



# Laid Waste:

Human Rights  
along the Kanbawk to  
Myaing Kalay gas pipeline



A report by the Human Rights Foundation of Monland - Burma, May 2009



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**May 2009**



## ABOUT HURFOM

The Human Rights Foundation of Monland (HURFOM) is a non-governmental human rights organization based in Thailand. Founded in 1995 by a group of Mon youth, students and community leaders, the main objectives of HURFOM are:

- to monitor the human rights situation in Mon State and other areas of southern Burma
- to protect and promote the human rights of all people in Burma.

HURFOM produces monthly issues of the *Mon Forum*, published in print and online and containing news, lengthy reports and analysis of ongoing human rights violations in southern Burma. HURFOM also frequently publishes incident reports, commentary and features on its website: [www.rehmonnya.org](http://www.rehmonnya.org)

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## FOREWORD FROM THE DIRECTOR

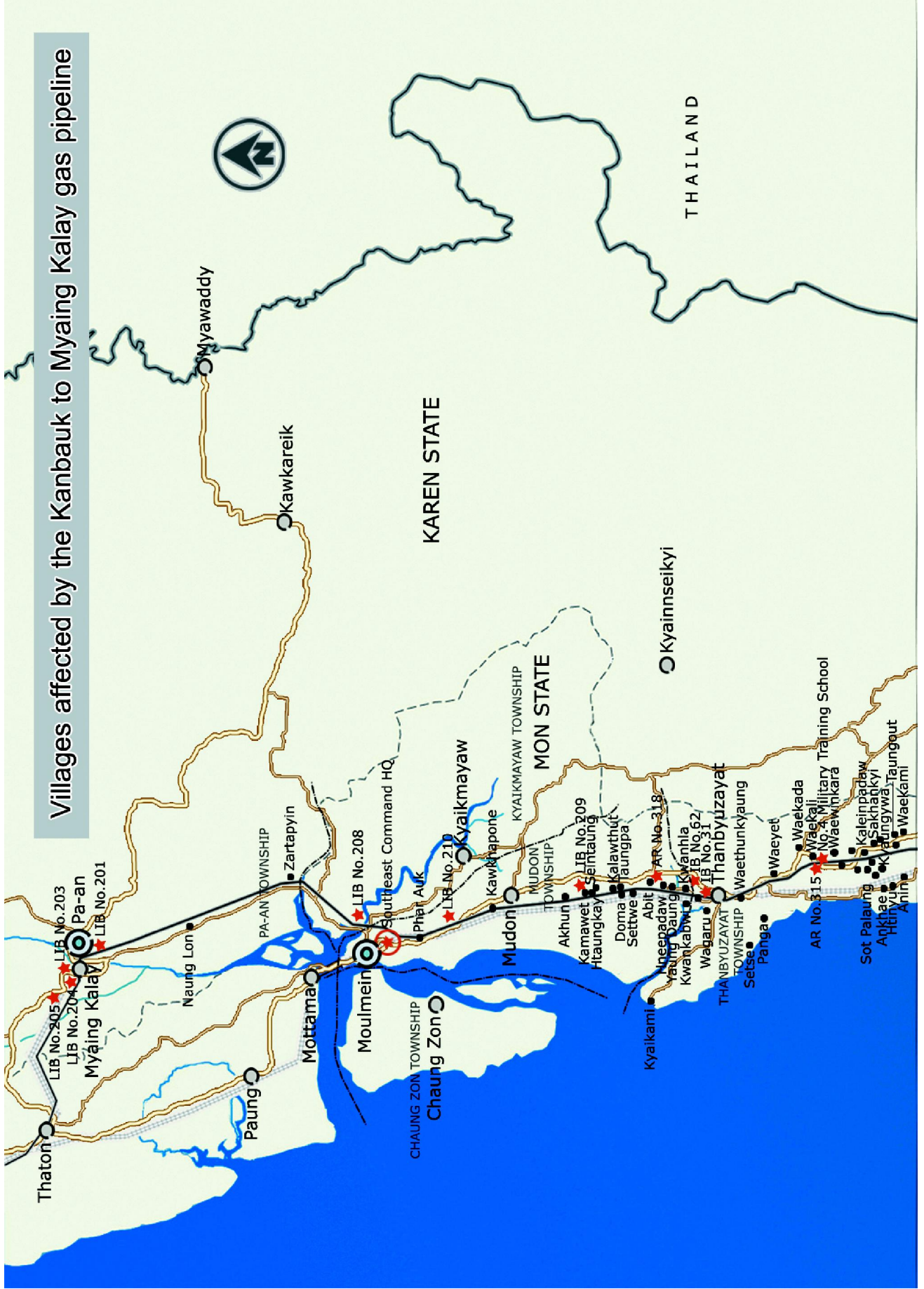
The Human Rights Foundation of Monland (HURFOM) has been monitoring human rights abuses in southern Burma since 1995, when the military regime began building the Yadana/Yetagun gas pipeline and the Ye to Tavoy railway. Over the last 14 years, our human rights workers have met hundreds of victims, who describe human rights violations as gross as they are systemic. Along the Thai-Burma border where our organization is based, thousands of people remain displaced, forced to flee their homes and abandon connections to a place populated by Mon people for hundreds of years.

Abuse and displacement documented by HURFOM is directly related to major economic projects like the gas pipeline discussed in this report. Multinational corporations and the regime both reap enormous benefits – gas is harvested, transported, sold and used. The billions of dollars generated by these projects never reach the people of Burma. Instead, it goes directly to funding a military that oppresses them daily.

*Laid Waste* documents the suffering of villagers along the 180-mile Kanbawk to Myaing Kalay gas pipeline. Ten years after the pipeline's initial construction, villagers along its route continue to see their land seized and income taken as they are conscripted into work as forced laborers and subject to arbitrary detentions, torture and summary execution. This report is released at a time when international debate on appropriate responses to the situation in Burma appears to be renewing. The discussion is healthy and appreciated. But there should be no question: projects like the Kanbawk to Myaing Kalay gas pipeline do not benefit the people of our country.

