulnerability of children to these kinds of abuse be decreased?

### HIV / AIDS

What is your understanding about HIV/AIDS and how it spreads?

Do you consider that your village is vulnerable to HIV/AIDS? Why?

### LANDMINES

How have landmines affected your safety and security?

What are alternative ways of protecting yourselves without using landmines?

## GUIDELINES FOR DISCUSSIONS WITH NON STATE ACTORS

*Participants' rank or authority* .....

*Political Party :* .....

### LIMITS TO WAR

In your party's understanding, what are the limits to war?

In other words, what actions in war are wrong, even if they would give a military advantage to your side?

### LOCAL JUDICIAL SYSTEMS

How does your administration's judicial system protect human rights in theory and in practice?

### IMPACTS OF OPPOSITION PRESENCE

Does the presence of your military bases increase protection or vulnerability for nearby civilians?

### IMPACTS OF HUMANITARIAN AID

What's the impact on the safety and security of civilians of humanitarian agencies reaching out to conflict-affected areas and providing relief and development aid to civilians in need?

### OPPOSITION PROTECTION OBJECTIVES

If democratization and self determination for the ethnic nationalities is the long term aim of the political opposition, what are the short term objectives for protection of IDPs and other civilians affected by conflict?

### FUTURE RECONCILIATION IDEAS

How does your party propose that justice for survivors and perpetrators of abuses committed during decades of war be promoted in the future?

**APPENDIX 2 :  
INTERNALLY DISPLACED POPULATION SURVEY  
BY TOWNSHIP**

States, Divisions and Townships	Newly Displaced civilians (2004-05)	Newly Returned civilians (2004-05)	IDPs in hiding sites (2005)	IDPs in Relocation Sites (2005)	IDPs in Ceasefire Areas (2005)	Total IDPs (2005)
<b>SHAN STATE</b>	<b>23,100</b>	<b>13,200</b>	<b>20,800</b>	<b>23,700</b>	<b>174,500</b>	<b>219,000</b>
Ke Hsi	2,100	900	1,200	1,400	18500	21,100
Mong Kurng	1,800	900	2,400	1,800	0	4,200
Laikha	3,600	1500	2,300	3,700	4,500	10,500
Loilem	1,800	1500	1,900	1100	3000	6,000
Nam Zarng	2,400	1300	1,800	3,100	2500	7,400
Kun Hing	3,000	1800	3,000	4,300	20000	27,300
Mong Hsat	n/a	n/a	n/a	n/a	75,000	75,000
Mong Ton	1,500	1400	2,700	2,500	37,000	42,200
Mong Pan	2,700	700	1,800	2,100	2500	6,400
Mong Nai	3,000	2400	2,700	2,500	7500	12,700
Lang Kher	1,200	800	1,000	1200	4000	6,200
<b>KARENNI STATE</b>	<b>12,500</b>	<b>9,400</b>	<b>9,500</b>	<b>7,500</b>	<b>75,500</b>	<b>92,500</b>
Shadaw	4,200	2600	2,500	2700	0	5,200
Loikaw	800	n/a	500	2,000	18,000	20,500
Demawso	0	n/a	500	1,400	40,000	41,900
Pruso	100	n/a	500	0	7,000	7,500
Bawlake	0	n/a	500	700	0	1,200
Pasaung	7,400	6800	5000	700	3,500	9,200
Mehset	0	0	0	0	7,000	7,000
<b>PEGU DIVISION</b>	<b>5,900</b>	<b>150</b>	<b>13,400</b>	<b>7,900</b>	<b>0</b>	<b>21,300</b>
Tantabin	100	n/a	0	0	0	0
Kyaukgyi	4,000	150	9,000	6,000	0	15,000
Shwegyin	1800	n/a	4400	1900	0	6,300
<b>KAREN STATE</b>	<b>29,500</b>	<b>13,600</b>	<b>38,800</b>	<b>6,100</b>	<b>45,000</b>	<b>89,900</b>
Thandaung	9000	500	13,500	600	0	14,100
Papun	1,000	2,700	14,000	0	0	14,000
Hlaing Bwe	7,500	1800	3,500	0	9,500	13,000
Myawaddy	4,100	1200	3,000	0	4,500	7,500
Kawkareik	4,000	2400	600	1500	0	2,100
Kyain Seikgyi	3,900	5,000	4,200	4000	31,000	39,200
<b>MON STATE</b>	<b>10,000</b>	<b>2,150</b>	<b>2,500</b>	<b>6,200</b>	<b>40,000</b>	<b>48,700</b>
Thaton	0	250	0	1200	0	1,200
Bilin	0	1100	400	2,500	0	2,900
Ye	10,000	800	2,100	2,500	40,000	44,600
<b>TENASSERIM DIV.</b>	<b>6,000</b>	<b>1,500</b>	<b>7,000</b>	<b>56,600</b>	<b>5,000</b>	<b>68,600</b>
Yebyu	3,000	1500	2,000	5,800	5,000	12,800
Tavoy	300	n/a	900	9,200	0	10,100
Thayetchaung	0	n/a	0	6,100	0	6,100
Palaw	700	n/a	1,200	14,800	0	16,000
Mergui	0	n/a	0	5900	0	5,900
Tenasserim	1100	n/a	2,000	12,000	0	14,000
Bokpyin	900	n/a	900	2800	0	3,700
<b>TOTALS</b>	<b>87,000</b>	<b>40,000</b>	<b>92,000</b>	<b>108,000</b>	<b>340,000</b>	<b>540,000</b>

