

POLICIDE AND GENOCIDE WATCH: BURMA (MYANMAR)

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Burma, Southeast Asia's most oppressed nation, remains under the forty-three year tyranny of a military junta and should be a grave concern to the international community. Abuse of ethnic minorities, mass rape of women, mandatory relocations, extrajudicial state executions, military recruitment of children, and forced labor are only a few of the many violations of human rights currently practiced in the resource rich but economically impoverished nation.¹ The regime change of 2004 which deposed General Khin Nyunt in favor of Lieutenant General Soe Win continues to suppress the strong movement for democracy, keeping Burma in a cyclical state of tyranny.²

Despite false promises of political reform and national reconciliation, Burma's authoritarian military government, the State Peace and Development Council (SPDC), continues to operate a strict police state and drastically restricts basic rights and freedoms. It has suppressed the democratic movement represented by Nobel Laureate Daw Aung San Suu Kyi, under detention since May 30, 2003, in virtually solitary confinement without access to newspapers, telephones, or any correspondence.³

The SPDC's repressive policies remain the same as those of its predecessors, including the notorious SLORC regime that ruled from 1988 through 1997. Freedom of political expression, assembly, and association are still non-existent. Strict enforcement of Burmese laws limiting freedom of opinion and expression, initially intended to punish political dissent, led to the incarceration of over 1,300 political prisoners.⁴ Freedom of expression ends the moment someone speaks critically of the government. In addition to individuals arrested for political reasons, the government continues to arbitrarily arrest and detain people for crimes such as failure to pay army taxes or to sell the required crop quota.⁵ Hundreds of thousands of people, most of them from ethnic minority groups, continue to live precariously as internally displaced people. More than two million have fled to neighboring countries, in particular Thailand, where they face difficult circumstances as asylum seekers or illegal immigrants. An estimated 144,000 members of ethnic minorities live in refugee camps on the Thai border, in addition to the over one million who are illegal immigrants in the neighboring nation.⁶

The SPDC's human rights record is one of the worst in the world. Burma remains an extremely poor neo-communist state with very little private property, repression of political dissent, forced labor, ethnic persecution, lack of religious freedom, and rampant human trafficking. After a November 2001 visit, an International Labor Organization (ILO) team reported little improvement in the serious forced labor problem. The Government of Burma has recently agreed to permit an ILO liaison office in Burma but has yet to agree to a full ILO presence or make significant efforts to end forced labor, which falls most heavily on ethnic minority groups. The US Government has designated Burma as a Country of Particular Concern under the International Religious Freedom Act. Burma is a country of origin for trafficked persons,

primarily women and girls seeking labor in Thailand as factory workers or household servants who are sold to brothels for sexual exploitation.⁷

The SPDC restricts the fundamental freedoms of all Burmese, but particularly members of the winner of the 1990 elections, the National League of Democracy. It also continues to commit systematic, widespread, and well-documented abuses against ethnic minority groups, and several have well-organized rebel resistance movements that have been in conflict with the government for over forty years. These include the Karen, Karenni, Shan, Zomis (Chin), Rohingyas, Kachins, Mons and Wa. The government campaign against these groups includes extrajudicial executions, rape, torture, forced relocation of entire villages, and forced labor. As of late 2004, an estimated 650,000 people were internally displaced in eastern Burma alone, and at least 240 villages have been destroyed, relocated or abandoned since 2002. Some two million Burmese have moved to Thailand, including 145,000 refugees living in camps.⁸

The Burmese government has refused international access to areas of ongoing conflict, cutting off humanitarian assistance to internally displaced persons (IDPs) in violation of international humanitarian law. Hundreds of thousands of villagers have been forced to work as porters or laborers for Burmese military forces for little or no pay. Those who refuse to provide mandatory labor are often threatened with prosecution, or exhorted to pay a fee in lieu of their duties. Those who do not properly carry out their tasks are often shot or beaten to death. Anyone found to have made what the government deems “false complaints” to the ILO can face prosecution.⁹

Aside from Afghanistan, Burma has the largest and most chronic refugee problem in Asia. Other major refugee problems of recent times, from Cambodia and Vietnam, have long since ended. The refugee problem is a warning sign of the organized, intentional, quasi-genocidal violence inflicted on non-Burman ethnic groups by the Burmese army. The most desperate minority groups have fled to extremely poor regions like Mizoram in India, Bangladesh and northwestern Thailand. Very few are economic migrants. They have been driven out of their homes. Even with ceasefires in place, refugees are too scared to go back. They rightly distrust the intentions of the armed forces.¹⁰

U.N. programs tasked to provide humanitarian assistance for the people of Burma continue to face challenges from bureaucratic hurdles, corruption, and extensive restrictions on both travel to project sites and the import of supplies and equipment. In 2005 the Global Fund to Fight AIDS, Tuberculosis and Malaria withdrew its U.S.\$98 million program on the ground that “its grants to the country cannot be managed in a way that ensures effective program implementation.”¹¹