Director,  
The Human Rights Foundation of Monland  
May 1, 2009

# Villages affected by the Kanbawk to Myaing Kalay gas pipeline



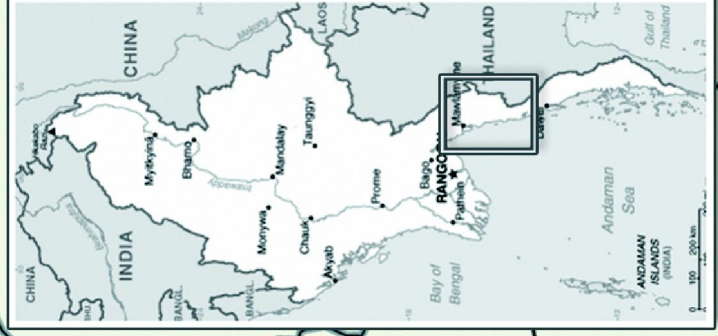
THAILAND

Three Pagodas Pass

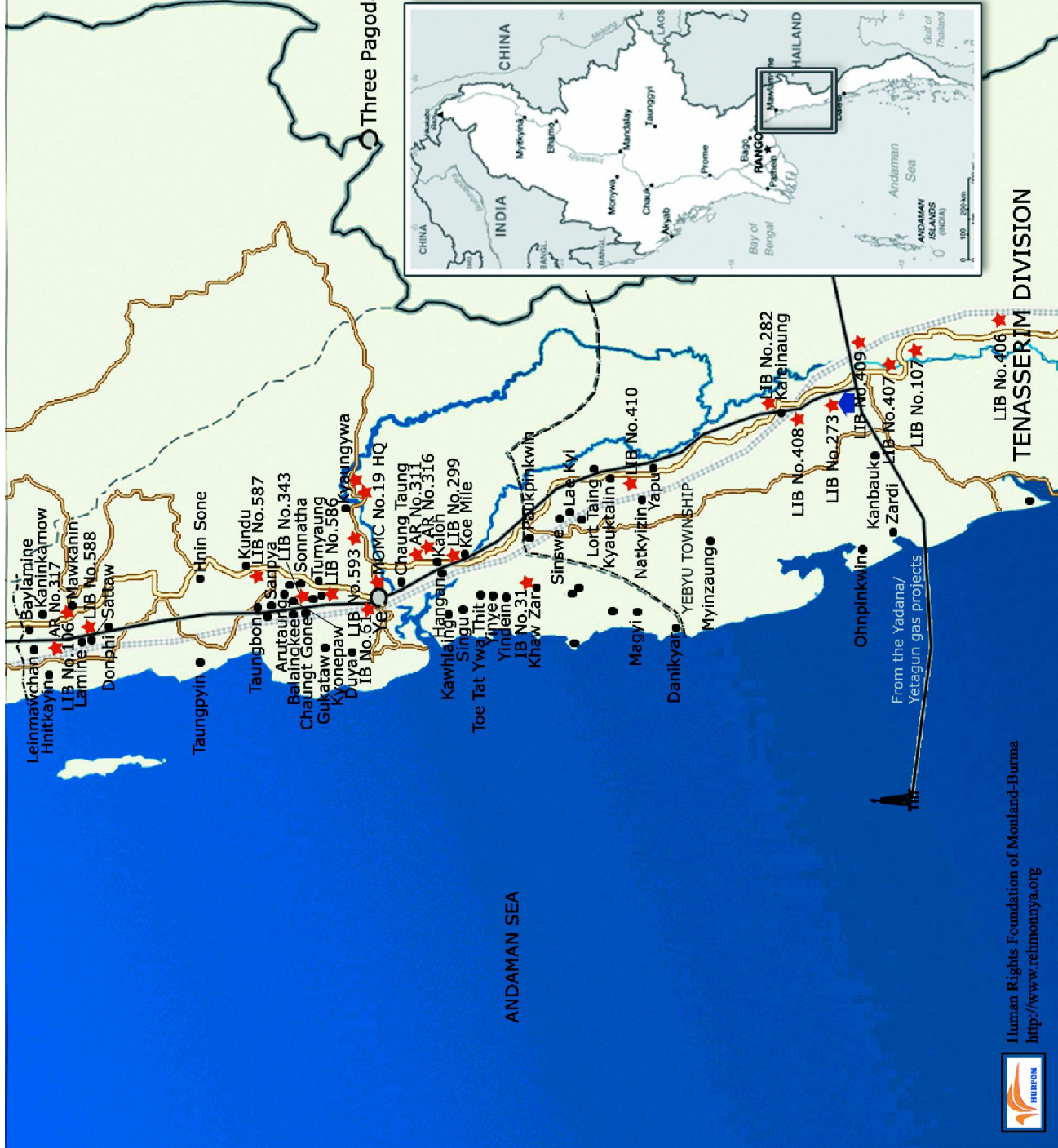
**LEGEND**

- Capital city
- Town
- Villages with documented pipeline-related abuses
- Burmese Army bases
- Southeast Command HQ
- International boundary
- State boundary
- Township boundary
- Railway
- Motor road
- Gas pipeline route
- Total Pipeline Center