n/a denotes data not available

## APPENDIX 3 : DISPLACED VILLAGES AND RELOCATION SITES

### Shan State

#### Destroyed, relocated or abandoned villages (June 2004 – May 2005)

##### **Namzarng Township**

Won Lahu	ဝမ်လားဟ
Wan Kong Kam	ဝမ်ကောင်းခန့်
Nam Mong	နမ်မောင်း
Wan Mai	ဝမ်မိုင
Ton Hong	တုန်ဟုန်း

##### **Mong Pan Township**

Bong Ker	ပုံကေ
Nong Young	နောင်ယန်း
Nong Long On	နောင်လုံအွန်
Loi Pok	လွိုင်ပေါက်

##### **Mong Kung Township**

Loi Ood	လွိုင်အွတ်
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##### **Mong Nai Township**

Nong Ho Pid	နမ်ဟူးဘိတ်
Nar Khar	နားခါး
Sea Myang	ဆယ်မြောင်း

##### **Loilem Township**

Nin Mon	နှင်းမွမ်း
Nar Wa	နားဝ

##### **Langkher Township**

Ho Due	ဟိုထို
--------	--------

##### **Laikha Township**

Wan Ti	ဝမ်ထီ
--------	-------

#### Relocation Sites (2005)

##### **Mong Pan Township**

Mai Bok	ဝမ်မိုက်ဘုတ်
Nar Low	နားလေား
Wan Mai	ဝမ်မိုင်
Ho Puy	ဟိုပိုင်

##### **Langkher Township**

Wan Mai	ဝမ်မိုင်
Nong Long	နောင်လုံ

##### **Mongnai Township**

Jon Tong	ကျောင်းတုန်
Se Soun	စီဆုံ
Nar Kharn	နားခန့်
Keng Tong	ကျိုင်းတောင်း

##### **Loilem Township**

Pang Long	ပင်လုံ
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##### **Kunhing Township**

Veng Nang	ဝိန်းနန်း
Wan Lao	ဝမ်လောင်း
Kar Li	ကာလီ
Num Mor Ngern	နမ်မော်ငင်
Keng Lom	ကျိုင်းလွန်း

##### **Namzarng Township**

Hai Neng	ဟိုင်းနိုင်
Kar Lour	ကာလေ
Kho Lam	ခိုလမ်

##### **Laikha Township**

Mark Lang	မန်လန်း
Wan Zarng	ဝမ်ဆန်း
Wan Yerng	ဝမ်ယိုင်း

##### **Mong Kung Township**

Bang Ke Tu	ပန်ကေတု
Kher Oong Oi	ခေးအုန်အွေ
Tong Lao	တုန်လောင်း
Ham Ngai	ဟမ်းငိုင်း

##### **Kehsi Township**

Wan Zing	ဝမ်စိမ်း
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##### **Mongton Township**