In an era of globalization, the United States cannot exert effective pressure on the government of a despotic nation without multilateral cooperation. The international effort to combat tyranny in Burma lies solely in words, not actions, as evidenced by the refusal of Asian, European, and Latin American states to take a strong stand against the Government of Burma. Thai companies, including one owned by the Prime Minister of Thailand, have made fortunes from their investments in Burma. The situation in Burma is well known; the facts are indisputable; inaction, therefore, is not an acceptable response. Efforts to place the situation in Burma on the agenda of the U.N. Security Council gained momentum in late 2005 with the publication of “Threat to the Peace: A Call for the U.N. Security Council to Act in Burma,” which was jointly commissioned

by former president of the Czech Republic Vaclav Havel and South African Nobel Peace Prize Laureate Bishop Desmond Tutu. It called for an urgent, new, and multilateral diplomatic initiative in the United Nations Security Council to bring about change in Burma.¹²

To improve relations with the SPDC, in 2005 the Thai government adopted an increasingly hard-line stance towards Burmese refugees, asylum-seekers, and migrants. While continuing to put pressure on exiled pro-democracy activists and human rights advocates, the Thai government struck another major blow against Burmese opposition groups in March 2005 with a new policy requiring all Burmese refugees registered with the U.N. High Commission for Refugees (UNHCR) to move to camps along the Burmese border, where they are cut off from the outside world. Thailand also continues to expel thousands of illegal immigrants to Burma every month. The Thai army has stated that Shan asylum seekers will not be allowed to cross the border.¹³

Special attention must be given to the criminal treatment of Burmese youth. Child soldiers between the ages of fourteen and sixteen are recruited to serve in both the Burmese State and rebel forces.¹⁴ “Burma has more child soldiers than any other country in the world,” states Human Rights Watch, “accounting for approximately one-fourth of the 300,000 children...participating in armed conflicts across the globe.”¹⁵ Further abuses outside of the military persist: Burmese law allows capital punishment of minors and encourages sentenced juveniles to serve their punishment in work camps, where many are literally worked to death.¹⁶

“The Burmese people shouldn’t have to wait another generation for the killing to end and democracy to begin,” says Human Rights Watch. “The generals have ignored all other demands to end the abuse. It is time for the collective voice of the Security Council to be heard in Rangoon.”¹⁷

¹ “Conditions in Burma and U.S. Policy Toward Burma for the Period September 28, 2004 – March 27, 2005,” U.S. Department of State: Bureau of East Asian and Pacific Affairs, 29 March 2005, <http://www.state.gov/p/eap/rls/rpt/43970.htm> (accessed 11 April 2005).

² “Burma,” Human Rights Watch, http://hrw.org/English/docs/2005/01/12/burma9826_txt.htm (accessed 6 April 2005).

³ “Burma,” Human Rights Watch, <http://hrw.org/english/docs/2006/01/18/burma12268.htm> (accessed 2 February 2006).

⁴ “Burma,” Human Rights Watch (accessed 6 April 2005).

⁵ “Interview outlining Burmese ethnic minority communities' ongoing horrors,” Human Rights Watch, <http://hrw.org/english/docs/2005/09/22/burma11774.htm> (accessed 2 February 2006)

⁶ “Conditions in Burma and U.S. Policy Toward Burma for the Period September 28, 2004 – March 27, 2005.”

⁷ “Current Situation in Burma,” Matthew P. Daley, Deputy Assistant Secretary, East Asian and Pacific Affairs Testimony before the Subcommittee on East Asia and the Pacific, House International Relations Committee, at a Hearing on Burma, Washington, DC, June 19, 2002, <http://www.state.gov/p/eap/rls/rm/2002/11264.htm> (accessed 2 February 2006).

⁸ “UN: Security Council Should Take Up Burma’s Human Rights Crisis – China, Russia, Philippines, Others Must Not Block Discussion,” Human Rights Watch, <http://hrw.org/english/docs/2005/10/14/burma11873.htm> (accessed 2 February 2006).

⁹ “Shan: Burma Still Violates Basic Human Rights,” Unrepresented Nations and Peoples Organization, 20 January 2006 http://www.unpo.org/news_detail.php?arg=47&par=3556 (accessed 2 February 2006)

¹⁰ “Interview...,” Human Rights Watch, note 5

¹¹ “Burma,” Human Rights Watch (accessed 2 February 2006).

¹² “Burma,” Human Rights Watch (accessed 2 February 2006).

¹³ “Burma,” Human Rights Watch (accessed 2 February 2006).

¹⁴ Economic and Social Council, “Question of the Violation of Human Rights and Fundamental Freedoms in Any Part of the World,” Commission of Human Rights, Sixty-first session, 4 March 2005,

<http://daccessdds.un.org/doc/UNDOC/GEN/G05/115/56/PDF/G0511556.pdf?OpenElement>

(accessed 11 April 2005).

¹⁵ “Burma,” Human Rights Watch.

¹⁶ Economic and Social Council.

¹⁷ “UN: Security Council Should Take Up Burma’s Human Rights Crisis,” Human Rights Watch.