20 mi  
20 Km



TENASSERIM DIVISION



ANDAMAN SEA

From the Yadana/ Yetagun gas projects



## Acronyms and abbreviations

ABSDF	All Burma Students' Demoractic Fornt
AR	Artillery Regiment
ARV	Anti-Retroviral
CPB	Communist Party of Burma
ERI	Earth Rights International
EU	European Union
GDP	Gross Domestic Product
GNI	Gross National Income
HRP	Hongswatoi Restoration Party
HURFOM	Human Rights Foundation of Monland
IB	Infantry Battalion
ICBL	International Campaign to Ban Landmines
IMNA	Independent Mon News Agency
KNLA	Karen National Liberation Army
KNU	Karen National Union
LIB	Light Infantry Battalion
MCSO	Myanmar Central Statistical Organization
MLRD	Myanmar Land Records Department
MMSCFD	Million Standard Cubic Feet Per Day
MNLA	Mon National Liberation Army
MOGE	Myanmar Oil and Gas Enterprises
MOMC	Military Operations Management Command
MRDC	Mon Relief and Development Committee
MRP	Monland Restoration Party
MSEC Ltd	Myanmar State Enterprise Company Limited
MSF	Médecins Sans Frontières
MTC	Military Training Center
NMSP	New Mon State Party
PDC	Peace and Development Council
PMF	People's Militia Force
PTT-EP	Petroleum Authority of Thailand - Exploration and Production Public Co. Ltd.
SLORC	State Law and Order Restoration Council
SPDC	State Peace and Development Council
TPDC	Township Peace and Development Council
UN	United Nations
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund
USD	United States Dollar
VPDC	Village Peace and Development Council
WCRP	Woman and Child Rights Project
WFP	World Food Programme



# Laid Waste:

## Human Rights along the Kanbawk to Myaing Kalay gas pipeline

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## I. Introduction

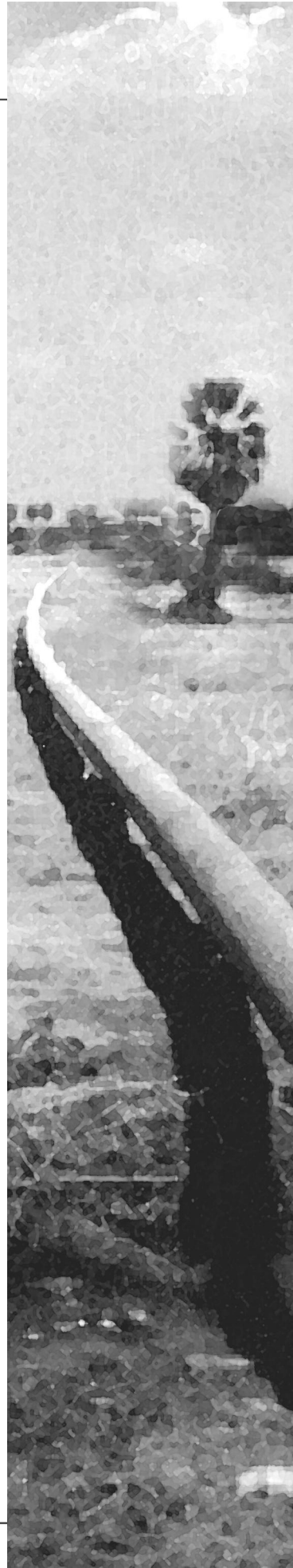
In November 2000, the military government in Burma<sup>1</sup> began construction of a 180-mile pipeline running south to north across the country's southern peninsula. Designed to supply cement factories and electricity generation projects, the pipeline carries the government share of gas produced by the controversial Yadana gas fields. The Yadana gas project – and a sister Yetagun project, which both transport gas to Thailand via a 40-mile overland pipeline – has seen intense international controversy; careful field research, public relations campaigns and legal battles have made clear that the project is responsible for massive human rights abuses.<sup>2</sup>

Branching off the Yadana/Yetagun pipeline, however, is the much longer Kanbawk to Myaing Kalay pipeline. This pipeline originates near Kanbawk in Tenasserim Division and ends in Karen State's Myaing Kalay, passing close to hundreds of villages and bisecting farms and plantations by the thousands of acre. Though it has received much less international attention, the Kanbawk to Myaing Kalay pipeline has been responsible for another expansive set of human rights violations. The following report documents these abuses.

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<sup>1</sup> The military government officially changed the country's name to "Myanmar" in 1989, though neither opposition groups nor the international community have universally accepted the switch. The United States, United Kingdom, Australia and Canada, for instance, continue to use "Burma" rather than "Myanmar."

<sup>2</sup> Much of this controversy was generated by the campaigns of Earth Rights International and the Burma Campaign – UK. See, Earth Rights International. *Total Denial*, July 1996; Earth Rights International. *Total Denial Continues: Earth rights abuses along the Yadana and Yetagun pipelines in Burma*, December 2003. Burma Campaign – UK. *Totalitarian Oil: Fueling the Oppression in Burma*, February 2005; Earth Rights International. *The Human Cost of Energy*, April 2008.



Clearing the route for the Kanbauk to Myaing Kalay pipeline required the seizure of more than 2,400 acres of land from villagers, losses for which they received little or no compensation. Once the route was under control, villagers were forced to work as unpaid forced laborers on the construction of the pipeline itself, clearing timber and brush, digging and filling trenches and hauling materials. Nearly a decade after construction of the pipeline was completed, villagers continue to be required to work as forced laborers; not only must villagers work to help maintain the pipeline, they must stand sentry and patrol it, under constant threat of violent retribution should an attack or accident occur.

Battalions of the State Peace and Development Council (SPDC)<sup>3</sup> army have been present at all stages of this process, ostensibly to provide security but also to provide threatening supervision to villagers required to participate in the project. The construction, maintenance and continued protection of the pipeline have fundamentally relied on the SPDC army, whose deployments have tripled since construction began. Housing and supporting these troops has led to its own set of abuses, and the battalions responsible for the pipeline have seized more than 12,000 acres of land as well as demanded daily support from local villagers. These “pipeline battalions” have also been responsible for a raft of violent abuses, including torture, murder and rape. In many cases, these abuses have been a deliberate part of SPDC pipeline security strategy. In other cases, these abuses have simply been the product of a SPDC army that operates without accountability.

This report is divided into three main sections. After a discussion of the national and regional background to the pipeline, the first section (IV: Smoke and fire) details the increased militarization of the pipeline area as new battalions were deployed to support the project. This section provides details on the land confiscation and forced labor during the initial deployment of pipeline battalions, and the abuses inherent in their continued presence. The next section (V: Dirty work) documents abuses during the construction period, including land seizures to clear the way for the pipeline and forced labor to build it. The closing section (VI: Life on the line) details daily life along the pipeline, including the constant threat of explosions and forced labor related to pipeline maintenance and security.