Hawe Youn	ဟွေ့ယောင်း
Pong Bar Kam	ပုံပါကျင
Nar Kong Mu	နားကောင်းမူး

## Karenni State

### Destroyed, relocated or abandoned villages (June 2004 – May 2005)

#### **Loikaw Township**

Dawtahay ဒေါ်တဟေး

#### **Pruso Township**

Buku ဘူးခူ

### Relocation Sites (2005)

#### **Loikaw Township**

Daw Htar Hay ဒေါ်တဟေး

Par Loung ပါလောင်း

Wan Khing ဝမ်ခိုင်

Nan La Boe နွားလဝိုး

#### **Shadaw Township**

Shadaw ရှားတော

Pon Chong ပွန်ချောင်း

#### **Bawlake Township**

Nam phe နန်းပဲ

Bawlake ဘောလခဲ

Ywa Thit ရွာသစ်

#### **Demawso Township**

Daw Ta Ma Gyi ဒေါ်တမကြီး

Htee Poe Kalo ထီးပိုးကလိုး

#### **Pasaung Township**

Maw Chi မော်ချီး

Kahmapyu ခဲမပြု

## Pegu Division

### Destroyed, relocated or abandoned villages (June 2004 – May 2005)

#### **Kyaukgyi Township**

Ko Ni ကိုနီ

Kyaik To ကျိုက်ထို

Ta Thay Der တာသေးဒဲ

Khaw Hta ခေါ်တာ

Klaw Hta ကလောတာ

Htee Blah ထီးဘလား

Doo Pah Leh ငူးဖလယ်

### Relocation Sites (2005)

#### **Kyaukgyi Township**

Ma La Daw ကန်စိုးပင်

Tha Byae Nyunt သပြေညွန့်

Mon မုန်း

Myoung Oo မြောင်းဦး

No Nya Lar နိုညာလာ

Ta Kaw Pway တပ်ကုန်း

Aung Soe Moe အောင်စိုးမိုး

Mu Theh မူထဲ

Pe Tu ပေတူး

Saleh စလဲ

Yang Myo Aung ရန်မျိုးအောင်

Nant Tha Gwin နံသာကွင်း

#### **Shwegyin Township**

Shwegyin ရွှေကျင်

## Karen State

### Destroyed, relocated or abandoned villages (June 2004 – May 2005)

***Kyain Seikgyi Township***

Noh Maw Pu	နို့မောပူ
Htee Kya Ra	ထီးကြားရာ
Na Htee Kloe	နားထီးကလိုး
Yaw Ta Raeh Plaw	ယွာတရဲပလော

### Relocation Sites (2005)

***Thandaung Township***

Kler La	ခလယ်လာ
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***Kawkareik Township***

Htee Hu Tha	ထီးဟူသန်
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***Kyain Seikgyi Township***

Mae Tha Raw	မဲသရော
Kyeit Dom	ကျိက်ဒုံ
Taw Ya Kyaung	တောရာကျောင်း

## Mon State

### Destroyed, relocated or abandoned villages (June 2004 – May 2005)

***Ye Township***

Kaporhtaw	ကျုံပျော်	Magyi	မကျည်း
Dani Kyar	ခန့်ကြာ	Mi Htaw Hla La	မိထောလှာကလေး

### Relocation Sites (2005)

***Bilin Township***

Klaw Hta	ကလောထာ
Ta U Khee	တာအုခီး
Ta U Ni	တာအုနီ
Htee Pa Doh Hta	ထီးဟာဒို့ထာ
Ler Poe	လယ်ပိုး
Pae Leh Noe	ပက်လက်နို့
Thoo K'bee	သူးကဘီး
Lay Kae	လေးကော
Ler Klod	လယ်ခလော်
Ta Pa	တာပါ
Mae Naw Gaw Hta	မယ်နော်ဂေါ်ခီး

***Thaton Township***

Ta Reh Khee	တရဲခီး
Naw Ka Taw	နောင်ကတုတ်
Maw Lay	မောလေး
Ta Maw Daw	တမော်ဒေါ့
Shwe Yaw Pya	ရွှေရောင်ပြ

## Tenasserim Division

### Destroyed, relocated or abandoned villages (June 2004 – May 2005)

#### **Yebyu Township**

Paukpinkwin      ပေါက်ပင်ကွင်း

#### **Bokpyin Township**

Kaw Ka Rer      ကော့ကရဲ  
Phon Nga      ဖိုးငာ  
Ler Pah Doh      လယ်ဖဋို  
Na Ma Tah      နာမာတား  
Ban Kwa Kee      ဘာခွားခီး  
Lah Pait Kee      လားဖိခီး  
Ko Kee      ခိုးခီး  
Ma Noe Roe Kee      မနို ရှိခီး  
K Saw Mae Kee      ကဆောမယ်ခီး  
Lay Law Ka Te      လေးလောကတီ