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<sup>3</sup> Burma’s military government changed its name from the State Law and Order Restoration Council to the SPDC in 1997.



## II. Methodology

Information in this report is primarily based on field research conducted along the pipeline during the second half of 2008 and the first quarter of 2009. Nine HURFOM field reporters interviewed 69 subjects in four townships, including:

- 7 subjects from 4 villages in Mudon Township, Mon State
- 7 subjects from 5 villages in Thanbyuzayat Township, Mon State
- 20 subjects from 8 villages in Ye Township, Mon State
- 35 subjects from 10 villages in Yebyu Township, Tenasserim Division

HURFOM also drew extensively on the knowledge of 7 field reporters who reside inside Burma, as well as 4 stringers generously made available by the Independent Mon News Agency (IMNA). These resident reporters provided information on individual incidents, as well as invaluable context, background information, confirmations and assistance finding answers to targeted follow-up questions.

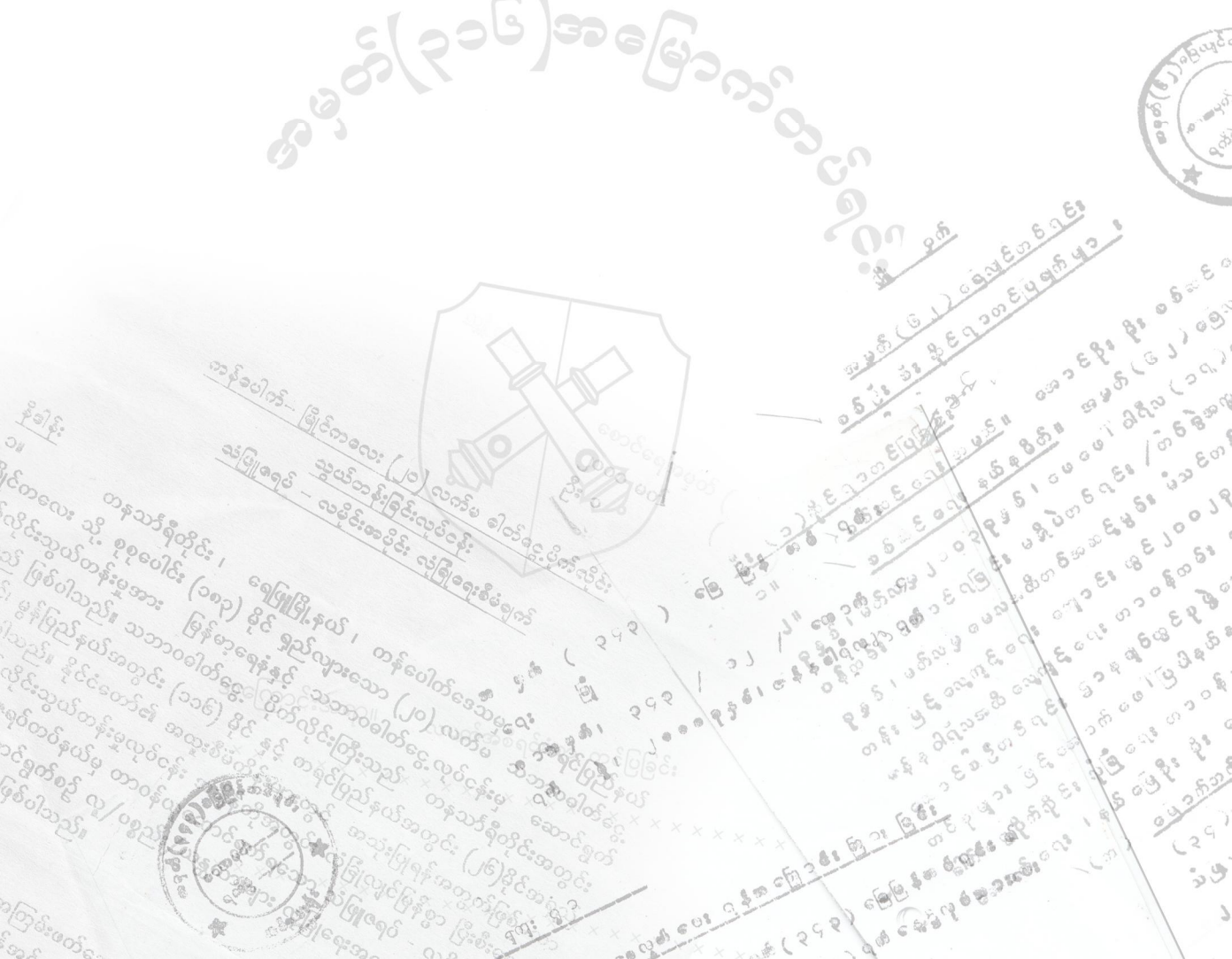
This report also includes information drawn from HURFOM's extensive database, developed during 14 years of human rights documentation in Mon areas. In some cases information in the following report has already been published, either online in short incident reports or in monthly print issues of the *Mon Forum*.

HURFOM makes occasional use of quotations and information from IMNA and Kaowao News, two independent media organizations that cover the pipeline area. No incidents documented by HURFOM rely solely on information from these media reports. Gathering information and obtaining direct quotations from residents inside Burma is, however, intensely difficult and in some cases IMNA and Kaowao simply did good work that HURFOM felt added to the strength of this report.



In all cases except comments from political leaders, names of sources have been changed for their protection. Rather than publish source names as a blank or series of dashes, however, HURFOM feels that it is important to put names to testimony so that it remains clear that the pipeline affects real people, not anonymous subjects or statistics. In cases where villagers requested anonymity, however, they have been listed as “anonymous.”

This report ends with 6 appendices, 5 of which are collections of individual documented abuses. These appendices should not be taken as comprehensive, and reflect neither the total number of abuses along the pipeline nor even the total recorded by HURFOM. Incidents included in the appendices are instead only those for which HURFOM has the absolute highest quality information, including confirmed eyewitness reports, victim testimony or exact details including the names and ages of perpetrators and victims. Appendix 3 should especially be taken as a selection of samples rather than a comprehensive audit, for at any given time many of the abuses on the list are occurring in multiple villages. Instead, Appendix 3 is designed to demonstrate the sheer breadth – and at times perverse creativity – of pipeline battalion “fundraising” efforts. In the case of Appendix 5, much of the information included was gathered independently by HURFOM’s Woman and Child Rights Project (WCRP).



### III. Background

#### A. Burma, pipelines and military rule

Successive military governments have ruled Burma<sup>4</sup> since a coup in 1962. Through the 1990s, the juntas waged an intense civil war against armed ethnic and pro-democracy groups and the Communist Party of Burma (CPB). Though civil-war level fighting subsided as major groups agreed to ceasefires or disintegrated in the 1990s, conflict continues in the country's border areas. Across the rest of the country, meanwhile, the military government continues to treat the population as if it is an internal enemy. In perhaps the country's most infamous moment,<sup>5</sup> in 1988 soldiers opened fire on hundreds of thousands of unarmed protesters, killing at least 3,000 people. Two years later, when the junta annulled the results of an election in which it suffered a crushing defeat, the international community began to enforce political and economic sanctions in earnest. Little has changed however, and 20 years after outcries over the events of 1988 and 1990 the international community continues to be shocked by the junta's actions; in 2006, the United Nations again announced "grave concern" at the human rights situation in Burma:

[T]he Assembly express[es] grave concern at ongoing systematic violations of human rights and fundamental freedoms of the people of Myanmar; the continuing use of torture; deaths in custody; political arrests and continuing imprisonment and other detentions, denial of freedom of assembly, association, expression and movement, and the prevailing culture of impunity.<sup>6</sup>

<sup>4</sup> See footnote 1.

<sup>5</sup> The infamy of 1988 is now likely challenged by the military government's response to Cyclone Nargis in May 2008, which consisted of such intransigence that thousands of lives were lost as international aid agencies struggled to gain access to affected areas. See, *After the Storm: Voices From the Delta*, EAT and Johns Hopkins University, March 2009.

<sup>6</sup> "Third Committee Approves Draft Resolutions on Human Rights in Myanmar, Belarus; Rejects Texts on Canada, United States," United Nations Sixty-first General Assembly, Third Committee 51<sup>st</sup> and 52<sup>nd</sup> Meetings, November 22, 2006.



In spite of international pressure, not to mention armed opposition that at times seemed capable of sacking the country's capital, Burma's military governments have clung to power. Though economic mismanagement means the government lacks sources of traditional revenue, it has largely financed its position through the sale of raw materials and commodities. The bulk of this income comes from the

Andaman Sea, location of the lucrative Yetagun and Yadana gas projects. In May 1990, the British company, Premier Oil signed the first gas contract with Burma's military government, which granted it permission to harvest gas from the Yetagun Gas Fields in the Andaman Sea.<sup>7</sup> Two years later, in July 1992 the French oil company Total signed an agreement to harvest gas from the Yadana Gas Fields, also in the Andaman Sea.<sup>8</sup>



Construction of the Total Pipeline Center near Kanbauk, Tenasserim Division

Both the Yadana and Yetagun projects are joint-operating agreements with the government-owned Myanmar Oil and Gas Enterprises (MOGE), the primary corporation responsible for gas exploration and production in Burma since most sectors of industry were nationalized in 1962. As a result, a significant portion of the income generated by the

projects flows directly to Burma's military government, netting the SPDC 2.486 billion USD in 2008<sup>9</sup>. This is down from the SPDC's 2.7 billion dollar 2007.<sup>10</sup> Notably, these figures are based upon calculations using the official government exchange rate, which registers 6 *kyat* as equivalent to 1 USD.<sup>11</sup> This overvalues the *kyat* by almost 200 times its market value, masking the substantially larger income earned for the regime by gas sales.<sup>12</sup>

Even calculated at the official rate, income from the Yadana and Yetagun projects is the SPDC's primary source of foreign exchange, making up more than a third of its exports for 2008.<sup>13</sup> This revenue is crucial to the SPDC, whose fundraising

<sup>7</sup> Within a few years, Premier, the operator with a 27% share of the project, was joined the Malaysian company Petronas, the Japanese company Nippon and Thailand's PTT-EP.

<sup>8</sup> The Yadana consortium is made up of 4 partners: Total, the operator with a 31.2% share, is joined by Chevron (Unocal prior to 2005), PTT-EP and MOGE.

<sup>9</sup> According to government figures, cited in "Myanmar's foreign trade hits over \$11 bln in 2008," *Xinhua* March 21, 2009. This figure saw an interesting surge upwards in the last quarter of 2008, after the government announced income from gas to be just \$1.69 billion over the first three quarters of the year. See, "Myanmar trade surplus shrinks as gas exports fall," *AP* January 6, 2009.

<sup>10</sup> According to figures provided by the government-controlled *Myanmar Times* newspaper, cited in "Myanmar earned 2.7 bln dlrs from 2007 gas exports: report," *AFP* April 8, 2008. A few months later, figures from the country's customs department revised the figure downwards, to \$2.594 billion. See, "Natural gas tops Myanmar exports in 2007-08," *Xinhua* June 15, 2008.

<sup>11</sup> For more on the difference between the official and actual market values of the *kyat*, see Inset 4.

<sup>12</sup> In May 2009, the widely used black-market exchange rate converted *kyat* to dollars at a rate of 1,090:1. For analysis of the way the official exchange rate impacts government budgets, see Turnell, Sean. "Burma's Economy 2008: Current Situation and Prospects for Reform," *Burma Economic Watch*, Macquarie University, Australia, May 2008.