#### **Palaw township**

Thet Kee      သက်ခီး  
Ka Ge Kee      ခါဂီခီး  
Palaw Maw Kee      ပုလောမောခီး  
Ka Neh Kler      ကနဲခလယ်  
Tot Ko Ghee Ke      ထောက်ခိုခီးခီး  
Au Pu Kee      အော်ပူခီး

#### **Tenasserim Township**

Htee Po Praut      ထီးဖိုးပရက်  
Pa Wat Kee      ပဝခီး  
Ei Taw Tha      အိမ်ထောင်သာ  
Htee Poe Pa Do      ထီးဖိုးဖဋို  
Lay Kee      လေးခီး  
Htee Poe Wah      ထီးဖိုးဝါး  
Htee Gu Thaw      ထီးဂူသော  
Baw Krut Kee      ဘော်ကရူခီး  
Ler Lay To Kee      လယ်လေးတိုခီး  
Baw Pu Lor      ဘော်ပူးလော်  
Baw Pu Kee      ဘော်ပူးခီး  
Pwee Htee Lor      ပွီးထီးလော်  
Htee Poe Baw      ထီးဖိုးဘော

#### **Tavoy township**

Klait Thoo Kee      ခလိသူးခီး  
Myit Mo Let Ka      မြစ်မိုလက်ခတ်  
Htee Poe Lay      ထီးဖိုးလေး  
Ler Mu      လယ်မူ

### Relocation Sites (2005)

#### **Palaw Township**

MeiKyawnTheit      မိကျောင်းသိုက်  
Pyi Char      ပြည်ခြား  
Ta Lay Ko      တုရင့်တောင်  
Kapla      ကပလာ  
Kyauklake      ကျောက်လိပ်  
Au Pu      ရှမ်းဒွတ်  
K Taw Ni      ကထောင်းနီ  
Ka Wert      ပဝတ်  
Kamawla      ခမောင်းလှ  
Kaw Blen      ခေါ်ဘလယ်  
Ke Ma      မဒေါ  
Kini      ကျင်းနီ  
Ler Pa Doh      ကျောက်မော်  
Maw Ma Sar      ထမင်းမစား  
Me Chin Su      မြစ်ချည်စု  
Minwin      မင်းဝင်း  
Noh Pa Doh      အင်းမကြီး  
P Na Mee      ဒူးရင်းပင်ရွာငံ

#### **Tenasserim Township**

Ler Pah Do      စံပဲ  
Ta Po Hta      သရဘွင်  
Plaw Pa Taw      ပဝအင်းဝိုင်း  
Swe Plaw      သကျက်ဂဏန်းကွင်း  
Day Plaw      ဖါးကွင်း  
Ta Po Kee      သရဘွင်းချောင်းဖျား  
Tu Pyaw      တုံးပြော  
Bu Thaw Plaw      သဘော်ဦး  
Tanaylerko      ဆင်ခေါင်း  
Lae Seit      လှည်းဆိပ်  
Ler Kaw Hti      ကျောက်တောင်  
Ta Mu      တပ်မူး  
Pway Plaw      ပျဉ်းတော  
Kalaeak(Taket)      သကျက်ကုလားအိပ်  
Pler Hta      ပိန်းချောင်း  
Pa Htoo Klo      ပထူးကျွန်း  
Ta Rwa Hta      သရဝတ်ချောင်းဝ  
Mae Wah      သဲဖြူ

**Tenasserim Division Relocation Sites (2005) continued**

**Palaw Township (continued)**

Pa Saw Oak	ဝါးစွမ်းအုပ်
Paut	ဖေါ့
Paw Ka To	ဘန်းကတို
Pet Taut	ပဲ့တောင်း
Sa Plaw	စန်ပြင်
Ta Po	တပို
Ta Ri Plaw	လက်ပံပြင်
Yin Shan	ရေရှား
Za Di Win	ဇာဒိဝင်း