<sup>13</sup> According to government figures, 2008 saw exports totaling 6.413 billion USD. See, "Foreign trade breaks \$11b barrier before end of fiscal year," *Myanmar Times*, March 30-April 5, 2009.



opportunities are otherwise heavily restricted by strict international sanctions, including by the United States, European Union and Canada.<sup>14</sup> The bulk of the income does not, however, make it into services that benefit the people of Burma. The SPDC spends just 1.4 percent of GDP on education and health, a rate that is half that of neighboring countries and amongst the lowest of countries anywhere.<sup>15</sup> Predictably, Burma's social services are amongst the worst in the world; only a quarter of children complete primary school<sup>16</sup> and Medecins Sans Frontiers (MSF) ranked the country among the world's top-10 Humanitarian Crisis of 2008. The consequences for the population are dire; the country's infant mortality rate is among the highest in Asia, at 7% for children under 1 and 10% for those under 5. These numbers are closer to 10 and 20% in Burma's rural areas,<sup>17</sup> due largely to preventable diseases like malaria, diarrhea and pneumonia.<sup>18</sup> More difficult to treat conditions, meanwhile, go all-but ignored, and in what MSF calls "one of Asia's most severe HIV/AIDS epidemics" only a small fraction of the estimated 240,000 people tested positive for the disease receive ARV treatment.<sup>19</sup>

In spite of the steady income generated by the gas projects, not to mention Burma's abundance of other natural resources, Burma's economy remains stagnant after decades of economic mismanagement by successive military regimes, beginning with the economy-wide nationalizations of General Ne Win's "Burmese Way to Socialism." The UN categorized Burma a "Least Developed Country" in 1987, a label the country has continued to carry for over 20 years<sup>20</sup> even as other Southeast Asian countries have experienced economic booms. Its Gross National Income (GNI) per-capita of 220 USD is less than half that of Cambodia (480 USD), the country with the next-lowest GNI in the region and just a fraction of neighboring Thailand (2,990 USD) or similarly developing ex-British colony Indonesia (1,420 USD).<sup>21</sup> According to the SPDC's own Central Statistical Organization (MCSO), 70% of household income is spent on food,<sup>22</sup> the highest proportion in the region and a solid indicator of the thin line separating households from times when they can feed themselves and times when they cannot. According to the

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<sup>14</sup> Renewed most recently by the European Union. See, "EU extends sanctions on Burma for another year," *Mizzima News*, April 27, 2009.

<sup>15</sup> Turnell, 2008. See also, *The Gathering Storm: Infectious Diseases and Human Rights in Burma*, the University of California Berkeley and John Hopkins University, July 2007.

<sup>16</sup> Turnell, 2008; "Beyond the International Spotlight, Critical Needs in Myanmar Remain Unmet," *MSF Top Ten Humanitarian Crisis of 2008*, MSF December 2008.

<sup>17</sup> *After the storm*, 2009.

<sup>18</sup> Backpack Health Worker Team, *Chronic Emergency: Health and Human Rights in Burma*, September 2006.

<sup>19</sup> See, *A Preventable Fate: The Failure of ART Scale-Up in Myanmar*, MSF Special Report, November 2008.

<sup>20</sup> United Nations Office of the High Representative for Least Developed Countries. "Myanmar Country Profile," June 2008 <http://www.unohrls.org/en/orphan/305/> Accessed 4/1/2009

<sup>21</sup> UNICEF, Information by country: East Asia and the Pacific, <http://www.unicef.org/infobycountry/eastasia.html> Accessed 4/1/2009

<sup>22</sup> Daw Malar Aung, Deputy Director (Statistics), Central Statistical Organization, Ministry of National Planning and Economic Development. "Country Brief Note – Myanmar" (Sic), Inception Seminar/ Workshop on Upgrading Statistical Capabilities on MDG Indicators, Trivendrum, 13-15, December 2004. [www.unsiap.or.jp/mdg\\_project/Inception/DOCS/CBN\\_Myanmar\\_016.doc](http://www.unsiap.or.jp/mdg_project/Inception/DOCS/CBN_Myanmar_016.doc) Accessed 4/1/2009.

World Food Program, a third of children suffer from malnutrition.<sup>23</sup> These numbers worsen markedly in rural areas; in 2006, a joint survey by the UNDP and MCSO found 50% of the population in rural areas to have incomes insufficient to pay for food and other basic needs.<sup>24</sup>

That income from projects like Yadana and Yetagun has not been effectively used to promote economic development should not be surprising. The SPDC is among the most corrupt regimes in the world<sup>25</sup> and, in the words of one respected Burma economic analyst, “has little understanding of the dynamics of a market economy, and mistakes the building of roads, bridges, dams and other physical infrastructure as constituting ‘economic development’ in themselves.”<sup>26</sup> In the last few years, this mismanagement has manifested itself in egregiously high levels of spending on projects like a nuclear reactor<sup>27</sup> and the construction of Naypyidaw, an opulent, built-from-scratch 4-5 billion dollar city to which the regime recently relocated the capital.<sup>28</sup>

A substantial portion of SPDC budgetary expenditures, meanwhile, goes to funding the military, or *Tatmadaw*. Though accurate calculations are difficult because official figures are nonexistent or closely guarded, commentators estimate actual spending on the *Tatmadaw* to account for 25 to 40% of the national budget, or more than twice the percentage of GDP spent on health and education.<sup>29</sup> Importantly, this spending is further augmented by significant funds from military-owned economic enterprises<sup>30</sup> as well as a “self-reliance” policy that encourages front-line battalions to procure supplies through commandeering and purchasing at government prices.<sup>31</sup> The result has been a steady increase in the ranks of the *Tatmadaw*, which at more than 400,000 troops is now the second largest army in Southeast Asia, second only to Vietnam.

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<sup>23</sup> The WFP also labels Burma’s status as “serious” on the Global Hunger Index, which ranks countries based on child malnutrition, rates of child mortality and the proportion of people who are calorie deficient. See the WFP’s Myanmar profile, <http://www.wfp.org/countries/myanmar>. Accessed 4/20/2009.

<sup>24</sup> *Impact of the UNDP Human Development Initiative in Myanmar, 1994-2006*. UNDP 2006.

<sup>25</sup> According to international corruption monitoring group Transparency International, Burma is the second most corrupt country in the world, ahead of only Somalia. Transparency International. “Corruption Perceptions Index 2008,” Transparency International, 2008.

<sup>26</sup> Turnell, 2008. Turnell goes on to describe the SPDC as “almost wholly predatory... not so much parasitic of its host as all-consuming. If in other countries ruling regimes behave occasionally as racketeers in skimming a ‘cut’ from prosperous business, then Burma’s is more like a looter – destroying what it can neither create nor understand.”

<sup>27</sup> Bertil Lintner, “Burma’s Nuclear Temptation,” *Yale Global*, December 3, 2008; *The Guardian*, “Russia to build atomic plant for Burmese junta,” May 17, 2007.

<sup>28</sup> *The New York Times*, “Built to Order: Myanmar’s New Capital Isolates and Insulates Junta,” June 24, 2008; *The Irrawaddy*, “Dragging Burma Back to the Past,” November 2008 - Volume 16 NO.11; *BBC News*, “Burma’s new capital stages parade,” March 27, 2006.

<sup>29</sup> Andrew Selth. *Burma’s Armed Forces: Power Without Glory* (East Bridge: Norwalk, 2002); David Steinberg. *Burma, the state of Myanmar* (Georgetown University Press: Washington, DC, 2002).

<sup>30</sup> The *Tatmadaw* controls a variety of business operations, including banks, construction, agricultural and import-export companies. The *Tatmadaw*-owned Union of Myanmar Economic Holdings, for instance, is one of the largest businesses inside Burma. See, “The Enemy Within,” *The Irrawaddy*, March 2000 Vol. 8 No. 30. For a discussion of SPDC army investments and the lucrative logging industry in Burma, see *A Conflict of Interests: The uncertain future of Burma’s forests*, Global Witness, October 2003.

## B. The Kanbauk to Myaing Kalay gas pipeline

The Yadana and Yetagun projects have received significant international attention, generated mostly through careful documentation of human rights violations by advocacy groups like Earth Rights International (ERI) and the Burma Campaign UK.<sup>32</sup> Beginning in 1996, ERI also began conducting a legal advocacy campaign, filing lawsuits first in the US that were soon replicated in Belgium and France. Receiving less coverage, however, is the government-owned pipeline bringing Total gas to domestic users inside Burma; as part of its contract with Total, MOGE is entitled to as much as 20% of Yadana's production.<sup>33</sup> This gas is routed to two primary locations: first to cement factories in Karen State, and then onwards to Rangoon where it is used for electricity generation.<sup>34</sup> According to numbers released by Total in 2008, MOGE initially took less than half its share – 40 to 50 million standard cubic feet per day (mmscfd). In December 2006, MOGE increased this daily take to 100 mmscfd.

MOGE's share of the gas must travel through 183 miles of 20-inch diameter pipeline, construction of which began in November 2000. This pipeline begins at the Total Pipeline Center near Kanbauk, a town in northern Yebyu Township, Tavoy District, Tenasserim Division.<sup>35</sup> The gas travels briefly through Yebyu, before passing into Mon State 41 miles further on. For the next 116 miles, it travels through 5 townships in Mon State before entering Karen State, arriving 26 miles later at twin cement factories in Myaing Kalay.<sup>36</sup> From Myaing Kalay, some of the gas continues roughly west towards electricity generating projects in Rangoon, including a gas turbine power station funded by the Japanese government.<sup>37</sup>

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<sup>31</sup> The SPDC is reported to have begun this "self reliance" or "self sufficiency" policy in 1996 or 1997. Front-line battalions are often poorly outfitted in terms of rations and other living requirements. Given the general lack of oversight or culpability for officers or soldiers, this has led to abuse and exploitation as battalions seek to cover shortfalls. For details on the March 2009 policy change that replaced rice rations with a weekly payment of 800 *kyat* for rank and file soldiers, see "Lack of army food could lead to corruption," *Democratic Voice of Burma*, April 29, 2009. For details on the general lack of support for rank and file SPDC army soldiers, see "Myanmar army document spotlights low morale," *Jane's Defence Weekly*, March 26, 2007. For other reports on the SPDC self-reliance policy, see *Running the Gauntlet: the Impact of Internal Displacement in Southern Shan State*, Humanitarian Affairs Research Project, Chulalongkorn University, Thailand, 2003; *Myanmar Ethnic Minorities: Targets of Repression*, Amnesty International, June 2001. For examples of the way the SPDC military "self reliance" policy results in villagers forced to support troops, see *Internal Displacement and International Law in Eastern Burma*, Thai-Burma Border Consortium, October 2008.

<sup>32</sup> See footnote 2.

<sup>33</sup> Total. *Total in Myanmar: a sustained commitment*, 2008. Downloaded from the Total website, <http://burma.total.com>. Accessed 3/1/2009.

<sup>34</sup> Total, 2008; U Kyaw Nyein, "MOGE Country Report for Myanmar." Presented to MOGE, Undated.

<sup>35</sup> For more on the organization and administration of States and Divisions in Burma, see Inset 1.

<sup>36</sup> For more on the cement factories in Myaing Kalay, see Inset 2.

<sup>37</sup> According to a June 2006 evaluation by the Japan International Cooperation Agency (JICA), the JICA-funded Thaketa gas turbine power station was poised to increase the amount of gas it burned, by drawing an additional 22 million MMSCFD later in 2006. Atsushi Tokura, "Ex-Post Monitoring for Completed ODA Loan Projects," Myanmar Gas Turbine Power Station Project (Yangon), JICA June 2006.