**Mergui Township**

Ka Pyaw	ပပြင်
A Len Chaung	အလယ်ချောင်း
Bok	ဘုတ်
Ya Ta Pa	ယာတပါ
Baw Ma Thit	ဘော်မသီ
Wa Thu Lor	ဝါးနက်ချောင်း
Wa Thu Kee	ဝါးနက်ချောင်းဖျား
Hsaw Mor Hu	ကြက်မအုပ်
Pa Thwi	ပသွီး
Kaw Kee	ကော်ခီး
Ta Gah	သကာ
Ma Zaw	မဇော
Ta Nyat	တညတ်

**Tavoy Township**

Kaw Paw	မြင်းခံဘော်
Kler Poo	ညောင်တုန်း
Kaw Htee Lor	သပြေချောင်း
Myitta	မေတ္တာ
Paw Taw	ဖေါင်းတော
Buda Yu	ဘူဒါရုံ
Kyaik Pe Laung	ကျက်ဖီးလောင်း
Ghaw Htee	သပြေချောင်း
Ker Taw Ni	ကထောင်းနီ
Kanehkaw	ပျားသားချောင်း
Washuko	ဆိတ်ဖြိုး
Naw Tru Taw	နန်းပရပ်
Pway Po Klar	ပျည်းသားတော
Kay Tar	ဟိန်းဒါး
Maw Pa Tru	မောင်မထူး
Htu Ler	ကျောက်ထုံး
Haw Ter Hta	ဟင်းကပင်
Ta Meh Hta	ဆင်စွယ်ချောင်းဝ

**Tenasserim Township (continued)**

Naw Teh Hta	နော်တယ်
Nga Ya Ann	ဝါးရုံအင်း
Dabawklo	ကင်းနီချောင်း
Taket (south)	သကျက်တောင်ပိုင်း
Ta Ri Kee	အနန်းချောင်း
Prut Ku	ရှောက်ကုန်း
Du Jo	ဒူးကျွန်း
Ka Wet	ကဝဲ
Ka Wert Hta	ပဝတ်ချောင်း
Kyaut Pit	ကျောက်ပိတ်
Ta Leh Da	တလင်းဒတ်
Taw Ma	ထောမ
Thee Koe	သိန်ခွန်း
HteeLawThiKee	ရေခမ်းချောင်း

**Yebyu Township**

Ya Pu	ယားပူး
Law Ther	လောက်သိုင်း
Wa Paw	ဇင်းဘာ
P Saw Law	မိကျောင်းလောင်း
Ai Ta Ra Sar	အိန္ဒရာဇာ
Swe Ta Pi	ရှင်တပီ
Yin Boe	ရေပိုး
60 mile	၆၇ မိုင်

**Bokpyin Township**

Klaw Thoo Gaw	ကျားချောင်း
0 La Pu Nga	လားပူးငန်
Mu Kwa	နန်းတောင်း
0 Sayingon	စံရင်ကုန်း
0 Htee Nya U	ဝါးပုတ်ချောင်း
0 Keh Chaung	ခဲချောင်း
Sa Dein	စတီန်
0 Chaung Mon	ချောင်းမွန်
Heh Leh	ဟဲလဲ
Kan Baut	ကော့ဘော့
1 Yo Daung	ရုံးတော်

**Thayetchaung Township**

Klau Ta Kwa	ကျောက်တခွက်
Pa Tauk Poh	ပိတောက်ငယ်
Se Pa Len	လယ်ပြင်ကြီး
Htee Per	သင်ပုန်းချောင်း
Pe	ပဲဒက်
Pa Tauk Pa Doh	ပိတောက်ကြီး
Pa Ra Ka Nee	မာလကာချောင်း
Noh Nee	အင်းမ
Su Lor	ဆိပ်ချောင်း

## APPENDIX 4 : ALTERNATIVE PLACE NAMES

COLLOQUIAL AND HISTORICAL NAMES	SPDC NAMES
Burma	Myanmar
Irrawaddy Division	Ayeyarwady Division
Karenni State	Kayah State
Karen State	Kayin State
Moulmein	Mawlamyine
Mergui	Myeik
Pa-an	Hpa-an
Pegu Division	Bago Division
Salween River	Thanlwin River
Sittaung River	Sittoung River
Tavoy	Dawei
Tenasserim Division	Tanintharyi Division
Taungoo	Toungoo
Rangoon	Yangon