The Kanbawk-Myaing Kalay pipeline is an extensive overland pipeline, and passes through areas that are varied in terms of terrain, ethnic make-up and political situation. The majority of the pipeline takes more or less the same route as the



*The Kanbawk to Myaing Kalay gas pipeline during construction in Ye Township*

Moulmein to Ye and Ye to Tavoy railway lines, which also run along the main road connecting Moulmein, Mon State's capital, to Tavoy, the capital of Tenasserim Division. For approximately the first third of the pipeline, in Yebyu Township and southern Ye Township's Khaw Zar Sub-township, the countryside is relatively mountainous and home to dense forests. This terrain has made it home for the remaining armed insurgent groups, who have dwindled since major groups like the Communist Party of Burma's (CPB) last southern outpost finally disintegrated in 2000 and the New Mon State Party (NMSP) agreed to a ceasefire with the SPDC in 1995. Since construction of the pipeline began in 2000, armed insurgent activity has been

mostly limited to the Karen National Liberation Army (KNLA) and small MNLA splinter groups.<sup>38</sup> Much of this area is classified a "black" area, making it a virtual free-fire zone for SPDC army troops and the site of some of the worst human rights abuses in southern Burma.<sup>39</sup>

By Ye Town, 30 miles to the north of Khaw Zar Town, the terrain begins to level out and remains relatively flat for the next 80 miles, though mountains to the west are never more than a few miles away. These remaining three quarters of the pipeline pass through the northern end of Ye Township and into Thanbyuzayat and Mudon Townships, before skirting Moulmein and entering Karen State. Though activity by armed insurgents has also been reported in these areas, particularly in Lamine Sub-township north of Ye Town and as far north as Thanbyuzayat Township,<sup>40</sup> they are classified as "white," and fully under government control. As the pipeline stretches towards Moulmein, then, it passes from a "black" free-fire zone where human rights abuses such as forced relocations and arbitrary killings are common to increasingly more pacified "white" territory, where the human rights situation is pressing though less severe.

The pipeline chiefly traverses agricultural land, primarily paddy fields and rubber plantations, though plantations of betel nut, durian, rambutan, palm and other orchard products are also common, especially in the more mountainous southern areas. Fishing villages dot the coast, while in Thanbyuzayat Township salt is

<sup>38</sup> For more on the insurgent activity in the pipeline area as well as the NMSP and KNLA, see Inset 3.

<sup>39</sup> For more on "black areas" and the way SPDC counter-insurgency strategy hinges on targeting civilians, see Section IV, B.

<sup>40</sup> In March 2009, villagers in Thanbyuzayat and Mudon Townships were restricted to a 9 pm curfew after SPDC battalions claimed they had intelligence indicating 200 armed insurgents had entered the area. It is questionable whether a group of 200 could operate secretly in an area home to 5 Burmese army battalions and made up mostly of paddy fields and rubber plantations. Nonetheless, one resident interviewed at the time said he had recently seen 30 KNLA soldiers taxing a bus bound from Moulmein to Tavoy near Waekami village, Thanbyuzayat.

### Inset 1: Organization and administration of SPDC states and divisions

Burma is divided into 7 States and 7 Divisions, though the “Divisions” are slated to be re-labeled “Regions” when the country’s new Constitution goes into force following elections in 2010. These states and divisions are generally divided along ethnic lines, with divisions primarily ethnic Burman and states taking on the name of various ethnic groups; Mon State, as the name suggests, is primarily ethnic Mon though it – like other states that bear ethnic monikers such as “Kachin State” – is hardly homogenous.

States and Divisions are divided into districts, which are then divided into townships and, in some cases, sub-townships. In the case of both townships and sub-townships, a larger town bearing the name of the township sits approximately at its center. Below the township and sub-township level are villages, or in the case of clusters of villages, village tracts or wards. One might describe the location of Yindein village, then, by saying that it is in Khaw Zar Sub-township, Ye Township, Moulmein District, Mon State. For the purposes of this report, HURFOM will typically identify only the village and township, with occasional references to sub-townships.

Administratively, a hierarchical system of “peace and development councils” (PDC) carry out government tasks, with state-level PDCs overseeing township councils (TPDC), which oversee sub-township (STPDC) and village councils (VPDC). In Yindein, then, the Yindein VPDC answers to the Khaw Zar STPDC, which is overseen by the Ye TPDC. All three councils are answerable to the Mon State PDC, which is, in turn, finally answerable to the SPDC in the capital city of Naypyidaw.

produced in villages like Panga and Setse.<sup>41</sup> Though Mon State’s paddy fields and plantations are fertile and the area’s economy has been relatively stronger than other parts of Burma, it is by no means affluent. Baseline income for an average laborer in 2009 is just 50,000 *kyat* a month, or less than 50 USD. The area has also been hit hard by the global economic downturn, with the value of key crops like rubber dropping by as much as 75%.<sup>42</sup>

The pipeline area is primarily home to ethnic Mons, who more or less controlled the region for centuries.<sup>43</sup> It is by no means ethnically homogenous, however, and is also home to ethnic Karens, Burmans, Indians and, in the south closer to Kanbawk, Tavoyans. Mon State’s relatively strong economic position vis-à-vis other parts of Burma means that it has also increasingly become a destination for ethnic Burman migrant workers from middle and upper Burma.<sup>44</sup>

Preparation for the construction of the Kanbawk to Myaing Kalay pipeline began in 1998 when SPDC engineers first surveyed the route. Township Peace and Development Council (TPDC) officials, who are responsible for administering all

<sup>41</sup> Salt production in Mon State saw a boon in 2008/2009 following the May 2008 devastation of Burma’s primary salt producing areas on the Irrawaddy Delta by Cyclone Nargis.

<sup>42</sup> For more on household incomes and the economy in Mon State, see Inset 4.

<sup>43</sup> The last Mon Kingdom of Hongsawatoi, which encompassed Burma’s southern peninsula, as well as significant other portions of Burma and Thailand, fell to the Burman King Alaungpaya in 1757. For more on the early history of the Mon people, see Ashley South, *The Golden Sheldrake: Mon Nationalism and Civil War in Burma* (New York: Routledge, 2003).